

INTERNATIONAL ASSOCIATION OF ATHLETICS FEDERATIONS

CODE OF ETHICS

IN FORCE AS FROM 26 NOVEMBER 2015

(Appendix 6 and Appendix 7 amended)

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IAAF Code of Ethics

Preamble

It is an object of the IAAF to safeguard the authenticity and integrity of Athletics and to take all possible measures to eliminate corrupt conduct which might place the authenticity, integrity and reputation of Athletics at risk.

In furtherance of this object, the IAAF Congress has adopted the following Code of Ethics that sets out the Principles of ethical conduct applicable to the IAAF Family (the “Code”).

The Code further provides in its appendices for rules and procedures in specific cases and for the Statutes of the IAAF Ethics Commission and the Procedural Rules of the IAAF Ethics Commission (Procedural Rules). The appendices form part of, and are incorporated into, the Code.

A Application

1. Persons Covered by the Code: The Code applies to the following individuals (collectively referred to as the “IAAF Family”):
 - a. “IAAF Officials” meaning all members of the IAAF Council, IAAF Committees and IAAF Commissions and any person who acts or is entitled to act for or on behalf of the IAAF, including without limitation IAAF staff, consultants, agents and advisors;
 - b. “Area Association Officials” and “Member Officials”, meaning all members of the council and/or executive bodies, committees and commissions of Area Associations and Members and others who act, or are entitled to act, for or on behalf of an Area Association or Member, including without limitation, staff, consultants, agents and advisors;
 - c. “Participants” meaning all Athletes, Athlete Support Personnel, competition officials, officials, managers or other members of any Athletics delegation, referees, jury members and any other person who is or has been accredited to attend or participate in an International Competition;
 - d. “Members and Candidate Cities/Host Cities” meaning those Members and candidate or host cities wishing to host or hosting World Athletics Series competitions and other International Competitions organised by the IAAF and the local organising committees of such competitions and their respective officials, employees and others acting, or entitled to act, on their behalf; and
 - e. Such other persons who agree in writing at the request of the IAAF to be bound by the Code.

2. Conduct covered by the Code: The Code applies to all conduct that damages the authenticity, integrity and reputation of Athletics whether it occurs within or in connection with Athletics or otherwise.
3. It shall be the personal responsibility of every person in the IAAF Family to make himself aware of the Code, including conduct that constitutes a violation of the Code, and to comply with it.
4. Every person in the IAAF Family submits to the exclusive jurisdiction of the IAAF Ethics Commission convened under the Code to hear and determine violations and to the exclusive jurisdiction of CAS to determine any appeal from a decision of the IAAF Ethics Commission.
5. Timing: The Code shall come into force on 1st January 2015 (“Commencement Date”) and apply to all violations of the Code committed on or after the Commencement Date.
6. With respect to any proceeding pending as at the Commencement Date under the previous IAAF Code of Ethics, or proceedings brought after the Commencement Date where the facts giving rise to them occurred prior to the Commencement Date, the Proceedings shall be governed by the substantive provisions of the IAAF Code of Ethics and other applicable IAAF Rules and Regulations in effect at the time of the alleged facts, unless the IAAF Ethics Commission hearing the proceeding determines the principle of “lex mitior” applies under the circumstances of the Proceeding. All such Proceedings shall be conducted in accordance with the Procedural Rules under the Code.

B Principles of the Code

7. The Principles on which the Code is founded are set out in C and D below.
8. Persons subject to the Code shall immediately report any breach of the Code to the Chairperson of the IAAF Ethics Commission.
9. Persons subject to the Code who attempt, or agree with another person, to act in a manner that would constitute or culminate in the commission of a violation of the Code shall be treated as if a violation has been committed, whether or not such attempt or agreement in fact resulted in such violation. However, there shall be no violation where the person who is subject to the Code renounces his attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement.
10. Persons subject to the Code who knowingly assist, fail to report or are otherwise complicit in any act or omission that constitutes or culminates in the commission of a violation of the Code shall themselves be treated as having committed a violation of the Code.

C Principles of Conduct Applicable to IAAF Family

This Part C applies to all members of the IAAF Family.

C1 Integrity

11. Persons subject to the Code shall not act in a manner likely to affect adversely the reputation of the IAAF, or the sport of Athletics generally, nor shall they act in a manner likely to bring the sport into disrepute.
12. Persons subject to the Code shall act with the utmost integrity, honesty and responsibility in fulfilling their respective roles in the sport of Athletics.
13. Doping in Athletics is strictly prohibited in accordance with the Anti-Doping Rules (Appendix 1).
14. Persons subject to the Code shall not participate in betting on Athletics, nor manipulate the results of competitions nor engage in other corrupt conduct in accordance with the Rules against Betting, Manipulation of Results and Corruption (Appendix 2).
15. Persons subject to the Code, shall not offer, promise, give, solicit or accept any personal or undue pecuniary or other benefit (or the legitimate expectation of a benefit irrespective of whether such benefit is in fact given or received) in connection with their activities or duties in Athletics.
16. Persons subject to the Code are prohibited from misappropriating IAAF assets.

C2 Equality

17. There shall be no discrimination in Athletics on the basis of race, sex, ethnic origin, colour, culture, religion, political opinion, marital status, sexual orientation or any unfair or other irrelevant factor, except as permitted by law, including in the IAAF Council, Committees, Commissions or other elected or appointed bodies of the IAAF.
18. In electing or appointing persons to positions, Councils, Boards, committees, commissions or other elected or appointed bodies within the IAAF, both sexes must be considered.

C3 Dignity

19. Safeguarding the dignity of the individual is fundamental and all forms of harassment in Athletics, be it physical, verbal, mental or sexual, are prohibited.

C4 Good Faith

20. Members of the IAAF Family shall act in good faith towards each other with mutual trust and understanding in all their dealings.

C5 Fair Elections

21. Candidates for elected IAAF positions shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the Rules Concerning Candidacy for IAAF Office and the Conduct of Elections (Appendix 3).

C6 Bidding

22. Members and Candidate Cities wishing to host World Athletics Series competitions and other International Competitions organised by the IAAF (including those persons acting or entitled to act on their behalf) shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the Rules of Conduct Applicable to Members and Candidate Cities Wishing to Host World Athletics Series competitions and other International Competitions organised by the IAAF (Appendix 4).

C7 Confidentiality

23. Persons subject to the Code shall not at any time disclose information entrusted to them in confidence in connection with their role or activities in Athletics unless required to do so by the Code or by law. Information which is not confidential and is obtained in connection with their role or activities in Athletics shall not be disclosed for personal gain or benefit, nor be used maliciously to damage the reputation of any person or organisation.

D Principles of Conduct Applicable to IAAF Officials

This Part D shall apply to all IAAF Officials.

D1 Fiduciary Duties

24. IAAF Officials shall use due care and diligence in fulfilling their roles for and on behalf of the IAAF.

D2 Improper Benefits

25. IAAF Officials shall not, directly or indirectly, solicit, accept or offer any form of improper remuneration or commission, or any concealed benefit or service of any nature, connected with the organisation of any Athletics event or election or appointment to office.
26. Gifts and other benefits of nominal value may be given or accepted by an IAAF Official as a mark of respect or friendship. The giving or accepting of any other gift or benefit by an IAAF Official is prohibited. In all circumstances, the giving or accepting of cash by an IAAF Official in any amount is prohibited.
27. The hospitality shown to IAAF Officials and the person(s) accompanying them shall not be excessive.

D3 Improper Association

28. IAAF Officials must not be involved with firms or persons whose activity or reputation is inconsistent with the principles set out in the Code.

D4 No Conflicts of Interest

29. IAAF Officials shall act for the benefit of the IAAF when making decisions that affect or may affect the IAAF and must do so without reference to their own personal interest, either financial or otherwise.
30. IAAF Officials shall comply with the IAAF Rules Concerning Conflicts of Interest of IAAF Officials (Appendix 5).

D5 Neutrality

31. IAAF Officials shall remain politically neutral in their dealings on behalf of the IAAF with government institutions, national and international organisations.

E Enforcement

32. The Principles in the Code shall be enforced in accordance with its provisions and in accordance with the provisions of the Rules and Regulations referred to in it.
33. There shall be an independent and appropriately qualified investigator appointed by the IAAF Ethics Commission to undertake investigations into violations of the Code (other than violations of the Anti-Doping Rules) according to the Procedural Rules.
34. There shall be an IAAF Ethics Commission established pursuant to Article 5.7 of the IAAF Constitution, which shall carry out its functions in accordance with the Statutes of the IAAF Ethics Commission (Appendix 6) and the Procedural Rules (Appendix 7). These functions shall include adjudicating whether violations of the Code have been committed and imposing sanctions.

F Appeals

35. All decisions taken by the Ethics Commission and its Panels are final, subject to appeals lodged with the Court of Arbitration for Sport (CAS) except that there is no right of appeal against decisions of the Ethics Commission under rule C16(v) of the Statutes of the Ethics Commission (appeals against decisions of Members).
36. All decisions taken by the Ethics Commission shall remain in effect while under appeal unless CAS orders otherwise.
37. The following shall have the right of appeal against decisions of the Commission and its Panels:
 - (i) the parties;
 - (ii) the IAAF;
 - (iii) the affected Member Federation.

38. There shall be no right of appeal to CAS from a decision of the Ethics Commission and its Panels, where the decision is from an appeal to the Ethics Commission against a decision of a Member Federation's Ethics Commission (or any other judicial body who was authorised by the Member Federation to adjudicate on violations of the Code of Ethics of the Member Federation).

G Member Federations' Obligations

39. Each Members of the IAAF shall adopt a code of ethics in the form prescribed by the IAAF, such Code and its appendices providing for rules and procedures and for the Statutes of an Ethics Commission and the Procedural Rules of an Ethics Commission. Such Code must:
 - a. provide that all disputes arising under the Codes of Ethics of the Member Federation shall be submitted to the Member's Ethics Commission under its Procedural Rules or any other judicial body who was authorised by the Member Federation to adjudicate whether violations of the Code of Ethics of the Member Federation have been committed and to impose sanctions;
 - b. provide for a right of appeal from decisions of the Member's Ethics Commission (or any other judicial body who was authorised by the Member to adjudicate on violations of the Code of Ethics of the Member) to the IAAF Ethics Commission, in accordance with this Code.
40. In addition to the prescribed Code the Member may have other ethical provisions or Codes of Conduct with the extent of an inconsistency between the IAAF Code of Ethics and the Member's other ethical provisions or Codes of Conduct, the relevant provisions of this Code shall prevail.

H Final Provisions

41. The Code has been adopted by the IAAF Congress as a Rule of the IAAF in accordance with Article 13 of the IAAF Constitution. To the extent of any inconsistency between the Code and the IAAF Constitution, the relevant provisions of the IAAF Constitution shall prevail.
42. Words used in the Code shall have the same meaning as set out in the IAAF Constitution and the IAAF Rules, unless specified otherwise.
43. The provisions of the Code shall be governed by and interpreted in accordance with the laws of Monaco.

**RULES OF
IAAF CODE OF ETHICS**

APPENDIX 1
ANTI-DOPING RULES

In force as from 1st November 2015

CHAPTER 3: ANTI-DOPING & MEDICAL RULES 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 and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

Adverse Passport Finding

A report identified as an Adverse Passport Finding as described in the Anti-Doping Regulations.

Anti-Doping Organisation

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, other Major Event Organisations that conduct Testing at their Competitions, the IAAF, WADA and National Anti-Doping Organisations.

Anti-Doping Rules

The IAAF Anti-Doping Rules as may be passed by the IAAF Congress or the IAAF Council from time to time.

Anti-Doping Regulations

The IAAF Anti-Doping Regulations as may be passed by the IAAF Council from time to time.

Area Association

An area association of the IAAF responsible for fostering Athletics in one of the six areas into which the members are divided in the Constitution.

Athlete

Any Person who participates in the IAAF, its Members and Area Associations by virtue of his agreement, membership, affiliation, authorisation, accreditation or participation in their activities or competitions and any other competitor in Athletics who is otherwise subject to the jurisdiction of any Signatory or other sports organisation accepting the Code.

Athlete Biological Passport

The programme and methods of gathering and collating Passports as described in the Athlete Biological Passport Operating Guidelines (and Technical documents) and the Anti-Doping Regulations.

Athlete Support Personnel

Any coach, trainer, manager, authorised athlete representative, agent, team staff, official, medical or paramedical personnel, parent or any other Person working with, treating or assisting an Athlete participating in, or preparing for, Competition in Athletics.

Attempt

Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation; provided, however, there shall be no anti-doping rule violation based solely on an Attempt to commit a violation if the Person renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

Atypical Finding

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

Atypical Passport Finding

A report identified as an Atypical Passport Finding as described in the Anti-Doping Regulations.

CAS

The Court of Arbitration for Sport.

Code

The World Anti-Doping Code.

Competition

An Event or series of Events held over one or more days.

Competition Venues

Those venues so designated by the ruling body over the Competition.

Competition Period

The time between the beginning and the end of a Competition, as established by the ruling body of the Competition.

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 which means the Athlete's results in a particular Event or Competition are invalidated, with all resulting Consequences including forfeiture of any titles, awards, medals, points and prize and appearance money; (b) Ineligibility which 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 Rule 40.12(a); (c) Provisional Suspension which 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 Rule 38; and (d) Public Disclosure or Public Reporting which means the disclosure of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Rule 43.

Constitution

The IAAF Constitution.

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.

Council

The IAAF Council.

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, including all steps and processes in between such as provision of whereabouts information, Sample collection and handling, laboratory analysis, TUEs, results management and hearings.

Event

A single race or contest in a Competition (e.g., the 100 metres or the Javelin Throw),

including any qualifying rounds thereof.

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 Minor, 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 behaviour. Thus, for example, the fact that an Athlete would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Athlete only has a short time left in his career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Rule 40.6.

Filing Failure

A failure by an Athlete (or a third party to whom the Athlete has delegated the task) to make an accurate and complete Whereabouts Filing that enables the Athlete to be located for Testing at the times and locations set out in the Whereabouts Filing or to update the Whereabouts Filing where necessary to ensure it remains accurate and complete, all in accordance with the Anti-Doping Regulations or the rules or regulations of a Member or Anti-Doping Organisation with jurisdiction over the Athlete that comply with the International Standard for Testing and Investigations.

In-Competition

In-Competition means the period commencing twelve hours before an Event in which the Athlete is scheduled to participate through to the end of such Event and the Sample collection process related to such Event.

Ineligibility

See Consequences of Anti-Doping Rule Violations above.

International Competition

For the purposes of these Anti-Doping Rules, the international competitions under Rule 35.9, as published annually on the IAAF website.

International-Level Athlete

An Athlete who is in the Registered Testing Pool established at international level by the IAAF or who is competing in an international competition under Rule 35.9.

International Standard

A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or

procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly. International Standards shall include any Technical Documents issued pursuant to the International Standard.

Major Event Organisation

The continental associations of National Olympic Committees and other international multi-sport organisations that function as the ruling body for any continental, regional or other international competition.

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.

Member

A national governing body for Athletics affiliated to the IAAF.

Minor

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

Missed Test

A failure by an Athlete to be available for Testing at the location and time specified in the 60-minute time slot identified in his Whereabouts Filing for the day in question either in accordance with the Anti-Doping Regulations or with the rules or regulations of a Member or Anti-Doping Organisation with jurisdiction over the Athlete that comply with the International Standard for Testing and Investigations.

National Anti-Doping Organisation

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

National Federation

The Member of the IAAF to which an Athlete or other Person is affiliated directly or through a club or another body affiliated to a Member.

National Olympic Committee

The organisation recognised by the International Olympic Committee. The term National Olympic Committee shall also include the National Sport Confederation in those Countries or Territories where the National Sport Confederation assumes typical National Olympic Committee responsibilities in the anti-doping area.

No Advance Notice

A Sample collection which takes place with no advance warning to the Athlete and where the Athlete is continuously chaperoned from the moment of notification through to Sample provision.

No Fault or No Negligence

The Athlete's or other Person's establishing that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had Used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an anti-doping rule. Except in the case of a Minor, for any violation of Rule 32.2(a), the Athlete must establish how the Prohibited Substance entered his system.

No Significant Fault or No Significant Negligence

The Athlete's or other Person's establishing that his 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 Minor, for any violation of Rule 32.2(a), the Athlete must establish how the Prohibited Substance entered his system.

Out-of-Competition

Any period which is not In-Competition.

Participant

Any Athlete or Athlete Support Personnel.

Person

Any natural Person (including any Athlete or Athlete Support Personnel) or an organisation or other entity.

Possession

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

means) of a Prohibited Substance or a Prohibited Method constitutes Possession by the Person who makes the purchase.

Prohibited List

The Prohibited List published by WADA identifying the Prohibited Substances and Prohibited Methods.

Prohibited Method

Any method so described on the Prohibited List.

Prohibited Substance

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

Provisional Suspension

See Consequences of Anti-Doping Rule Violations above.

Publicly Disclose or Publicly Report

See Consequences of Anti-Doping Rule Violations above.

Registered Testing Pool

The pool of highest priority Athletes, established separately (i) by the IAAF at the international level and (ii) by National Anti-Doping Organisations at the national level, who are subject to focussed In-Competition and Out-of-Competition Testing as part of the IAAF's or National Anti-Doping Organisation's respective test distribution plans and are required to provide whereabouts information for that purpose. The IAAF shall publish a list which identifies the Athletes included in its Registered Testing Pool.

Sample / Specimen

Any biological material collected for the purposes of Doping Control.

Signatories

Those entities signing the Code and agreeing to comply with the Code, including the International Olympic Committee, International Federations, National Olympic Committees, Major Event Organisations, National Anti-Doping Organisations and WADA.

Specified Substances

See Rule 34.5.

Strict Liability

The rule which provides that, under Rules 32.2(a) and 32.2(b), 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.

Substantial Assistance

For the purposes of Rule 40.7(a), a Person providing Substantial Assistance must (i) fully disclose in a signed written statement all information he possesses in relation to anti-doping rule violations, including those involving himself and (ii) fully co-operate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by the prosecuting authority or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering

Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or to prevent normal procedures from occurring.

Target Testing

The selection of specific Athletes for Testing based on criteria set out in the International Standard for Testing and Investigations and/or the Anti-Doping Regulations.

Testing

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

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 Personnel or any other Person subject to the jurisdiction of the IAAF, a Member or an Anti-Doping Organisation to any third party; provided 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 such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

TUE

Therapeutic Use Exemption as described in Rule 34.8.

Use

The utilisation, application, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.

WADA

The World Anti-Doping Agency.

Whereabouts Failure

A Filing Failure or a Missed Test.

Whereabouts Filing

Information provided by or on behalf of an Athlete in the IAAF Registered Testing Pool that sets out the Athlete's whereabouts during the following quarter.

SECTION I – ANTI-DOPING RULES

RULE 30

Scope of the Anti-Doping Rules

1. The Anti-Doping Rules shall apply to the IAAF, its Members and Area Associations and to Athletes, Athlete Support Personnel and other Persons who participate in the activities or Competitions of the IAAF, its Members and Area Associations by virtue of their agreement, membership, affiliation, authorisation or accreditation.
2. All Members and Area Associations shall comply with the Anti-Doping Rules and Regulations. The Anti-Doping Rules and Regulations shall be incorporated either directly, or by reference, into the rules or regulations of each Member and Area Association and each Member and Area Association shall include in its rules the procedural regulations necessary to implement the Anti-Doping Rules and Regulations effectively (and any changes that may be made to them). The rules of each Member and Area Association shall specifically provide that all Athletes, Athlete Support Personnel and other Persons under its jurisdiction shall be bound by the Anti-Doping Rules and Regulations, including the results management authority set out in such rules.
3. In order to be eligible to compete or participate in, or otherwise be accredited at, an International Competition, Athletes (and where applicable) Athlete Support Personnel and other Persons must have signed an agreement to the Anti-Doping Rules and Regulations in a form to be decided by the Council. In guaranteeing the eligibility of its Athletes for an International Competition (see Rule 21.2), Members guarantee that the Athletes (and where applicable, Athlete Support Personnel) have signed an agreement in the required form and that a copy of the signed agreement has been sent to the IAAF Office.
4. The Anti-Doping Rules and Regulations shall apply to all Doping Controls over which the IAAF and respectively its Members and Area Associations have jurisdiction.
5. It is the responsibility of each Member to ensure that all national-level In and Out-of-Competition Testing on its Athletes and the management of results from such Testing complies with the Anti-Doping Rules and Regulations. It is recognised that, in some Countries or Territories, the Member will conduct the Testing and result management process itself whilst, in others, some or all of the Member's responsibilities may be delegated or assigned (either by the Member itself or under applicable national legislation or regulation) to a National Anti-Doping Organisation or other third party. In respect of these Countries or Territories, reference in these Anti-Doping Rules to the Member or National Federation (or its relevant officers) shall, where applicable, be a reference to the National Anti-Doping Organisation or other third party (or its relevant officers).
6. The IAAF shall monitor the anti-doping activities of its Members under these Anti-Doping Rules, including but not limited to the In and Out-of-Competition Testing conducted at national level by each Member (and/or by the relevant National Anti-Doping Organisation or third party in accordance with Rule 30.5).

If the IAAF considers that the In and/or Out-of-Competition Testing or other anti-doping activity conducted at national level by a Member is insufficient or inadequate, either having regard to the success of the Member's Athletes in International Competitions or for any other reason, the Council may require the Member to take such action as it considers to be necessary in order to ensure a satisfactory level of anti-doping activity in the Country or Territory concerned. A failure by a Member to comply with the Council's decision may result in the imposition of sanctions under Rule 45.

7. Notice under these Anti-Doping Rules to an Athlete or other Person who is under the jurisdiction of a Member may be accomplished by delivery of the notice to the Member concerned. The Member shall be responsible for making immediate contact with the Athlete or other Person to whom the notice is applicable.

RULE 31

IAAF Anti-Doping Organisation

1. The IAAF shall principally act under these Anti-Doping Rules by the following person(s) or bodies:
 - (a) the Council;
 - (b) the Medical and Anti-Doping Commission;
 - (c) the Doping Review Board; and
 - (d) the IAAF Anti-Doping Administrator.

The Council

2. The Council has a duty to the IAAF Congress to oversee and supervise the activities of the IAAF in accordance with its Objects (see Article 6.12(a) of the Constitution). One of these Objects is to promote fair play in sport, in particular, to play a leading role in the fight against doping, both within Athletics and externally in the wider sporting community, and to develop and maintain programmes of detection, deterrence and education which are aimed at the eradication of the scourge of doping within sport (see Article 3.8 of the Constitution).
3. The Council has the following powers under the Constitution in overseeing and supervising the activities of the IAAF:
 - (a) to establish any Commission or sub-Commission, whether on an ad hoc or permanent basis, that it deems to be necessary for the proper functioning of the IAAF (see Article 6.11(j) of the Constitution).
 - (b) to make any interim amendments to the Rules it considers to be necessary between Congresses and to fix a date on which such amendments shall take effect. The interim amendments shall be reported to the next Congress, which shall decide whether they shall be made permanent (see Article 6.11(c) of the Constitution).
 - (c) to approve, reject or amend the Anti-Doping Regulations (see Article 6.11(i) of the Constitution); and
 - (d) to suspend or take other sanctions against a Member for a breach of the Rules in accordance with the provisions of Article 14.7 (see Article 6.11(b) of the Constitution).

The Medical and Anti-Doping Commission

4. The Medical and Anti-Doping Commission is appointed as a Commission of the Council under Article 6.11(j) of the Constitution to provide the IAAF with general advice on all anti-doping and related matters, including in relation to these Anti-Doping Rules and the Anti-Doping Regulations.
5. The Medical and Anti-Doping Commission shall consist of up to 15 members who shall meet at least once a year, normally at the beginning of each calendar year, in order to review the IAAF's anti-doping activities in the preceding 12 months and to establish, for the approval of the Council, the IAAF's anti-doping programme for the year ahead. The Medical and Anti-Doping Commission shall also consult on a regular basis throughout the course of the year, as the need may arise.
6. The Medical and Anti-Doping Commission shall have responsibility for the following further specific tasks under these Anti-Doping Rules:
 - (a) publishing the Anti-Doping Regulations, and amendments to the Anti-Doping Regulations, as often as may be required. The Anti-Doping Regulations shall comprise, either directly or by reference, the following documents issued by WADA:
 - (i) the Prohibited List;
 - (ii) the International Standard for Testing and Investigations;
 - (iii) the International Standard for Laboratories;
 - (iv) the International Standard for Therapeutic Use Exemptions; and
 - (v) the International Standard for the Protection of Privacy and Personal Informationtogether with any additions or modifications to such documents or International Standards, or further procedures or guidelines, that may be deemed necessary to comply with these Anti-Doping Rules or otherwise pursue the IAAF's anti-doping programme.

The Anti-Doping Regulations, and any proposed amendment to them, unless otherwise stated in these Anti-Doping Rules, must be approved by the Council. Upon giving its approval, the Council shall fix a date on which the Anti-Doping Regulations, or any proposed amendment to them, shall take effect. The IAAF Office shall notify the Members of this date and shall publish the Anti-Doping Regulations, and any proposed amendment to them, on the IAAF website.
 - (b) advising the Council on amendments to these Anti-Doping Rules as may be necessary from time to time. Any proposed amendment to be made to the Anti-Doping Rules between Congresses must be approved by the Council and notified to the Members in accordance with Article 6.11(c) of the Constitution.
 - (c) planning, implementing and monitoring anti-doping information and anti-doping education programmes suitably adapted for Athletes, Athlete Support Personnel and Members. These programmes shall have as an objective to prevent the intentional or unintentional Use by Athletes of Prohibited Substances and Prohibited Methods. The programmes shall provide updated

and accurate information on at least the following issues:

- (i) Prohibited Substances and Prohibited Methods in the Prohibited List;
 - (ii) health consequences of doping;
 - (iii) Doping Control procedures; and
 - (iv) Athletes' rights and responsibilities.
- (d) granting and recognising TUEs in accordance with Rule 34.8.
- (e) establishing general guidelines for the selection of Athletes in the IAAF Registered Testing Pool.

The Medical and Anti-Doping Commission may, in the course of exercising any of the above tasks, call upon experts to provide further specialist medical or scientific advice as may be required.

7. The Medical and Anti-Doping Commission shall report to the Council on its activities before and at each Council meeting. It shall communicate with the IAAF Office on all anti-doping and related matters through the IAAF Medical and Anti-Doping Department.

The Doping Review Board

8. The Doping Review Board is appointed as a sub-Commission of the Council under Article 6.11(j) of the Constitution with at least the following specific tasks:
- (a) to decide whether cases should be referred to arbitration before CAS under Rule 38.3 in circumstances where the relevant Member has failed to complete a hearing for the Athlete or other Person within the stipulated 2 month time period or has completed the hearing but failed to render a decision within a reasonable period thereafter;
 - (b) to determine on behalf of the Council whether there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility that is otherwise applicable (under Rule 40.5, Rule 40.6 or Rule 40.7) in cases which are referred to it under Rule 38.9;
 - (c) to decide whether cases should be referred to arbitration before CAS under Rule 42.17 and whether, in such cases, to re-impose the Athlete's suspension pending the CAS decision;
 - (d) to decide whether the IAAF should participate in cases before CAS to which it is not an original party in accordance with Rule 42.21 and whether, in such cases, to re-impose the Athlete's suspension pending the CAS decision;
 - (e) to determine in any case an extension of time for the IAAF to file a statement of appeal with CAS in accordance with Rule 42.15;
 - (f) to decide in cases which are referred to it under Rule 46.4 whether Testing conducted by a body that is not a Signatory to the Code, under rules and procedures which are different from those in these Anti-Doping Rules, should be recognised by the IAAF; and
 - (g) to review reports on the monitoring of anti-doping activities of Members in accordance with Rule 30.6 as well as on Members' compliance with their obligations as set out in these Anti-Doping Rules and, where necessary, to make recommendations to Council.

The Doping Review Board may, in the course of exercising any of the above tasks, refer to the Medical and Anti-Doping Commission or the Council for its

opinion or guidance in relation to a particular case or to the Council on any matter of general policy that may have arisen.

9. The Doping Review Board shall consist of three persons, one of whom shall be legally qualified. The President shall have authority at any time to appoint an additional person or persons to the Doping Review Board, as may be required, on a temporary basis.
10. The Doping Review Board shall report to the Council on its activities before each Council meeting.

The IAAF Anti-Doping Administrator

11. The IAAF Anti-Doping Administrator is the head of the IAAF's Medical and Anti-Doping Department. He shall have responsibility for implementing the anti-doping programme which has been established by the Medical and Anti-Doping Commission under Rule 31.5. He shall report to the Medical and Anti-Doping Commission in this regard at least once a year and, more regularly, if called upon to do so.
12. The IAAF Anti-Doping Administrator shall have responsibility for the day to day administration of doping cases arising under these Anti-Doping Rules. In particular, the IAAF Anti-Doping Administrator shall be the person responsible, where applicable, for conducting the results management process in the case of International-Level Athletes in accordance with Rule 37, for deciding upon the Provisional Suspension of International-Level Athletes in accordance with Rule 37 and for conducting the administrative review of Filing Failures / Missed Tests committed by International-Level Athletes in accordance with the procedures set out in the Anti-Doping Regulations.
13. The IAAF Anti-Doping Administrator may at any time in the course of his work seek an advisory opinion from the Chairperson of the Medical and Anti-Doping Commission, from the Doping Review Board or from such other person as he considers to be appropriate.

RULE 32

Anti-Doping Rule Violations

1. Doping is defined as the occurrence of one or more of the anti-doping rule violations set out in Rule 32.2 of these Anti-Doping Rules.
2. The purpose of Rule 32.2 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 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:

(a) Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample.

- (i) it is each Athlete's personal duty to ensure that no Prohibited Substance enters his body. 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 Rule 32.2(a).

- (ii) sufficient proof of an anti-doping rule violation under Rule 32.2(a) 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 analysed; or, where the Athlete's B Sample is analysed 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 B Sample is split into two bottles and the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers in the first bottle.
 - (iii) except those Prohibited Substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample shall constitute an anti-doping rule violation.
 - (iv) as an exception to the general application of Rule 32.2(a), the Prohibited List or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.
- (b) **Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method**
- (i) it is each Athlete's personal duty to ensure that no Prohibited Substance enters his body 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.
 - (ii) 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.
- (c) **Evading, Refusing or Failing to Submit to Sample Collection:** Evading Sample collection, or without compelling justification, refusing or failing to submit to Sample collection after notification as authorized in the Anti-Doping Regulations or other applicable anti-doping rules.
- (d) **Whereabouts Failures:** Any combination of three Missed Tests and/or Filing Failures within a twelve-month period by an Athlete in a Registered Testing Pool.
- (e) **Tampering or Attempted Tampering with any part of Doping Control:** 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, intentionally interfering or attempting to

interfere with a Doping Control official, providing fraudulent information to the IAAF, Member or an Anti-Doping Organisation, or intimidating or attempting to intimidate a potential witness.

(f) Possession of a Prohibited Substance or Prohibited Method.

(i) Possession by an Athlete In-Competition of any Prohibited Substance or Prohibited Method or Possession by an Athlete Out-of-Competition of any Prohibited Substance or Prohibited Method which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is consistent with a TUE granted in accordance with Rule 34.8 (Therapeutic Use) or other acceptable justification.

(ii) Possession by an Athlete Support Person In-Competition of any Prohibited Substance or Prohibited Method or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or 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 Rule 34.8 (Therapeutic Use) or other acceptable justification.

(g) Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.

(h) Administration or Attempted Administration of a Prohibited Substance or a Prohibited Method: Administration or Attempted Administration 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 Prohibited Method that is prohibited Out-of-Competition.

(i) **Complicity:** Assisting, encouraging, aiding, abetting, covering up or any other type of intentional complicity involving an anti-doping rule violation or violation of Rule 40.12(a) by another Person.

(j) **Prohibited Association:** Association by an Athlete or other Person subject to the authority of the IAAF, a Member or an Anti-Doping Organisation in a professional or sport-related capacity with any Athlete Support Person who:

(i) if subject to the authority of the IAAF, a Member or an Anti-Doping Organisation, is serving a period of Ineligibility; or

(ii) if not subject to the authority of the IAAF, a Member or an Anti-Doping Organisation, and where Ineligibility has not been addressed in a results management process under these Anti-Doping Rules, 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 years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

(iii) is serving as a front or intermediary for an individual described in Rule 32.2(j)(i) or (ii).

Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the Athlete Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation.

In order for this provision to apply, it is necessary that the Athlete or other Person has previously been advised in writing by the IAAF, Member or Anti-Doping Organisation with jurisdiction over the Athlete or other Person, or by WADA, of the Athlete Support Person's disqualifying status and the potential Consequence of prohibited association and that the Athlete or other Person can reasonably avoid the association. The IAAF, Member or Anti-Doping Organisation shall use reasonable efforts to advise the Athlete Support Person who is the subject of the notice to the Athlete or other Person that the Athlete Support Person may, within 15 days, come forward to the IAAF, Member or Anti-Doping Organisation to explain that the criteria in Rules 32.2(j)(i) and (ii) do not apply to him. Notwithstanding Rule 47 (Statute of Limitations), this Rule applies even when the Athlete Support Person's disqualifying conduct occurred prior to the effective date provided in Rule 48 (Interpretation).

The burden shall be on the Athlete or other Person to establish that any association with Athlete Support Personnel described in Rules 32.2(j)(i) and (ii) is not in a professional or sport-related capacity.

Members and Anti-Doping Organisations that are aware of Athlete Support Personnel who meet the criteria described in Rules 32.2(j)(i), (ii) and (iii) shall submit that information to the IAAF and WADA.

RULE 33 Proof of Doping

Burdens and Standards of Proof

1. The IAAF, Member or other prosecuting authority shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the IAAF, Member or other prosecuting authority has established an anti-doping rule violation to the comfortable satisfaction of the relevant 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.
2. Where these Anti-Doping Rules place the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

Methods of Establishing Facts and Presumptions

3. Facts related to anti-doping rule violations may be established by any reliable means, including but not limited to admissions, evidence of third Persons,

witness statements, experts reports, documentary evidence, conclusions drawn from longitudinal profiling such as the Athlete Biological Passport and other analytical information.

The following rules of proof shall be applicable in doping cases:

- (a) Analytical methods or decision limits approved by WADA after consultation with the relevant scientific community and which have been the subject of peer review are deemed to be scientifically valid. Any Athlete or other Person seeking 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. CAS on its own initiative may also inform WADA of any such challenge. At WADA's request, the CAS Panel shall appoint an appropriate scientific expert to assist the Panel in its evaluation of the challenge. Within 10 days of WADA's receipt of such notice, and WADA's receipt of the CAS file, WADA shall also have the right to intervene as a party, appear *amicus curiae* or otherwise provide evidence in such Proceeding.
- (b) 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 the IAAF, Member or other prosecuting authority shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding.
- (c) Departures from any other International Standard or other anti-doping rule or policy set out in these Anti-Doping Rules or the rules of an Anti-Doping Organisation which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such evidence or results. If the Athlete or other Person establishes a departure from another International Standard or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or other anti-doping rule violation, then the IAAF, Member or other prosecuting authority shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.
- (d) 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.
- (e) 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 by telephone as directed by the hearing panel) and to answer questions from the hearing panel or the IAAF, Member or other prosecuting authority asserting the anti-doping rule violation.

RULE 34
The Prohibited List

1. These Anti-Doping Rules incorporate the Prohibited List which shall be published by WADA from time to time.

Publication and Revision of the Prohibited List

2. The Prohibited List shall be available from the IAAF and shall be published on the IAAF website.
3. Unless otherwise stated in the Prohibited List and/or any revision to the Prohibited List, the Prohibited List and revisions shall go into effect under these Anti-Doping Rules three months after publication of the Prohibited List by WADA without requiring any further action by the IAAF. 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 familiarise themselves with the most up-to-date version of the Prohibited List and all revisions thereto.

Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4. **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. 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.
5. **Specified Substances:** For purposes of the application of Rule 40 (Sanctions on Individuals), all Prohibited Substances shall be Specified Substances, except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.
6. **New Classes of Prohibited Substances:** In the event WADA expands the Prohibited List by adding a new class of Prohibited Substances, WADA's Executive Committee shall determine whether any or all Prohibited Substances within the new class of Prohibited Substances shall be considered Specified Substances under Rule 34.5.

7. 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 and the classification of a substance as prohibited at all times or In-Competition only, is final and shall not be subject to challenge by an Athlete or other Person 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.

Therapeutic Use Exemptions (TUEs)

8. Athletes with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must apply for a TUE in accordance with these Rules. TUEs will be granted only in cases of clear and compelling need where no competitive advantage can be gained by the Athlete.
- (a) **International-Level Athletes:** An Athlete who is an International-Level Athlete must apply to the IAAF:
- (i) Where the Athlete already has a TUE granted by his National Federation (or other competent authority to grant TUEs in the Country or Territory) for the substance or method in question, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the IAAF shall recognise it. If the IAAF considers that the TUE does not meet such criteria and so refuses to recognise it, it shall notify the Athlete and/or his National Federation promptly, with reasons. The Athlete shall have twenty-one days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the National Federation (or other competent authority to grant TUEs in the Country or Territory) remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for International Competitions) pending WADA's decision. If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose when the twenty-one day review deadline expires.
- (ii) If the Athlete does not already have a TUE granted by his National Federation (or other competent authority to grant TUEs in the Country or Territory) for the substance or method in question, the Athlete must apply directly to the IAAF for a TUE as soon as the need arises. If the IAAF (or the National Federation or other competent authority to grant TUEs in the Country or Territory where it has agreed to consider the application on the IAAF's behalf) denies the Athlete's application, it must notify the Athlete promptly with reasons. If the IAAF grants the Athlete's application, it must notify not only the Athlete but also his National Federation (or other competent authority to grant TUEs in the Country or Territory) and if the National Federation or other competent authority considers that the TUE does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has twenty-one days from such notification to refer the matter

to WADA for review. If the National Federation (or other competent authority to grant TUEs in the Country or Territory) refers the matter to WADA for review, the TUE granted by the IAAF remains valid for International Competitions and Out-of-Competition Testing (but is not valid for national-level Competition) pending WADA's decision. If the National Federation (or other competent authority to grant TUEs in the Country or Territory) does not refer the matter to WADA for review, the TUE granted by the IAAF becomes valid for national-level Competition as well when the twenty-one day review deadline expires.

(iii) An application to the IAAF for the 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 thirty days before the Athlete's next Competition. Details of the procedure for the application can be found in the Anti-Doping Regulations. The IAAF shall appoint a panel to consider applications for the grant or recognition of TUEs (the "IAAF TUE Sub-Commission"). The IAAF TUE Sub-Commission shall promptly evaluate and decide upon the application in accordance with the procedure in the Anti-Doping Regulations. Its decision shall be the final decision of the IAAF and shall be reported to WADA and other relevant Anti-Doping Organisations, including the Athlete's National Federation, through ADAMS.

(b) **Athletes who are not International-Level Athletes:** Athletes who are not International-Level Athletes must apply for a TUE from their National Federation, or

from such other body as may be designated by their National Federation to grant TUEs, or which otherwise has competent authority to grant TUEs in the Country or Territory of the National Federation. National Federations shall in all cases be responsible for reporting promptly the grant of any TUEs under this Rule to the IAAF

and to WADA (through ADAMS or otherwise). If the IAAF chooses to test an Athlete who is not an International-Level Athlete, the IAAF shall recognise a TUE granted to that Athlete by his National Federation (or other competent authority to grant TUEs in the Country or Territory).

(c) Reviews and appeals of TUE decisions shall be conducted in accordance with the applicable provisions of the Anti-Doping Regulations.

9. 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 a 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 these Anti-Doping Rules and the International Standard for Therapeutic Use Exemptions.

RULE 35

Testing and Investigations

1. **Purpose of Testing and Investigations:** Testing and investigations shall only be conducted for anti-doping purposes.

(a) Testing shall be undertaken to obtain analytical evidence as to an Athlete's compliance (or non-compliance) with the strict prohibition under these Anti-Doping Rules on the presence/Use of a Prohibited Substance or Prohibited Method.

(b) Investigations shall be undertaken: (i) in relation to Atypical Findings and Atypical and Adverse Passport Findings in accordance with Rules 37.9 and Rule 37.10 respectively, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Rule 32.2(a) and/or Rule 32.2(b); and (ii) in relation to other indications of potential anti-doping rule violations, in accordance with Rule 37.12, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Rules 32.2(b) to 32.2(j).

(c) The IAAF may obtain, assess and process anti-doping intelligence from all available sources to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing and/or to form the basis of an investigation into a possible anti-doping rule violation(s).

2. **Scope of Testing:** any Athlete who has not retired, including any Athlete serving a period of Ineligibility, may be required to provide a Sample at any time and at any place by the IAAF, a Member or any Anti-Doping Organisation with Testing authority over him.
3. The IAAF shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are subject to these Anti-Doping Rules, including those who participate in International Competitions or in competitions governed by IAAF Rules or who are members or licensees of its Members or their members.
4. The IAAF and its Members may delegate Testing under this Rule to any Member, other Member, WADA, governmental agency, National Anti-Doping Organisation or other third party which they deem to be suitably qualified for the purpose.
5. If the IAAF delegates or contracts any part of Testing to a National Anti-Doping Organisation (directly or through a National Federation), that National Anti-Doping Organisation may collect additional Samples or direct the laboratory to perform additional types of analysis at the National Anti-Doping Organisation's expense. If additional Samples are collected or additional types of analysis are performed, the IAAF shall be notified of such, including notification of the results.
6. In addition to Testing by the IAAF and its Members (and by entities to which the IAAF and its Members may have delegated their Testing responsibility under Rule 35.4 above), Athletes may be subject to Testing:
 - (a) In-Competition by WADA or any other organisation or body which has competent authority to conduct Testing at the Competition in which they are participating; and
 - (b) Out-of-Competition by (i) WADA; (ii) the National Anti-Doping Organisation of the Country or Territory in which they are present; or (iii) by, or on behalf of, the IOC in connection with the Olympic Games.

However, only a single organisation shall be responsible for initiating and

directing Testing at Competition Venues during a Competition Period. At International Competitions, the collection of Samples shall be initiated, directed or supervised by the

IAAF (see Rule 35.9) or other international sports organisation ruling body in the case of an International Competition over which the IAAF has no exclusive control (e.g. the IOC at the Olympic Games or the Commonwealth Games Federation at the Commonwealth Games). If the IAAF or such other international sports organisation ruling body decides not to conduct Testing at an International Competition, the National Anti-Doping Organisation in the Country or Territory where the International Competition is to take place may, with the approval of the IAAF and WADA, initiate and conduct such Testing.

At all Competitions that are not International Competitions, the collection of Samples shall be initiated and directed, if not by the Member, by the National Anti-Doping Organization of that country. At the request of the ruling body for a Competition, any Testing during the Competition Period outside of the Competition Venues shall be coordinated with that ruling body.

7. The IAAF and its Members shall promptly report all completed In-Competition Tests through the WADA clearinghouse (in the case of reporting by a Member, with a copy of such report being sent to the IAAF at the same time) in order to avoid any unnecessary duplication in Testing.
8. Testing conducted by the IAAF and its Members under this Rule shall be in substantial conformity with the Anti-Doping Regulations in force at the time of Testing.

In-Competition Testing

9. The IAAF shall have responsibility for initiating, directing or supervising In-Competition Testing at the following International Competitions:-
 - (a) World Athletics Series Competitions;
 - (b) International Invitation Meetings in accordance with Rule 1.1(e);
 - (c) IAAF Permit Meetings;
 - (d) IAAF Label Road Races; and
 - (e) at such other international competitions as the Council may determine on the recommendation of the Medical and Anti-Doping Commission.The full list of International Competitions under this Rule 35.9 shall be published annually on the IAAF website.
10. The Council shall determine the anticipated number of Athletes to be tested at the above International Competitions on the recommendation of the Medical and Anti-Doping Commission. Athletes to be tested shall be selected as follows:
 - (a) on a final position basis and/or random basis;
 - (b) at the discretion of the IAAF (acting by its relevant official or body), by any method that it shall choose, including Target Testing;
 - (c) any Athlete who has broken or equalled a World Record.
11. If the IAAF has delegated Testing under Rule 35.4 above, it may appoint a representative to attend at the International Competition in question to ensure that these Anti-Doping Rules and the Anti-Doping Regulations are being properly applied.
12. In consultation with the relevant Member (and respectively with the relevant

Area Association), the IAAF may conduct, or assist in the conduct of, Testing at a Member's National Championships or Area Association's Area Championships.

13. In all other cases (except where Testing is carried out under the rules of another international sports organisation ruling body, for example, by the IOC at the Olympic Games), the Member conducting the controls, or in whose Country or Territory a Competition is held, shall be responsible for initiating, directing or supervising In-Competition Testing. If the Member has delegated its Testing under Rule 35.4 above, it is the Member's responsibility to ensure that such Testing carried out in its Country or Territory complies with these Anti-Doping Rules and the Anti-Doping Regulations.

Out-of-Competition Testing

14. The IAAF shall focus its Out-of-Competition Testing primarily on International-Level Athletes. However, it may, at its discretion, conduct Out-of-Competition Testing on any Athlete at any time. Except in exceptional circumstances, all Out-of-Competition Testing shall be carried out on No Advance Notice to the Athlete or his Athlete Support Personnel or National Federation. Athletes included in the Registered Testing Pool established by the IAAF shall be subject to the whereabouts requirements set out in accordance with Rule 35.19.
15. It is the duty of every Member, officer of a Member and other Person under the jurisdiction of a Member to assist the IAAF (and, if appropriate, another Member, WADA or other body with competent Testing authority) in the conduct of Out-of-Competition Testing under this Rule. Any Member, officer of a Member or other Person under the jurisdiction of a Member preventing, hindering, obstructing or otherwise Tampering with the conduct of such Testing may be liable to sanction under these Anti-Doping Rules.
16. Out-of-Competition Testing shall be conducted under these Anti-Doping Rules to detect Prohibited Substances and Prohibited Methods listed as being the substances and methods prohibited at all times (In and Out-of-Competition) in the Prohibited List or for the purpose of collecting profile data within the framework of the Athlete Biological Passport or for both purposes at the same time.
17. Statistics of Out-of-Competition Testing shall be published once a year per Athlete in the IAAF Registered Testing Pool and per Member.

Whereabouts Information

18. The IAAF shall establish a Registered Testing Pool of Athletes who are required to comply with the whereabouts requirements set out in these Rules and in the Anti-Doping Regulations. The Registered Testing Pool shall be published by the IAAF on its website and shall be reviewed and updated as necessary from time to time.
19. Each Athlete in the IAAF Registered Testing Pool shall be required to submit Whereabouts Filings in accordance with the Anti-Doping Regulations. The

ultimate responsibility for submitting a Whereabouts Filing rests with each Athlete. Members shall, however, upon the request of the IAAF or other relevant Testing Authority, use their best efforts to assist in the collection of current and accurate whereabouts information for their Athletes and shall make specific provision in their rules or regulations for such purpose. Whereabouts information provided by an Athlete pursuant to this Rule shall be shared with WADA and any other body having competent authority to test the Athlete in accordance with the Anti-Doping Regulations on the strict condition that it be used for Doping Control purposes only.

20. If an Athlete in the IAAF Registered Testing Pool fails to advise the IAAF of his required whereabouts, it shall be deemed to be a Filing Failure for the purposes of Rule 32.2(d) where the relevant conditions of the Anti-Doping Regulations have been met. If an Athlete in the IAAF Registered Testing Pool fails to be available for Testing at his declared whereabouts, it shall be deemed to be a Missed Test for the purposes of Rule 32.2(d) where the relevant conditions of the Anti-Doping Regulations have been met. An Athlete shall be deemed to have committed an anti-doping rule violation under Rule 32.2(d) if he commits a total of three Whereabouts Failures (which may be any combination of Filing Failures and/or Missed Tests adding up to three in total) within any twelve month period. The IAAF may rely for the purposes of Rule 32.2(d) on Filing Failures and/or Missed Tests that have been declared by other Anti-Doping Organisations with jurisdiction over an Athlete provided that they have been declared based on rules that comply with the International Standard for Testing and Investigations.
21. If an Athlete in the Registered Testing Pool or a member of his Athlete Support Personnel or other Person knowingly provides inaccurate or misleading whereabouts information, he shall be deemed to be evading Sample collection in breach of Rule 32.2(c) and/or Tampering or Attempted Tampering with Doping Control in breach of Rule 32.2(e). If a Member that has been requested to assist the IAAF in collecting whereabouts information in accordance with Rule 35.19, or has otherwise agreed to submit whereabouts information on behalf of its Athletes, fails to check that the information forwarded is current and accurate, it shall be found to be in breach of Rule 45.2(e).

Return to Competition Following Retirement or Other Period of Non-Competition

22. If an International-Level Athlete in the IAAF Registered Testing Pool no longer agrees to be subject to Out-of-Competition Testing on account of the fact that he has retired, or has chosen not to compete for any other reason, he shall be required to give notice to the IAAF using the prescribed form. The same Athlete may not then resume competition unless he has given the IAAF six months' notice in writing of his intention to return to competition and has made himself available for Out-of-Competition Testing by the IAAF in that period by providing the IAAF with whereabouts information pursuant to Rule 35.19. WADA, in consultation with the IAAF and the Athlete's National Anti-Doping Organisation, may grant an exemption to the six-month written notice rule where the strict application of it would be manifestly unfair to the Athlete. Any competitive results obtained in violation of Rule 35.22 shall be Disqualified.
23. If an International-Level Athlete retires while subject to a period of Ineligibility

and then wishes to return to competition, the Athlete shall not compete until he has made himself available for Testing by giving six months' prior written notice to the IAAF (or notice equivalent to the period of Ineligibility remaining as of the date the Athlete retired, if that period is longer than six months) and he has complied with the return to competition requirements set out in Rule 40.14.

RULE 36 **Analysis of Samples**

1. All Samples collected under these Anti-Doping Rules shall be analysed in accordance with the following general principles:

Use of Accredited and Approved Laboratories

- (a) For the purposes of Rule 32.2(a) (Presence of a Prohibited Substance or Prohibited Method), Samples shall be analysed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. In the case of Samples collected by the IAAF pursuant to Rule 35.9, Samples shall be sent only to WADA-accredited or WADA-approved laboratories (or, where applicable, to haematological laboratories or mobile testing units) which are approved by the IAAF.

Purpose of Analysis of Samples

- (b) Samples shall be analysed to detect Prohibited Substances and Prohibited Methods on the Prohibited List (and such other substances as may be directed by WADA pursuant to its monitoring programme) and/or to assist in profiling relevant parameters in an Athlete's urine, blood or other matrix, including DNA or genomic profiling, or for any other legitimate anti-doping purpose. Relevant profile information may be used to direct Target Testing or to support an anti-doping rule violation under Rule 32.2, or both. Samples may be collected and stored for future analysis.

Research on Samples

- (c) No Sample may be used for research without the Athlete's written consent. Samples used (with the Athlete's consent) for purposes other than Rule 36.1(b) shall have any means of identification removed such that they cannot be traced back to a particular Athlete.

Standards for Sample Analysis and Reporting

- (d) Laboratories shall analyse Samples and report results in conformity with the International Standard for Laboratories. The IAAF may request that laboratories analyse Samples using more extensive menus than provided in the Technical Document under the International Standard for Testing and Investigations.
2. All Samples (and related data) collected under the Testing authority of the IAAF, both In and Out-of-Competition, immediately become the property of the IAAF.
 3. If, at any stage, any question or issue arises concerning the analysis or interpretation of the results of a Sample, the person responsible for the analysis at the laboratory (or haematological laboratory or mobile testing unit) may

- consult the IAAF Anti-Doping Administrator for guidance.
4. If, at any stage, any question or issue arises in relation to a Sample, the IAAF may require further or other tests be conducted necessary to clarify the question or issue so raised and such tests may be relied upon by the IAAF when deciding whether a Sample has given rise to an Adverse Analytical Finding or other anti-doping rule violation.
 5. A Sample collected under Rule 36.2 may be stored and subject to further analysis for the purpose of Rule 36.1(b) at any time exclusively at the direction of the IAAF or WADA (with the consent of the IAAF). All other Samples collected in Athletics may be re-analysed exclusively at the direction of the Testing Authority or the IAAF (with the consent of the Testing Authority) or WADA. The circumstances and conditions for re-testing Samples shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.
 6. Where an analysis indicates the presence of a Prohibited Substance or the Use of a Prohibited Substance or Prohibited Method, the WADA-accredited laboratory shall immediately confirm the Adverse Analytical Finding or Atypical Finding in encoded form in a report signed by an authorised representative of the Laboratory, sent either to the IAAF, in the case of an IAAF Test, or to the relevant Member in the case of a national Test (with a copy to the IAAF). In the case of a national test, the Member shall inform the IAAF of the Adverse Analytical Finding or Atypical Finding or Use and the name of the Athlete promptly on receipt of the information from the WADA-accredited laboratory and, in all circumstances, within two weeks of such receipt.

RULE 37

Results Management

1. Upon receipt of an A Sample Adverse Analytical Finding or Atypical Finding or upon evidence of another anti-doping rule violation under these Anti-Doping Rules, the matter shall be subject to the results management process set out below.
2. In the case of an International-Level Athlete, the results management process shall be conducted by the IAAF Anti-Doping Administrator and, in all other cases, it shall be conducted by the relevant person or body of the Athlete or other Person's National Federation. The relevant person or body of the Athlete or other Person's National Federation shall keep the IAAF Anti-Doping Administrator updated on the process at all times. Requests for assistance or information in conducting the results management process may be made to the IAAF Anti-Doping Administrator at any time.

For the purposes of this Rule and Rule 38, references hereafter to the IAAF Anti-Doping Administrator shall, where applicable, be references to the relevant person or body of the Member (or of the body to whom the Member has delegated results management responsibility) and references to an Athlete shall, where applicable, be references to any Athlete Support Personnel or other Person.

3. **Review of Adverse Analytical Findings:** Upon receipt of an A Sample Adverse Analytical Finding, the IAAF Anti-Doping Administrator shall conduct a review to determine whether:
 - (a) the Adverse Analytical Finding is consistent with an applicable TUE; or
 - (b) there is any apparent departure from the Anti-Doping Regulations or the International Standard for Laboratories that caused the Adverse Analytical Finding.
4. If the review of an Adverse Analytical Finding under Rule 37.3 above does not reveal an applicable TUE or a departure that caused the Adverse Analytical Finding, the IAAF Anti-Doping Administrator shall promptly notify the Athlete of:
 - (a) the Adverse Analytical Finding;
 - (b) the anti-doping rule that has been violated;
 - (c) the time limit within which the Athlete is to provide the IAAF, either directly or through his National Federation, with an explanation for the Adverse Analytical Finding;
 - (d) the Athlete's right to request promptly the analysis of the B Sample and, failing such request, that the B Sample shall be deemed to be waived. The Athlete shall be advised at the same time that, if the B Sample analysis is requested, all related laboratory costs shall be met by the Athlete, unless the B Sample fails to confirm the A, in which case the costs shall be met by the organisation responsible for initiating the test;
 - (e) the scheduled date, time and place for the B Sample analysis if requested by the IAAF or the Athlete which shall normally be no later than 7 days after the date of notification of the Adverse Analytical Finding to the Athlete. If the laboratory concerned cannot subsequently accommodate the B Sample analysis on the date fixed, the analysis shall take place at the earliest available date for the laboratory thereafter. No other reason shall be accepted for changing the date of the B Sample analysis;
 - (f) the opportunity for the Athlete and/or his representative to attend the B sample opening procedure and analysis at the scheduled date, time and place, if such analysis is requested; and
 - (g) the Athlete's right to request copies of the A and B Sample laboratory documentation package which includes the information required by the International Standard for Laboratories.

The IAAF Anti-Doping Administrator shall send the relevant Member and WADA a copy of the above notification to the Athlete. If the IAAF Anti-Doping Administrator decides not to bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the Athlete, the Athlete's National Anti-Doping Organisation, the Member and WADA.
5. An Athlete may accept an A Sample Adverse Analytical Finding by waiving his right to the B Sample analysis. The IAAF may however request the analysis of a B Sample at any time if it believes that such analysis will be relevant to consideration of the Athlete's case.

6. The Athlete and/or his representative shall be allowed to be present at the B Sample analysis and to attend throughout the analysis being carried out. A representative of the Athlete's National Federation may also be present and attend throughout, as may a representative of the IAAF. An Athlete shall remain Provisionally Suspended despite the fact that he has requested analysis of the B Sample.
7. Once the analysis of the B Sample has been concluded, a full laboratory report shall be sent upon request to the IAAF Anti-Doping Administrator, together with a copy of all relevant data required by the International Standard for Laboratories. A copy of this report and all relevant data shall be forwarded to the Athlete if so requested.
8. On receipt of the B Sample laboratory report, the IAAF Anti-Doping Administrator shall conduct any follow-up investigation that may be required by the Prohibited List. Upon completion of the follow-up investigation, the IAAF Anti-Doping Administrator shall promptly notify the Athlete regarding the results of the follow-up investigation and whether or not the IAAF asserts, or continues to assert, that an anti-doping rule has been violated.
9. **Review of Atypical Findings:** As provided in the International Standard for Laboratories, in certain circumstances, laboratories are directed to report the presence of Prohibited Substances which may also be produced endogenously, as Atypical Findings subject to further investigation. Upon receipt of an Atypical Finding, the IAAF Anti-Doping Administrator shall conduct a review to determine whether (a) the Atypical Finding is consistent with an applicable TUE that has been granted or will be granted or recognised under these Anti-Doping Rules or (b) there is any apparent departure from the Anti-Doping Regulations or International Standard for Laboratories that caused the Atypical Finding. If the review does not reveal an applicable TUE or departure that caused the Atypical Finding, the IAAF Anti-Doping Administrator shall conduct the investigation required or cause it to be conducted. After the investigation is completed, either the Atypical Finding will be brought forward as an Adverse Analytical Finding or else the Athlete, the Athlete's National Anti-Doping Organisation, the Member and WADA shall be notified that the Atypical Finding will not be brought forward as an Adverse Analytical Finding. If the Atypical Finding is to be brought forward as an Adverse Analytical Finding, the Athlete shall be notified as in Rule 37.4. The IAAF Anti-Doping Administrator will not provide notice of an Atypical Finding until he has completed his investigation and decided whether the IAAF will bring the Atypical Finding forward unless one of the following circumstances exists:
 - (a) if the IAAF Anti-Doping Administrator determines the B Sample should be analysed prior to the conclusion of his investigation under Rule 37.9, the IAAF may conduct the B Sample analysis after notifying the Athlete, with such notice to include a description of the Atypical Finding and the information where applicable described in Rule 37.4(b)-(g) above;
 - (b) if the IAAF Anti-Doping Administrator receives a request, either from a Major Event Organisation shortly before one of its international competitions or a request from a sports body responsible for meeting an imminent deadline

for selecting team members for an international competition, to disclose whether any Athlete identified on a list provided by the Major Event Organisation or sports body has a pending Atypical Finding, the IAAF Anti-Doping Administrator shall so identify any such Athlete after first providing notice of the Atypical Finding to the Athlete.

10. Review of Atypical Passport Findings and Adverse Passport Findings:

Results management in respect of the Athlete Biological Passport programme of the IAAF shall be conducted in accordance with the procedures set out in the Anti-Doping Regulations. At such time as the IAAF is satisfied that an anti-doping rule violation has occurred, it shall promptly give the Athlete notice of the anti-doping rule violated and the basis of the violation. Other Anti-Doping Organisations shall be notified as provided in Rule 43.2.

11. Review of Whereabouts Failures: Results management in respect of an apparent Missed Test or Filing Failure by an Athlete in the IAAF Registered Testing Pool shall be conducted by the IAAF in accordance with the procedures set out in the Anti-Doping Regulations. Results management in respect of an apparent Missed Test or Filing Failure by an Athlete in a national Registered Testing Pool shall be conducted by the Member, National Anti-Doping Organisation or other Anti-Doping Organisation with which the Athlete files his whereabouts information.

All Filing Failures and Missed Tests under these Anti-Doping Rules shall be submitted through ADAMS and will be made available to other relevant Anti-Doping Organisations. At such time as the IAAF or other Anti-Doping Organisation (as applicable) is satisfied that an anti-doping rule violation has been committed, it shall promptly give the Athlete notice that it is asserting a violation of Rule 32.2(d) and the basis of that assertion. Other Anti-Doping Organisations shall be notified as provided in Rule 43.2.

12. Review of Other Anti-Doping Rule violations not covered under this Rule:

In the case of other possible anti-doping rule violations not otherwise covered by this Rule, the

IAAF Anti-Doping Administrator shall conduct such follow up investigation as may be required under applicable anti-doping policies and rules adopted pursuant to the Code or

which he otherwise deems to be necessary. At such time as the IAAF Anti-Doping Administrator is satisfied that an anti-doping rule violation has occurred, he shall promptly notify the Athlete concerned of the anti-doping rule violated and the basis of the violation. Other Anti-Doping Organisations shall be notified as provided in Rule 43.2. In

such a case, the Athlete shall be afforded an opportunity, either directly or through his National Federation, within a time limit set by the IAAF Anti-Doping Administrator, to provide an explanation in response to the anti-doping rule violation asserted.

13. The IAAF Anti-Doping Administrator may at any time require a Member (i) to investigate a possible violation of these Anti-Doping Rules by one or more Athlete or other Person within the Member's jurisdiction (where appropriate, acting in conjunction with the National Anti-Doping Organisation in the Country

or Territory of the Member

concerned and/or other relevant national authority or body) and (ii) to provide a written report on such investigation to the IAAF within a reasonable time period as stipulated by the IAAF Anti-Doping Administrator. There shall be an automatic investigation conducted by a Member (and a written report of the investigation provided to the IAAF) of Athlete Support Personnel within the Member's jurisdiction in the case of any anti-doping rule violation committed by a Minor or where any Athlete Support Personnel has provided support to more than one Athlete found to have committed an anti-doping rule violation. A failure or refusal by the Member to conduct an investigation under this Rule or to produce a written report on such investigation within a reasonable time period as stipulated by the IAAF Anti-Doping Administrator may lead to the imposition of sanctions on the Member in accordance with Rule 45.

14. **Results Management from a Test conducted by the IOC or other Multi Event Organisation:** The results management process from a test conducted by the IOC or by any other Multi Event Organisation (e.g. the Commonwealth Games or the Pan American Games) shall be managed, as far as determining an Athlete's sanction beyond Disqualification from the International Competition in question, by the IAAF in accordance with these Anti-Doping Rules.
15. **Identification of Prior Anti-Doping Rule Violations:** Before giving an Athlete or other Person notice of an asserted anti-doping rule violation as provided above, the IAAF Anti-Doping Administrator shall refer to ADAMS and, if need be, contact WADA and other relevant Anti-Doping Organisations to determine whether any prior anti-doping rule violation exists.
16. **Provisional Suspension:** If following the review and notification described in Rules 37.3, 37.4 or 37.9, no explanation, or no adequate explanation, for an Adverse Analytical Finding is received from the Athlete or his National Federation within the time limit set by the IAAF Anti-Doping Administrator in Rule 37.4(c), the Athlete (other than in the case of an Adverse Analytical Finding for a Specified Substance) shall be suspended promptly, the suspension at this time being provisional pending resolution of the Athlete's case by his National Federation. In the case of an International-Level Athlete, the Athlete shall be suspended by the IAAF Anti-Doping Administrator. In all other cases, the National Federation of the Athlete shall impose the relevant Provisional Suspension by written notification to the Athlete. Alternatively, the Athlete may accept a voluntary suspension provided that this is confirmed in writing to his National Federation. A mandatory Provisional Suspension may be eliminated if the Athlete demonstrates that the violation is likely to have involved a Contaminated Product. The IAAF Anti-Doping Administrator's decision not to eliminate a mandatory Provisional Suspension on account of the Athlete's or other Person's assertion regarding a Contaminated Product shall not be subject to appeal.
17. In the case of an Adverse Analytical Finding for a Specified Substance, or in the case of any anti-doping rule violation other than for an Adverse Analytical Finding, the IAAF Anti-Doping Administrator may Provisionally Suspend the

Athlete pending resolution of the Athlete's case by his National Federation if no explanation, or no adequate explanation, for the alleged violation is received from the Athlete within the time limit set by the IAAF. A Provisional Suspension shall be effective from the date of notification to the Athlete in accordance with these Anti-Doping Rules. Alternatively, the Athlete may accept a voluntary suspension provided this is confirmed in writing to the IAAF. In all cases where an Athlete has been notified of an anti-doping rule violation that does not result in a mandatory Provisional Suspension under Rule 37.16, the Athlete shall be offered the opportunity to accept a Provisional Suspension pending the resolution of the matter.

18. In the case of an Adverse Passport Finding under the Athlete Biological Passport Programme, if, in accordance with the Anti-Doping Regulations, the IAAF proceeds with a case as an asserted anti-doping rule violation, the IAAF Anti-Doping Administrator may at the same time Provisionally Suspend the Athlete pending resolution of the case by his National Federation. A Provisional Suspension shall be effective from the date of notification to the Athlete in accordance with these Anti-Doping Rules. Alternatively, the Athlete may accept a voluntary suspension provided this is confirmed in writing to the IAAF.
19. In any case where the Member imposes a Provisional Suspension or an Athlete accepts a voluntary suspension, the Member shall confirm this fact to the IAAF immediately and the Athlete shall thereafter be subject to the disciplinary procedures set out below. A voluntary suspension shall be effective only from the date of receipt of the Athlete's written confirmation of such by the IAAF. If, contrary to the above paragraph, the Member fails, in the opinion of the IAAF Anti-Doping Administrator, to impose a Provisional Suspension as required, the IAAF Anti-Doping Administrator shall himself impose such a Provisional Suspension. Once the Provisional Suspension is imposed by the IAAF Anti-Doping Administrator, it shall notify the suspension to the Member which must then commence the disciplinary procedures set out below.
20. If a Provisional Suspension is imposed (or voluntarily accepted) based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested by the IAAF or the Athlete) 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 Rule 32.2(a) (Presence of a Prohibited Substance or its Metabolites or Markers). In circumstances where the Athlete (or the Athlete's team as may be) has been removed from a Competition based on a violation of Rule 32.2(a) and the subsequent B Sample does not confirm the A Sample finding, if, without otherwise affecting the Competition, it is still possible for the Athlete or team to be reinserted, the Athlete or team may continue to take part in the Competition.
21. In all cases where the commission of an anti-doping rule violation is asserted, the assertion of an anti-doping rule violation is withdrawn, a Provisional Suspension is imposed, a voluntary suspension is accepted or an Athlete has agreed to the imposition of a sanction without a hearing, notice shall be given to other Anti-Doping Organisations with a right of appeal under Rule 42.
22. If an Athlete retires while a results management process is underway, the

organisation with results management responsibility under these Anti-Doping Rules pursuant to Rule 37.2 retains authority to complete its results management process. If an Athlete retires before any results management process has begun, the organisation which would have had results management authority under these Anti-Doping Rules over the Athlete at the time the Athlete committed an anti-doping rule violation, has authority to conduct results management.

RULE 38

Right to a Fair Hearing

1. Every Athlete shall have the right to request a hearing before the relevant tribunal of his National Federation before any sanction is determined in accordance with these Anti-Doping Rules. When an Athlete has obtained affiliation status abroad under Rule 4.3 above, he shall have the right to request a hearing either before the relevant tribunal of his original National Federation or before the relevant tribunal of the Member whose affiliation has been obtained. The hearing process shall provide at a minimum for a fair hearing within a reasonable time by a fair and impartial hearing panel. A timely reasoned decision specifically including an explanation of the reason(s) for any period of Ineligibility shall be Publicly Disclosed as provided in Rule 43 below.
2. When an Athlete is notified that his explanation has been rejected and, where applicable, that he is to be Provisionally Suspended in accordance with Rule 37 above, he shall also be told of his right to request a hearing. If the Athlete fails to confirm in writing to his National Federation or other relevant body within 14 days of such notice that he wishes to have a hearing, he will be deemed to have waived his right to a hearing and to have accepted that he committed the anti-doping rule violation in question. This fact shall be confirmed in writing to the IAAF by the Member within 5 working days.
3. If a hearing is requested by an Athlete, it shall be convened without delay and the hearing completed within 2 months of the date of notification of the Athlete's request to the Member. Members shall keep the IAAF fully informed as to the status of all cases pending hearing and of all hearing dates as soon as they are fixed. The IAAF shall have the right to attend all hearings as an observer. However, the IAAF's attendance at a hearing, or any other involvement in a case, shall not affect its right to appeal the Member's decision to CAS pursuant to Rule 42. If the Member fails to complete a hearing within 2 months, or, if having completed a hearing, fails to render a decision within a reasonable time period thereafter, the IAAF may impose a deadline for such event. If in either case the deadline is not met, the IAAF may elect, if the Athlete is an International-Level Athlete, to have the case referred directly to a single arbitrator appointed by CAS. The case shall be handled in accordance with CAS rules (those applicable to the appeal arbitration procedure without reference to any time limit for appeal). The hearing shall proceed at the responsibility and

expense of the Member and the decision of the single arbitrator shall be subject to appeal to CAS in accordance with

Rule 42. A failure by a Member to hold a hearing for an Athlete within 2 months under

this Rule may further result in the imposition of a sanction under Rule 45.

4. The Athlete may elect to forego a hearing by acknowledging in writing a violation of these Anti-Doping Rules and accepting Consequences consistent with Rule 40. Where an Athlete accepts Consequences consistent with Rule 40 and no hearing occurs, the Member shall nevertheless ratify the Athlete's acceptance of Consequences by a decision of its relevant body and send a copy of such decision to the IAAF within 5 working days of the decision being made. A decision by a Member arising from an Athlete's acceptance of Consequences under these Anti-Doping Rules may be appealed in accordance with Rule 42.
5. The Athlete's hearing shall take place before the relevant tribunal constituted or otherwise authorised by the Member. Where a Member delegates the conduct of a hearing to any body, committee or tribunal (whether within or outside the Member), or where for any other reason, any national body, committee or tribunal outside of the Member is responsible for affording an Athlete his hearing under these Rules, the decision of that body, committee or tribunal shall be deemed, for the purposes of Rule 42, to be the decision of the Member and the word "Member" in such Rule shall be so construed.
6. At the hearing of the Athlete's case, the relevant tribunal shall consider first whether or not an anti-doping rule violation has been committed. The Member or other prosecuting authority shall have the burden of proving the anti-doping rule violation to the comfortable satisfaction of the tribunal (see Rule 33.1).
7. If the relevant tribunal of the Member considers that an anti-doping rule violation has not been committed, this decision shall be notified to the IAAF Anti-Doping Administrator in writing within 5 working days of the decision being made (together with a copy of the written reasons for the decision and the complete file relating to the decision). The case shall then be reviewed by the Doping Review Board which shall decide whether or not it should be referred to arbitration before CAS pursuant to Rule 42.17. If the Doping Review Board does so decide, it may at the same time re-impose, where appropriate, the Athlete's provisional suspension pending resolution of the appeal by CAS.
8. If the relevant tribunal of the Member considers that an anti-doping rule violation has been committed, prior to the imposition of any period of Ineligibility, the Athlete shall have the opportunity to establish that there are grounds in his case under Rule 40.5, 40.6 or 40.7 to justify an elimination, reduction or suspension of the period of Ineligibility that is otherwise applicable.
9. The determination of whether there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility in cases involving International-Level Athletes shall be made by the Doping Review Board (see Rule 38.13).
10. If an Athlete seeks to establish that there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility in his case, the relevant tribunal shall consider, based on the evidence presented, whether, in its view,

such grounds exist.

11. If, having examined the evidence presented, the relevant tribunal considers that there are no grounds to justify an elimination, reduction or suspension of the period of Ineligibility in the Athlete's case, it shall impose the Ineligibility prescribed in Rule 40. The Member shall notify the IAAF and the Athlete in writing of the relevant tribunal's decision, within 5 working days of the decision being made.
12. If, having examined the evidence presented, the relevant tribunal considers that there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility in the Athlete's case, if the case involves an International-Level Athlete, it shall:
 - (a) refer the matter to the Doping Review Board (via the General Secretary), together with all material and/or evidence which, in its view, demonstrates that one or more of the relevant grounds are present; and
 - (b) invite the Athlete and/or his National Federation to support the referral of the relevant tribunal or to make independent submissions in support of such referral; and
 - (c) adjourn the hearing of the Athlete's case pending the Doping Review Board's determination on whether grounds to justify an elimination, reduction or suspension of the period of Ineligibility exist.

The Athlete's Provisional Suspension, if any, shall remain in place pending the receipt of the Doping Review Board's determination.

13. Upon receipt of a reference from the relevant tribunal, the Doping Review Board shall examine only the question of whether there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility on the basis claimed by the Athlete, by reference to the written materials which have been submitted to it. The Doping Review Board shall have the power:
 - (a) to exchange views on the matter by e-mail, telephone, facsimile or in person;
 - (b) to call for further evidence or documents;
 - (c) to call for any further explanation from the Athlete;
 - (d) if necessary, to request the attendance of the Athlete before it.

Based on a review of the written materials submitted to it, including any further evidence or documents, or further explanation provided by the Athlete, the Doping Review Board shall make a determination on whether there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility as the case may be and, if so, on what basis. This determination shall be conveyed to the Member in writing by the General Secretary.

14. If the Doping Review Board's determination is that there are no grounds to justify an elimination, reduction or suspension of the period of Ineligibility, the determination shall be binding on the relevant tribunal, which shall impose the sanction prescribed in Rule 40. The Member shall notify the IAAF and the Athlete in writing of the relevant tribunal's decision, which shall incorporate the Doping Review Board's determination, within 5 working days of the decision being made.
15. If the Doping Review Board's determination is that there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility on the basis

claimed by the Athlete, the relevant tribunal shall decide the Athlete's sanction in accordance with Rule 40, consistent with the Doping Review Board's determination. The Member shall notify the IAAF and the Athlete of the relevant tribunal's decision in writing, within 5 working days of the decision being made and send the IAAF the complete file relating to the decision.

16. The Athlete shall have the right to seek a review of the Doping Review Board's determination on whether there are grounds to justify an elimination, reduction or suspension of the period of Ineligibility to CAS.
17. In cases which do not involve International-Level Athletes, the relevant tribunal shall consider whether there are grounds justifying an elimination, reduction or suspension of the period of Ineligibility in the Athlete's case and decide upon the Athlete's Ineligibility accordingly. The Member shall notify the IAAF and the Athlete of the relevant tribunal's decision in writing, within 5 working days of the decision being made. If the relevant tribunal concludes that there are grounds justifying an elimination, reduction or suspension of the period of Ineligibility in an Athlete's case, it shall set out the full factual basis for such conclusion as part of its written decision and send the IAAF the complete file relating to the decision.
18. In any case under this Rule, the reasoned hearing decision or, in cases where the hearing has been waived, a reasoned decision explaining the action taken, shall be provided by the relevant Member to the Athlete and to the other Anti-Doping Organisations with a right of appeal under Rules 42.5 and 42.6, as provided in Rule 43.6.
19. Cases asserting anti-doping rule violations may be heard directly by CAS with no requirement for a prior hearing, with the consent of the IAAF, the Athlete, WADA and any Anti-Doping Organisation that would have had a right to appeal a first hearing decision to CAS.

RULE 39

Automatic Disqualification of Individual Results in the Event

An anti-doping rule violation in connection with an In-Competition test automatically leads to Disqualification of the Athlete's individual results obtained in that Event, with all resulting consequences for the Athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money.

RULE 40

Sanctions on Individuals

Disqualification of Individual Results in the Competition during which an Anti-Doping Rule Violation Occurs

1. An anti-doping rule violation occurring during or in connection with a Competition shall lead to the Disqualification of all of the Athlete's individual results obtained in that Competition, with all resulting

consequences for the Athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money, except as provided below.

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

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

2. The period of Ineligibility imposed for a violation of Rules 32.2(a) (Presence of a Prohibited Substance or its Metabolites or Markers), 32.2(b) (Use or Attempted Use of a Prohibited Substances or Prohibited Method) or 32.2(f) (Possession of a Prohibited Substance or Prohibited Method) shall be as follows, subject to potential reduction or suspension pursuant to Rules 40.5, 40.6 or 40.7:
 - (a) The period of Ineligibility shall be four years where:
 - (i) The anti-doping rule violation does not involve a Specified Substance, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional;
 - (ii) The anti-doping rule violation involves a Specified Substance and it can be established that the violation was intentional.
 - (b) If Rule 40.2(a) does not apply, the period of Ineligibility shall be two years.
3. As used in Rules 40.2 and 40.4, the term "intentional" is meant to identify those Athletes who cheat. The term therefore requires that the Athlete or other Person engaged in conduct which he 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 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.

Ineligibility for Other Anti-Doping Rule Violations

4. The period of Ineligibility for anti-doping rule violations other than as provided in Rule 40.2 shall be as follows, unless Rules 40.6 or 40.7 are applicable:
 - (a) For violations of Rule 32.2(c) (Evading, Refusing or Failing to Submit to Sample Collection) or Rule 32.2(e) (Tampering or Attempted Tampering with Doping Control), the period of Ineligibility shall be four years unless, in the case of failing to submit to Sample collection, the Athlete can establish that the commission of the anti-doping rule violation was not intentional (as defined in Rule 40.3), in which case the period of Ineligibility shall be two years.

- (b) For violations of Rule 32.2(d) (Whereabouts Failures), the period of Ineligibility shall be two years subject to a 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 Rule 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.
- (c) For violations of Rule 32.2(g) (Trafficking or Attempted Trafficking) or Rule 32.2(h) (Administration or Attempted Administration of a Prohibited Substance or Prohibited Method), the period of Ineligibility imposed shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. An anti-doping rule violation under Rule 32.2(g) or Rule 32.2(h) involving a Minor shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than Specified Substances, shall result in lifetime Ineligibility for such Athlete Support Personnel. In addition, significant violations of Rules 32.2(g) or 32.2(h) which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.
- (d) For violations of Rule 32.2(i) (Complicity), the period of Ineligibility shall be a minimum of two years, up to four years, depending on the seriousness of the violation.
- (e) For violations of Rule 32.2(j) (Prohibited Association), the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete's or other Person's degree of Fault and the other circumstances of the case.

Elimination of Period of Ineligibility where there is No Fault or Negligence

- 5. If an Athlete or other Person establishes in an individual case that he bears No Fault or Negligence, the otherwise applicable period of Ineligibility shall be eliminated. Except in the case of a Minor, for an Athlete to establish No Fault or No Negligence in a case where a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Sample in violation of Rule 32.2(a) (Presence of a Prohibited Substance), the Athlete must establish how the Prohibited Substance entered his system in order to have his period of Ineligibility eliminated.

Reduction of Period of Ineligibility where there is No Significant Fault or Negligence

- 6. (a) **Reduction of Sanctions for Specified Substances or Contaminated Products for violations of Rules 32.2(a), (b) or (f):**
 - (i) **Specified Substances:** where the anti-doping rule violation involves a Specified Substance 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' Ineligibility, depending on the Athlete's or other Person's degree of Fault.

- (ii) **Contaminated Products:** in cases where the Athlete or other Person can establish No Significant Fault or Negligence and that the detected Prohibited Substance 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.
 - (iii) Except in the case of a Minor, for an Athlete to establish No Significant Fault or Negligence in a case where a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Sample in violation of Rule 32.2(a) (Presence of a Prohibited Substance), the Athlete must establish how the Prohibited Substance entered his system in order to have his period of Ineligibility reduced.
- (b) **Application of No Significant Fault or Negligence beyond the application of Rule 40.6(a):** If an Athlete or other Person establishes in an individual case where Rule 40.6(a) is not applicable that he bears No Significant Fault or Negligence, then, subject to the further reduction or elimination as provided in Rule 40.7, the otherwise applicable period of Ineligibility may be reduced based on the Athlete's 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 Rule may be no less than eight years. Except in the case of a Minor, when a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Sample in violation of Rule 32.2(a) (Presence of a Prohibited Substance), the Athlete must establish how the Prohibited Substance entered his system in order to have his period of Ineligibility reduced.

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

7. (a) Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

- (i) The relevant tribunal of a Member may, prior to a final appellate decision under Rule 42 or the expiration of the time to appeal (where applicable in the case of an International-Level Athlete having referred the matter to the Doping Review Board for its determination under Rule 38.9) suspend a part of the period of Ineligibility imposed in an individual case where the Athlete or other Person has provided Substantial Assistance to the IAAF, his National Federation, an Anti-Doping Organisation, criminal authority or professional disciplinary body which results in: (i) the IAAF, National Federation or Anti-Doping Organisation discovering or bringing forward an anti-doping rule violation by another Person, or (ii) a criminal or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules committed by another Person, and the information provided by the Person providing Substantial Assistance is made available to the IAAF. After a final appellate decision under Rule 42 or the expiration of time to appeal, an Athlete or other Person's period of

Ineligibility may only be suspended by a Member if the Doping Review Board so determines and WADA agrees. If the Doping Review Board determines that there has been no Substantial Assistance, the determination shall be binding on the Member and there shall be no suspension of Ineligibility. If the Doping Review Board determines that there has been Substantial Assistance, the Member shall decide on the period of Ineligibility that shall be suspended. 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 nor other Person to the effort to eliminate doping in sport and, in particular, Athletics. 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 Rule must be no less than eight years. If the Athlete or other Person fails to continue to cooperate and to provide complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility was based, the Member shall reinstate the original period of Ineligibility. If the Member decides to reinstate a suspended period of Ineligibility, or decides not to reinstate a suspended period of Ineligibility, that decision may be appealed by any Person entitled to appeal under Rule 42.

- (ii) To further encourage Athletes and other Persons to provide Substantial Assistance to Anti-Doping Organisations, at the request of the IAAF or at the request of the Athlete or other Person who has (or has been asserted to have) committed an anti-doping rule violation, WADA may agree at any stage of the results management process, including after a final appellate decision under Rule 42, 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 Rule or even no period of Ineligibility and/or no return of prize money or payment of costs. WADA's approval shall be subject to reinstatement of sanction, as otherwise provided in this Rule. Notwithstanding Rule 42, WADA's decisions in the context of this Rule may not be appealed by any other Anti-Doping Organisation.
- (iii) If the Member suspends any part of the otherwise applicable period of Ineligibility under this Rule because of Substantial Assistance, the Member shall promptly provide a written justification for its decision to the IAAF and any other party having a right to appeal the decision under Rules 42.5 and 42.6. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorise the IAAF to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

(b) **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 Rule 32.2(a), before receiving first notice of the admitted violation pursuant to Rule 37) and that admission is the only reliable evidence of the violation at the time of the admission, then the period of Ineligibility may be reduced but not below one-half of the period of Ineligibility otherwise applicable.

(c) **Prompt admission of an anti-doping rule violation after first being confronted with a violation sanctionable under Rule 40.2 or Rule 40.4(a)**

An Athlete or other Person potentially subject to a four-year sanction for a first anti-doping rule violation under Rule 40.2 or Rule 40.4(a) (Evading or Refusing Sample collection or Tampering with Doping Control), by promptly admitting the anti-doping rule violation after first being confronted, and also upon the approval and at the discretion of both WADA and the IAAF, may receive a reduction in the period of Ineligibility down to a minimum of two years, depending on the severity of the violation and the Athlete or other Person's degree of Fault. Prompt admission shall be strictly enforced and shall mean no later than the deadline given by the IAAF Anti-Doping Administrator to provide a written explanation for an anti-doping rule violation under these Rules and, in all events, following notification of a violation, before the Athlete competes again. An Athlete or other Person who makes a prompt admission after first being confronted with a second anti-doping rule violation under Rule 40.2 or Rule 40.4(a), upon the approval and at the discretion of both WADA and the IAAF, may receive a reduction in the period of Ineligibility down to a minimum of one-half of the otherwise applicable period of Ineligibility calculated in accordance with Rule 40.8(a), depending on the severity of the violation and the Athlete's or other Person's degree of Fault. There shall be no reduction in the period of Ineligibility for a third anti-doping rule violation based on a prompt admission.

(d) **Application of Multiple Grounds for Reduction of a Sanction**

Where an Athlete or other Person establishes entitlement to a reduction in sanction under more than one provision of Rules 40.5, 40.6 or 40.7, before applying any reduction or suspension under Rule 40.7, the otherwise applicable period of Ineligibility shall be determined in accordance with Rules 40.2, 40.4, 40.5 and 40.6. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Rule 40.7, then the period of Ineligibility may be reduced or suspended but not below one-quarter of the otherwise applicable period of Ineligibility.

Multiple Violations

8. (a) For an Athlete or other Person's second anti-doping rule violation, the period of Ineligibility shall be the greater of:
- (i) six months;
 - (ii) one-half of the period of Ineligibility imposed for the first anti-doping rule violation without taking into account any reduction under Rule 40.7;

or

(iii) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation without taking into account any reduction under Rule 40.7.

The period of Ineligibility established above may then be further reduced by the application of Rule 40.7.

(b) A third anti-doping rule violation will always result in a lifetime period of Ineligibility except if the third violation fulfils the condition for the elimination or reduction of the period of Ineligibility under Rule 40.5 or 40.6 or involves a violation of Rule 32.2(d).

In these particular cases, the period of Ineligibility shall be from eight years to lifetime Ineligibility.

(c) An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence shall not be considered a prior violation for the purposes of this Rule.

(d) Additional Rules for Certain Potential Multiple Violations

(i) For the purposes of imposing sanctions under Rule 40.8, an anti-doping rule violation will only be considered a second violation if it can be established that the Athlete or other Person committed the second anti-doping rule violation after the Athlete or other Person received notice pursuant to Rule 37 or after reasonable efforts were made to give notice of the first anti-doping rule violation; if this cannot be established, 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.

(ii) If, after the resolution of a first anti-doping rule violation, facts are discovered involving an anti-doping rule violation by the Athlete or other Person which occurred prior to notification of the first violation, then an additional sanction shall be imposed based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Rule 40.9.

(e) Multiple Anti-Doping Rule Violations during Ten-Year Period

For the purposes of Rule 40.8, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

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

9. In addition to the automatic Disqualification of the Athlete's individual results in the Competition which produced the positive sample under Rules 39 and 40, all other competitive results obtained by the Athlete from the date the positive Sample was Collected (whether In-Competition or Out-of-Competition) or other anti-doping rule violation occurred, through to the commencement of any Provisional Suspension or Ineligibility period shall, unless fairness requires otherwise, be Disqualified with all of the resulting Consequences for the Athlete including the forfeiture of any titles, awards, medals, points and prize and appearance money.

Re-allocation of Forfeited Prize Money

10. Where prize money has not already been paid to the Ineligible Athlete, it shall be re-allocated to the Athlete(s) who placed behind the Ineligible Athlete in the relevant Event(s) or Competition(s). Where prize money has already been paid to the Ineligible Athlete, it shall be re-allocated to the Athlete(s) who placed behind the Ineligible Athlete in the relevant Event(s) or Competition(s) only if and when all the forfeited prize money, and, where applicable, costs awarded by CAS, has been repaid by the Ineligible Athlete to the relevant person or entity. The priority for repayment of CAS costs awards and forfeited prize money shall be the payment of costs awarded by CAS.

Commencement of Period of Ineligibility

11. 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 the Ineligibility is accepted or otherwise imposed.

- (a) **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 not attributable to the Athlete or other Person, the period of Ineligibility may start at an earlier date commencing as early as the date of Sample collection or on the date on which another anti-doping rule violation occurred. All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.
- (b) **Timely Admission:** where the Athlete promptly admits the anti-doping rule violation in writing after first being confronted (which means no later than the date of the deadline given to provide a written explanation in accordance with these Anti-Doping Rules or the Anti-Doping Regulations and, in all events, before the Athlete competes again), 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 Rule is applied, the Athlete or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Athlete or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction or the date the sanction is otherwise imposed. This Rule shall not apply where the period of Ineligibility has already been reduced under Rule 40.7(c).
- (c) **Credit for Provisional Suspension or Period of Ineligibility Served:** If a Provisional Suspension is imposed and 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 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 imposed on appeal.
- (d) If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing (pursuant to Rule 37) and thereafter refrains from competing or

participating, the Athlete or other Person shall receive credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. In accordance with Rule 37.19, a voluntary suspension is effective upon the date of its receipt by the IAAF. 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 Rule 43.

- (e) 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 Suspension regardless of whether the Athlete elected not to compete or was not selected to compete.

Status during Ineligibility

- 12. (a) **Prohibition against Participation during Ineligibility:** no Athlete or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in any Competition or activity (other than in authorised anti-doping education or rehabilitation programmes) which is authorised or organised by the IAAF or any Area Association or Member (or any Club or other member organisation of a Member) or Signatory (or Signatory's member or a club or other member organisation of a Signatory's member), or in Competitions authorised or organised by any professional league or any international or national-level Competition organisation or any elite or national-level sporting activity funded by a governmental agency. The term "activity" for the purpose of this Rule includes without limitation participating in any capacity, including as an Athlete, coach or other Athlete Support Personnel in a training camp, exhibition or practice or other activity organised by the Athlete's Member (or any Club or other member organisation of a Member) or by a Signatory (for example, a national training centre) as well as participating in administrative activities such as serving as an official, director, officer, employee or volunteer of any organisation referred to in this Rule. An Athlete or other Person subject to a period of Ineligibility of more 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 towards) a national championship or international competition, and does not involve the Athlete or other Person working in any capacity with Minors. An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing.
- (b) **Return to Training:** as an exception to Rule 40.12(a), an Athlete may return to train or to use the facilities of a Club or other member organisation of a Member or other Signatory's member organisation during the shorter of: (i) the last two months of the Athlete's period of Ineligibility or (ii) the last one-quarter of the period of Ineligibility imposed.
- (c) **Violation of the Prohibition of Participation during Ineligibility:** where

an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Rule 40.12(a), the results of such participation shall be Disqualified and a new period of Ineligibility equal in length up to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new 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 the body whose results management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Rule 42. Where an Athlete Support Personnel or other Person assists a Person in violating the prohibition against participation during Ineligibility, the Anti-Doping Organisation with jurisdiction over such Athlete Support Person or other Person shall impose sanctions for a violation of Article 32.2(i) for such assistance.

- (d) **Withholding of Financial Support during Ineligibility:** in addition, for any anti-doping rule violation not involving a reduced sanction as described in Rule 40.5 or 40.6, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by the relevant Person's National Federation.

Automatic Publication of Sanction

13. A mandatory part of each sanction shall include automatic publication as provided in accordance with Rule 43.9.

Return to Competition following Ineligibility

14. As a condition to regaining eligibility at the end of a specified period of Ineligibility, an Athlete or other Person must comply with the following requirements:

- (a) **Repayment of Prize Money:** the Athlete must repay any and all prize and appearance money that he has received in relation to performances in Competitions from the date of the Sample collection that resulted in an Adverse Analytical Finding or other anti-doping rule violation, or from the date of the commission of any other anti-doping rule violation, going forward; and
- (b) **Reinstatement Testing:** the Athlete must, during any period of Provisional Suspension or Ineligibility, make himself available for Out-of-Competition testing by the IAAF, his National Federation and any other organisation having authority to conduct Testing under these Anti-Doping Rules, and must, if requested, provide current and accurate whereabouts information for such purpose. Where an International-level Athlete has been rendered Ineligible for two years or more, a minimum of three reinstatement tests must be conducted at the Athlete's cost. The IAAF shall be responsible for the conduct of the reinstatement tests, in accordance with the Anti-Doping Rules and Regulations, but tests by any competent Testing body may be relied upon by the IAAF to satisfy this requirement, provided the Samples collected have been analysed by a WADA-accredited laboratory. The results of all

reinstatement tests, together with copies of the relevant doping control forms, must be sent to the IAAF prior to the Athlete returning to competition. If any reinstatement Testing carried out pursuant to this Rule results in an Adverse Analytical Finding or other anti-doping rule violation, this will constitute a separate anti-doping rule violation and the Athlete will be subject to disciplinary proceedings and further sanction, as appropriate.

- (c) Once the period of an Athlete's Ineligibility has expired, provided that he has complied with the requirements of Rule 40.14, he shall become automatically re-eligible and no application by the Athlete or his National Federation to the IAAF shall be necessary.

RULE 41

Consequences to Teams

1. Where the Athlete who has committed an anti-doping rule violation competed as a member of a relay team, the relay team shall be automatically disqualified from the Event in question, with all resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize and appearance money. If the Athlete who has committed an anti-doping rule violation competes for a relay team in a subsequent Event in the Competition, the relay team shall be disqualified from the subsequent Event, with all the same resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize money unless the Athlete establishes that he bears No Fault or Negligence for the violation and that his participation in the relay was not likely to have been affected by the anti-doping rule violation.
2. Where the Athlete who has committed an anti-doping rule violation competed as a member of a team other than a relay team, in an Event where a team ranking is based on the addition of individual results, the team shall not be automatically disqualified from the Event in question but the result of the Athlete committing the violation will be subtracted from the team result and replaced with the result of the next applicable team member. If, by subtracting the Athlete's result from the team's result, the number of Athletes counting for the team is less than the required number, the team shall be disqualified. This same principle shall apply to the calculation of a team result if the Athlete who has committed an anti-doping rule violation competes for a team in a subsequent Event in the Competition unless the Athlete establishes that he bears No Fault or Negligence for the violation and that his participation in the team was not likely to have been affected by the anti-doping rule violation.
3. In addition to the Disqualification of the Athlete's individual results as determined in Rule 40.9:
 - (a) the results of any relay team in which the Athlete competed shall be automatically disqualified, with all resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize money; and
 - (b) the results of any team other than a relay team in which the Athlete competed

shall not be automatically disqualified but the result of the Athlete committing the anti-doping rule violation will be subtracted from the team result and replaced with the result of the next applicable team member. If, by subtracting the Athlete's result from the team's result, the number of Athletes counting for the team is less than the required number, the team shall be disqualified.

4. Where more than one member of a relay or other team has been notified of an anti-doping rule violation under Rule 37 in connection with a Competition, the ruling body for the Competition shall conduct appropriate Target Testing of the team during the Competition Period.

RULE 42

Appeals

Decisions subject to Appeal

1. Unless specifically stated otherwise, all decisions made under these Anti-Doping Rules may be appealed in accordance with the provisions set out below. All such decisions shall remain in effect while under appeal unless the appellate body orders otherwise or unless otherwise determined in accordance with these Rules (see Rule 42.17). Before an appeal is commenced, any post-decision review provided in these Anti-Doping Rules must be exhausted (except as provided in Rule 42.1(c)).
 - (a) *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.
 - (b) *CAS Shall Not Defer To The Findings Being Appealed*: in making its decision, CAS need not give deference to the discretion exercised by the body whose decision is being appealed.
 - (c) *WADA Not Required To Exhaust Internal Remedies*: where WADA has a right of appeal under Rule 42 and no other party has appealed a final decision within the Anti-Doping Organisation's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the Anti-Doping Organisation's process.

Appeals from Decisions regarding Anti-Doping Rule Violations or Consequences

2. The following is a non-exhaustive list of decisions regarding anti-doping rule violations and Consequences that may be appealed under these Rules: a decision that an anti-doping rule violation was committed; a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation; a decision that no anti-doping rule violation was committed; a decision failing to impose Consequences for an anti-doping rule violation in accordance with these Rules; a determination by the Doping Review Board in an International-Level Athlete's case under Rule 38.14 that there are no grounds to justify an elimination, reduction or suspension of the period of Ineligibility; a decision of a Member confirming the acceptance by an Athlete or other Person of Consequences for an anti-doping rule violation; 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 Rule 35.22; any WADA decision to reverse a TUE under Rule 34.8; any TUE decision by the IAAF that is not reviewed by WADA or that is reviewed, but not reversed, by WADA under Rule 34.8; a decision under Rule 40.12 whether or not an Athlete or other Person has violated the prohibition of participation during Ineligibility; a decision that a Member lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision 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 under Rule 37.12; a decision to suspend or not suspend a period of Ineligibility, or to reinstate or not to reinstate, a suspended period of Ineligibility under Rule 40.7; the decision of a single CAS arbitrator in a case referred to CAS in accordance with Rule 38.3; any other decision regarding anti-doping rule violations or Consequences that the IAAF considers to be erroneous or procedurally unsound.

Appeals arising from International Competitions or Involving International-Level Athletes

3. In cases arising from an International Competition or involving International-Level Athletes or their Athlete Support Personnel, the first instance decision of the relevant body of the Member shall not be subject to further review at national level and shall be appealed exclusively to CAS in accordance with the provisions set out below.

Appeals which do not arise from International Competitions or Involve International-Level Athletes

4. In cases which do not arise from an International Competition or do not involve International-Level Athletes or their Athlete Support Personnel, the decision of the relevant body of the Member may (unless Rule 42.8 applies) be appealed to an independent and impartial body in accordance with rules established by the Member. The rules for such appeal shall respect the following principles:
 - a timely hearing;
 - a fair and impartial hearing panel;
 - the right to be represented by counsel at the Person's own expense;
 - the right to have an interpreter at the hearing at the Person's own expense;
 - and
 - a timely, written, reasoned decision.

The decision of the national level appeal body may be appealed in accordance with Rule 42.7.

Parties Entitled to Appeal

5. In any case arising out of an International Competition or involving an International-Level Athlete or his Athlete Support Personnel, 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) the IAAF;

- (d) the National Anti-Doping Organisation of the Athlete or other Person's country of residence or where the Athlete or other Person is a national or licence holder;
 - (e) the IOC or the International Paralympic Committee, as applicable (where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including a decision affecting eligibility for the Olympic Games or Paralympic Games or a result obtained at the Olympic or Paralympic Games); and
 - (f) WADA.
6. In any case which does not arise out of an International Competition or does not involve an International-Level Athlete or his Athlete Support Personnel, the following parties shall have the right to appeal the decision to the national level appeal body:
- (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) the Member;
 - (d) the National Anti-Doping Organisation of the Athlete or other Person's country of residence or where the Athlete or other Person is a national or licence holder;
 - (e) the IOC or the International Paralympic Committee, as applicable (where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including a decision affecting eligibility for the Olympic Games or Paralympic Games or a result obtained at the Olympic or Paralympic Games); and
 - (f) WADA.

The IAAF shall not have the right to appeal a decision to the national level appeal body but shall be entitled to attend any hearing before the national level appeal body as an observer. The IAAF's attendance at a hearing in such capacity shall not affect its right to appeal the decision of the national level appeal body to CAS in accordance with Rule 42.7.

The time to file an appeal to an independent and impartial appeal body established at national level shall be as indicated in the rules of the Member (or National Anti-Doping Organisation that has established the body). The above notwithstanding, the filing deadline for an appeal or intervention filed by WADA shall be the later of (i) twenty-one days after the last day on which any other party in the case could have appealed; or (ii) twenty-one days after WADA's receipt of the complete file relating to the decision.

7. In any case which does not arise out of an International Competition or does not involve an International-Level Athlete or his Athlete Support Personnel, the following parties shall have the right to appeal the decision of the national level appeal body to CAS:
- (a) the IAAF;
 - (b) the IOC or the International Paralympic Committee (where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including a decision affecting eligibility for the Olympic Games or Paralympic Games or a result obtained at the Olympic Games or Paralympic Games).

- Games); and
(c) WADA.
8. In any case which does not arise out of an International Competition or does not involve an International-Level Athlete or his Athlete Support Personnel, the IAAF, the IOC or the International Paralympic Committee (where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including a decision affecting eligibility for the Olympic Games or Paralympic Games or a result obtained at the Olympic Games or Paralympic Games) and WADA shall have the right to appeal a decision of the relevant body of the Member direct to CAS in any of the following circumstances:
- (a) the Member does not have an appeal procedure in place at the national level;
 - (b) there is no appeal made to the national level appeal body of the Member by any of the parties in Rule 42.6;
 - (c) the Member's rules so provide.
9. Any party filing an appeal under these Anti-Doping Rules shall be entitled to assistance from CAS to obtain all relevant information from the body whose decision is being appealed and the information shall be provided if CAS so directs.

Cross Appeals and other Subsequent Appeals allowed

10. Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS are specifically permitted. Any party with a right to appeal under this Rule 42 must file a cross appeal or subsequent appeal with the party's answer.

Appeals by WADA from a Failure to Render a Timely Decision

11. Where, in a particular case under these Anti-Doping Rules, the IAAF or a Member 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 the IAAF or Member had rendered a decision finding no anti-doping rule violation. If the CAS 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 legal fees in prosecuting the appeal shall be reimbursed by the body (the IAAF or the Member) that failed to render the decision.

Appeals relating to Therapeutic Use Exemptions

12. TUEs may be appealed exclusively as provided in the Anti-Doping Regulations and Rule 42.2.

Appeals from Decisions Sanctioning Members for Failing to Comply with Anti-Doping Obligations

13. A decision by the Council pursuant to Rule 45 to sanction a Member for failing to comply with its anti-doping obligations under these Rules may be appealed by the Member exclusively to CAS.

Notification of Appeal Decisions

14. Any Anti-Doping Organisation 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 Organisations that would have been entitled to appeal under Rule 42.5 or

Rule 42.6 as provided in Rule 43.6.

Time Limits for Filing Appeals to CAS

15. Unless stated otherwise in these Rules (or the Doping Review Board determines otherwise in cases where the IAAF is the prospective appellant), the appellant shall have forty-five (45) days in which to file his statement of appeal with CAS, such period starting from the day after the date of receipt of the decision to be appealed (or where the IAAF is the prospective appellant, from the day after the date of receipt of both the decision to be appealed and the complete file relating to the decision, in English or French) or from the day after the last day on which the decision could have been appealed to the national level appeal body in accordance with Rule 42.8(b). Within fifteen days of the deadline for filing the statement of appeal, the appellant shall file his appeal brief with CAS and, within thirty days of receipt of the appeal brief, the respondent shall file his answer with CAS.
16. The filing deadline for an appeal to CAS filed by WADA shall be the later of (a) twenty-one days after the last day on which any other party entitled to appeal in the case could have appealed; or (b) twenty-one days after WADA's receipt of the complete file relating to the decision.

IAAF Appeal of Decisions to CAS

17. The decision as to whether the IAAF should appeal to CAS, or whether the IAAF should participate in a CAS appeal to which it is not an original party (see Rule 42.21), shall be taken by the Doping Review Board. The Doping Review Board shall, where applicable, determine at the same time whether the Athlete concerned shall be re-suspended pending the CAS decision.

Respondents to the CAS Appeal

18. As a general rule, the respondent to a CAS appeal shall be the party which has taken the decision that is subject to appeal. Where the Member has delegated the conduct of a hearing under these Rules to another body, committee or tribunal in accordance with Rule 38.5, the respondent to the CAS appeal against such decision shall be the Member.
19. Where the IAAF is appellant before CAS, it shall be entitled to join as additional respondent(s) to the appeal such other parties as it deems to be appropriate, including the Athlete, Athlete Support Personnel or other Person or entity that may be affected by the decision.
20. Where the IAAF is one of two or more respondents to an appeal before CAS, it shall seek to agree on an arbitrator with the other respondent(s). If there is a disagreement as to who the appointed arbitrator should be, the IAAF's choice of arbitrator shall prevail.
21. In any case where the IAAF is not a party to a CAS appeal, it may nevertheless decide to participate as a party in the appeal in which event it shall have full party rights under CAS rules.

The CAS Appeal

22. All appeals before CAS shall take the form of a re-hearing and the CAS Panel shall be able to substitute its decision for the decision of the relevant tribunal of the Member or the IAAF where it considers the decision of the relevant tribunal of the Member or the IAAF to be erroneous or procedurally unsound. The CAS

Panel may in any case add to or increase the Consequences that were imposed in the contested decision.

23. In all CAS appeals involving the IAAF, CAS and the CAS Panel shall be bound by the IAAF Constitution, Rules and Regulations (including the Anti-Doping Regulations). In the case of any conflict between the CAS rules currently in force and the IAAF Constitution, Rules and Regulations, the IAAF Constitution, Rules and Regulations shall take precedence.
24. In all CAS appeals involving the IAAF, the governing law shall be Monegasque law and the arbitrations shall be conducted in English, unless the parties agree otherwise.
25. The CAS Panel may in appropriate cases award a party its costs, or a contribution to its costs, incurred in the CAS appeal.
26. The decision of CAS shall be final and binding on all parties, and on all Members, and no right of appeal will lie from the CAS decision. The CAS decision shall have immediate effect and all Members shall take all necessary action to ensure that it is effective.

RULE 43

Confidentiality and Reporting

1. **Notice of Anti-Doping Rule Violations to Athletes and Other Persons:** Notice to Athletes and other Persons of anti-doping rule violations asserted against them shall occur as provided under Rule 37 above. Notice to an Athlete or other Person who is a member of or affiliated to a Member may be accomplished by delivery of the notice to the National Federation.
2. **Notice of Anti-doping Rule Violations to National Anti-Doping Organisations and WADA:** Notice of the assertion of an anti-doping rule violation to National Anti-Doping Organisations and WADA shall occur as provided under Rule 37, simultaneously with notice to the Athlete or other Person.
3. **Content of an Anti-Doping Rule Violation Notice:** Notification of an anti-doping rule violation under Rule 32.2(a) shall include: the Athlete's name, country, discipline within Athletics, the Athlete's competitive level, whether the Test was In-Competition or Out-of-Competition, the date of the Sample collection, the analytical result reported by the laboratory and other information required by the International Standard for Testing and Investigations. Notice of anti-doping rule violations other than under Rule 32.2(a) shall include the rule violated and the basis of the asserted violation.
4. **Status Reports:** Except with respect to investigations which have not resulted in notice of an anti-doping rule violation pursuant to Rule 43.1, Members, National Anti-Doping Organisations and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Rule 37, Rule 38 and Rule 42 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.
5. **Confidentiality:** The recipient organisations shall not disclose the above information beyond those Persons with a need to know (which may include appropriate personnel at the applicable National Olympic Committee and

National Federation) until the IAAF has made Public Disclosure as required in Rule 43.8. In the case of an Adverse Analytical Finding or Atypical Finding, there shall be no Public Disclosure made until the B Sample analysis has been concluded (or until any follow-up investigation to the B Sample analysis as may be required by the Prohibited List under Rule 37.9 has been concluded), or until the B sample analysis is waived by the Athlete and, where appropriate, until a Provisional Suspension has been imposed in accordance with Rules 37.16-19.

Notice of Anti-Doping Rule Violation Decisions and Request for Files

6. Anti-doping rule violation decisions rendered pursuant to Rule 37.21, Rule 38, Rule 40 and Rule 42.14 shall include the full reasons for the decision, including, if applicable, a justification for why the greatest possible Consequences were not imposed. The decision shall be provided in English or French.
7. An Anti-Doping Organisation having a right to appeal a decision received pursuant to Rule 43.6 may within 15 days of receipt request a copy of the full case file pertaining to the decision.

Public Disclosure

8. The identity of the Athlete or other Person who is asserted to have committed an anti-doping rule violation may be Publicly Disclosed by the IAAF in accordance with Rule 43.5 only after notice has been provided to the Athlete or other Person in accordance with Rule 37 and simultaneously to the Member, WADA and the National Anti-Doping Organisation of the Athlete or other Person in accordance with Rule 43.2.
9. No later than twenty days after it has been determined in a final appellate decision under Rule 42, or such appeal has been waived, or a hearing in accordance with Rule 38 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, the IAAF shall Publicly Report the disposition of the matter, including the discipline, the anti-doping rule violated, the name of the Prohibited Substance or Method involved (if any) and the Consequences imposed. The IAAF shall Publicly Disclose within twenty days the results of final appeal decisions concerning anti-doping rule violations, including the information described above.
10. 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 decision may be Publicly Disclosed only with the consent of the Athlete or other Person who is the subject of the decision. The IAAF shall use reasonable efforts to obtain such consent. If consent is obtained, the IAAF shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.
11. Publication shall be accomplished at a minimum by placing the required information on the IAAF website or publishing it through other means and leaving the information up for the longer of one month or the duration of any period of Ineligibility.
12. Neither the IAAF, nor any National Federation, nor any official of either 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 the Athlete or other Person against whom an anti-doping rule violation is asserted or their representatives.

13. The mandatory Public Reporting required in Rule 43.9 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. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

Statistical Reporting

14. The IAAF shall publish at least annually a general statistical report of its Doping Control activities, with a copy provided to WADA.

Doping Control Information Clearinghouse

15. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in Testing, the IAAF shall report all In-Competition and Out-of-Competition tests on Athletes to the WADA clearinghouse, using ADAMS, as soon as possible after such tests have been conducted. This information will be made accessible, where appropriate, and in accordance with applicable rules, to the Athlete, the Athlete's National Federation and any other Anti-Doping Organisations with Testing authority over the Athlete.

Data Privacy

16. The IAAF 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, the International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information) and these Anti-Doping Rules.
17. Any Participant who submits information including personal data to any Person in accordance with these Anti-Doping Rules shall be deemed to have agreed, pursuant to applicable data protection laws and otherwise, that such information may be collected, processed, disclosed and used by such Person for the purposes of the implementation of these Anti-Doping Rules, in accordance with the International Standard for the Protection of Privacy and Personal Information and otherwise as required to implement these Anti-Doping Rules.

RULE 44

Member Reporting Obligations

1. Every Member shall report to the IAAF promptly the names of Persons who have signed a written agreement to these Anti-Doping Rules and Anti-Doping Regulations in order to be eligible to compete or participate in International Competitions (see Rule 30.3). A copy of the signed agreement shall in each case be forwarded by the Member to the IAAF Office.
2. Every Member shall report to the IAAF and WADA promptly any TUEs that are granted in accordance with Rule 34.8.
3. Every Member shall report to the IAAF promptly, and in all circumstances, within 14 days of notice to it, any Adverse Analytical Finding or Atypical Finding obtained in the course of Testing carried out by that Member or in that Member's Country or Territory, together with the name of the Athlete concerned and all documents relevant to the Adverse Analytical Finding or Atypical Finding in question.
4. Every Member shall keep the IAAF Anti-Doping Administrator updated at all

times on the results management process to be conducted under these Anti-Doping Rules (see Rule 37.2 above).

5. Every Member shall report, as part of its annual report to the IAAF to be submitted within the first three months of each year (see Article 4.9 of the Constitution), all Testing conducted by that Member or conducted in that Member's Country or Territory in the previous year (other than by the IAAF). This report shall be sorted by Athlete, identifying when the Athlete was tested, the entity conducting the Testing and whether the Testing was In-Competition or Out-of-Competition. The IAAF may choose periodically to publish such data as is received from its Members under this Rule.
6. Every Member shall report any information suggesting or relating to an anti-doping rule violation under these Anti-Doping Rules to its National Anti-Doping Organisation and to the IAAF and to co-operate with investigations conducted by any Anti-Doping Organisation with authority to conduct the investigation.
7. Every Member shall report to the IAAF the outcome of an investigation that is conducted pursuant to Rule 37.13.
8. Every Member shall report to the IAAF within 5 days the commencement of any CAS appeal to which the Member and/or an Athlete or Athlete Support Personnel under its jurisdiction is a party that arises from a decision taken under these Anti-Doping Rules or the rules of the Member (including where a hearing has been held under Rule 38.5). At the time of notification, the Member shall forward the IAAF a copy of the statement of appeal in the case.
9. The IAAF shall report to WADA every second year on the IAAF's compliance with the Code, including the compliance of its Members.

RULE 45

Sanctions against Members

1. The Council shall have authority to take sanctions against any Member which is in breach of its obligations under these Anti-Doping Rules, in accordance with Article 14.7 of the Constitution.
2. The following examples will be considered to be a breach of a Member's obligations under these Anti-Doping Rules:
 - (a) a failure to incorporate these Anti-Doping Rules and the Anti-Doping Regulations into its rules or regulations in accordance with Rule 30.2;
 - (b) a failure to guarantee a Person's eligibility to compete or participate in International Competitions by requiring the Person to sign an agreement to these Anti-Doping Rules and Regulations and forwarding a copy of the signed agreement to the IAAF Office (see Rule 30.3).
 - (c) a failure to comply with a decision of Council pursuant to Rule 30.6;
 - (d) a failure to complete a hearing for an Athlete within two months of being requested to do so, or, having completed a hearing, a failure to render a decision within a reasonable time period thereafter (see Rule 38.3);
 - (e) a failure to make diligent efforts to assist the IAAF in the collection of whereabouts information should the IAAF make such a request for assistance and/or a failure to verify that the whereabouts information collected on behalf of its Athletes is current and accurate (see Rule 35.21);

- (f) hindering, obstructing or otherwise Tampering with the conduct of Out-of-Competition Testing by the IAAF, another Member, WADA or any other body with Testing authority (see Rule 35.15);
 - (g) a failure to report to the IAAF and WADA the grant of any TUE under Rule 34.8 (see Rule 44.2);
 - (h) a failure to report to the IAAF an Adverse Analytical Finding or Atypical Finding obtained in the course of a Doping Control carried out by that Member, or in that Member's Country or Territory, within 14 days of notice of such a finding to the Member, together with the name of the Athlete concerned and all documents relevant to the Adverse Analytical Finding or Atypical Finding in question (see Rule 44.3);
 - (i) a failure to follow the correct disciplinary procedures set out in these Anti-Doping Rules, including a failure to refer cases involving International-Level Athletes to the Doping Review Board on the issue of whether there are grounds for an elimination, reduction or suspension in the period of Ineligibility (see Rule 38.9);
 - (j) a failure to keep the IAAF Anti-Doping Administrator updated at all times on the result management process under these Rules (see Rule 37.2);
 - (k) a failure to sanction an Athlete for an anti-doping rule violation in accordance with the sanctions set out in these Anti-Doping Rules;
 - (l) a refusal or failure to conduct an investigation as required under Rule 37.13 or to provide a written report on such investigation within the time stipulated by the IAAF;
 - (m) a failure to report to the IAAF as part of its annual report to be submitted within the first three months of the year, a list of all Doping Controls conducted by that Member or in that Member's Country or Territory in the previous year (see Rule 44.5);
 - (n) a failure to report information suggesting or relating to an anti-doping rule violation to its National Anti-Doping Organisation and the IAAF or to cooperate with any investigation conducted by any Anti-Doping Organisation with authority to conduct the investigation (see Rule 44.6);
 - (o) a failure to report to the IAAF the commencement of a CAS appeal (Rule 44.8).
3. If a Member is deemed to be in breach of its obligations under these Anti-Doping Rules, the Council shall have authority to act in one or more of the following ways:
- (a) to suspend the Member until the next meeting of the Congress or for any shorter period;
 - (b) to caution or censure the Member;
 - (c) to issue fines;
 - (d) to withhold grants or subsidies from the Member;
 - (e) to exclude the Member's Athletes from any one or more International Competition;
 - (f) to remove or deny accreditation to the officers or other representatives of the Member; and

(g) to issue any other sanction as it may deem to be appropriate.

The Council may determine from time to time a schedule of sanctions to be imposed on Members for a breach of the obligations in Rule 45.2. Any such schedule, or change to such schedule, shall be notified to the Members and published on the IAAF website.

4. In any case where the Council has issued a sanction against a Member for a breach of its obligations under these Anti-Doping Rules, such a decision shall be published on the IAAF website and reported to the next Congress.

RULE 46

Recognition

1. Any final decision taken in accordance with these Anti-Doping Rules shall be automatically recognised by the IAAF and its Members which shall take all necessary action to render such decisions effective.
2. Subject to the right of appeal provided in Rule 42, Testing, hearing results or other final adjudications in the sport of Athletics of any Signatory which are consistent with the Anti-Doping Rules and Regulations and are within the Signatory's authority, shall be recognised and respected by the IAAF and its Members. In the case of an adjudication of the IOC arising from an anti-doping rule violation occurring at the Olympic Games, the IAAF and its Members shall recognise the finding of an anti-doping rule violation once it becomes final under applicable rules and shall thereafter submit the determination of the Athlete or other Person's sanction beyond disqualification from the Olympic Games to the results management process provided in Rules 37 and 38.
3. The Council may, on behalf of all Members, recognise Testing in the sport of Athletics by a body that is not a Signatory under rules and procedures different from those in the Anti-Doping Rules and Regulations, if it is satisfied that the Testing was properly carried out and that the rules of the body conducting the Testing are otherwise consistent with the Anti-Doping Rules and Regulations.
4. The Council may delegate its responsibility for the recognition of Testing under Rule 46.3 to the Doping Review Board or to such other person or body as it may deem to be appropriate.
5. If the Council (or its appointee under Rule 46.4) decides that Testing carried out by a body in the sport of Athletics that is not a Signatory is to be recognised, then the Athlete shall be deemed to have breached the relevant IAAF Rule and will be subject to the same disciplinary procedures and sanctions as for a corresponding violation of these Anti-Doping Rules. All Members shall take all necessary action to ensure that any decision regarding an anti-doping rule violation in such a case is effective.
6. Testing, hearing results and other final adjudications of any Signatory in a sport other than Athletics, which are consistent with the Anti-Doping Rules and Regulations and are within that Signatory's authority, shall be recognised and respected by the IAAF and its Member Federations.
7. The IAAF and its Member Federations shall recognise the same actions in Rule 46.6 of bodies which have not accepted the Code in a sport other than Athletics if the rules of those bodies are otherwise consistent with the Anti-Doping Rules

and Regulations.

RULE 47

Statute of Limitations

No anti-doping rule violation proceeding may be commenced against an Athlete or other Person unless he has been notified of the anti-doping rule violation as provided in Rule 37, or notification has been reasonably attempted, within ten years from the date on which the anti-doping rule violation is asserted to have occurred.

RULE 48

Interpretation

1. Anti-Doping rules are, by their nature, competition rules governing the conditions under which the sport of Athletics is to be held. They are not intended to be subjected to or limited by the requirements and legal standards applicable to criminal and civil proceedings or employment matters. The policies and standards set out in the Code as a basis for the fight against doping in sport, and as accepted by the IAAF in these Anti-Doping Rules, represent a broad consensus of those with an interest in fair sport and should be respected by all courts and adjudicating bodies.
2. These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the Signatories or Governments.
3. The comments annotating various provisions of the Code shall be used to interpret these Anti-Doping Rules.
4. The headings and sub-headings used in these Anti-Doping Rules are for convenience only and shall not be deemed to be part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
5. These Anti-Doping Rules come into full force and effect on 1 January 2015 (the "Effective Date"). These Anti-Doping Rules shall not apply retroactively to matters pending before the Effective Date. However, anti-doping rule violations taking place prior to the Effective Date count as "first violations" or "second violations" for the purposes of determining sanctions under Rule 40 for violations taking place after the Effective Date.
6. The Definitions shall be considered an integral part of these Anti-Doping Rules.

RULE 49

Transitional Provisions

1. **Non-retroactive except for Rule 40.8(e) and Rule 47, or unless the principle of Lex Mitior applies:** The retrospective periods in which prior violations can be considered for the purposes of multiple violations under Rule 40.8(e) and the statute of limitations in Rule 47 are procedural rules and should be applied retroactively; provided however that Rule 47 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date. Otherwise, with respect to 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, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the panel hearing the case determines the principle of *lex mitior* appropriately applies in the circumstances of the case.

2. **Application to Decisions rendered prior to the 2015 Anti-Doping Rules:** 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 the Member or other Anti-Doping Organisation which had results management responsibility for the anti-doping rule violation under Rule 37.2 to consider a reduction in the period of Ineligibility in light of the 2015 Anti-Doping Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered by the Member or other Anti-Doping Organisation may be appealed pursuant to Rule 42. The 2015 Anti-Doping Rules shall have no application to any anti-doping rule violation where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.
3. **Multiple Violations where the First violation occurs prior to the Effective Date:** For the purposes of assessing the period of Ineligibility for a second violation under Rule 40.8 where the sanction for the first violation was determined based on pre-2015 Anti-Doping Rules, the period of Ineligibility which would have been assessed for that violation had 2015 Anti-Doping Rules been applicable shall be applied.

APPENDIX 2

RULES AGAINST BETTING, MANIPULATION OF RESULTS AND CORRUPTION

1. The IAAF Code of Ethics provides that:

“Persons subject to the Code shall not participate in betting on Athletics, nor manipulate the results of competitions, nor engage in other corrupt conduct in accordance with the Rules against Betting, Manipulation of Results and Corruption (Appendix 2)” (paragraph C.1.14).

2. These Rules against Betting, Manipulation of Results and Corruption apply to all persons subject to the Code of Ethics (see paragraph A.1 of the Code of Ethics).
3. For the purposes of these Rules against Betting, Manipulation of Results and Corruption (the Rules), the following definitions apply:

Area Association: An area association of the IAAF responsible for fostering Athletics in one of the six areas into which Members are divided in the Constitution.

Athlete: An athlete who participates in an International Competition.

Benefit: The direct or indirect receipt or provision (as relevant) of money or a specific monetary or sporting advantage. This shall not include prize money and/or contractual payments to be made under endorsement, sponsorship or other contracts.

Bet: A wager of money or any other form of financial speculation between at least two Persons on the outcome of a future event.

Betting: Making, accepting, or laying a Bet and shall include, without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalisator/toto games, live betting, betting exchange, spread betting and any other betting products offered by sports betting operators.

Club: A club or society of athletes, directly or through a body, affiliated to a Member in accordance with the rules of the Member.

Code: The IAAF Code of Ethics

Competition: An Event or series of Events held over one or more days.

Ethics Commission: The IAAF Ethics Commission established in accordance with Article 5.7 of the IAAF Constitution.

Event: A single race or contest in a Competition (e.g. the 100 metres or the Javelin Throw), including any qualifying rounds thereof.

Ineligibility: The person subject to the Code is barred from participating in Athletics in any Competition, function, event or other activity authorised or organised by the IAAF or any Area Association or Member (or any Club or other member organisation of a Member). The term “activity” includes without limitation participating in any administrative or professional role in Athletics such as serving as an official, director, officer, consultant, employee or volunteer of any organisation that is referred to in this definition.

Inside Information: Any information relating to any Competition or Event that a person subject to the Code possesses by virtue of his position within the sport. Such information includes, but is not limited to, factual information regarding the competitors, the conditions, tactical considerations or any other aspect of the Competition or Event, but does not include such information that is already published or a matter of public record, readily acquired by an interested member of the public or disclosed according to the rules and regulations governing the relevant Event or International Competition.

International Competition: Any of the International Competitions listed under Rule 1.1 of IAAF Rules.

Major Event Organisation: Any international multi-sport organisation (e.g., the IOC) that acts as the ruling body for any continental, regional or other International Competition.

Member: A national governing body for Athletics affiliated to the IAAF.

Person: A natural person, organisation or other entity, including all persons subject to the Code.

Violations

4. The following shall constitute a violation of these Rules (in each case, whether effected directly or indirectly).
5. **Betting:**
 - (a) Any form of Betting related to an Event or Competition in Athletics, including Betting with another Person on the result, progress, outcome, conduct or any other aspect of such an Event or Competition.
 - (b) Inducing, instructing, facilitating or encouraging a person subject to the Code to commit a violation of this Rule 5.

This Rule applies to any form of Betting related to an Event or Competition in Athletics, whether or not the person subject to the Code is directly participating in the Event or Competition in question, and to any form of Betting related to an Event or Competition in a sport other than Athletics taking place at an International Competition organised by a Major Event Organisation in which the person subject to the Code is directly participating.

6. Manipulation of results:

- (a) Fixing or contriving in any way, or otherwise improperly influencing, or being a party to fix or contrive in any way or otherwise improperly influence, the result, progress, outcome, conduct or any other aspect of an Event or Competition;
- (b) Ensuring or seeking to ensure the occurrence of a particular incident in an Event or Competition, which occurrence is to the person subject to the Code's knowledge the subject of a Bet and for which he or another Person expects to receive or has received a Benefit;
- (c) Failing, in return for a Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to perform to one's abilities in an Event or Competition;
- (d) Inducing, instructing, facilitating or encouraging a person subject to the Code to commit a violation of this Rule 6.

7. Bribery:

- (a) Accepting, offering, agreeing to accept or offer, any bribe or other Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to fix or contrive in any way, or otherwise to influence improperly the result, progress, outcome, conduct or any other aspect of an Event or Competition;
- (b) Inducing, instructing, facilitating or encouraging a person subject to the Code to commit a violation of this Rule 7.

8. Gifts:

- (a) Providing, offering, giving, requesting or receiving any gift or Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) in circumstances that the person might reasonably have expected could bring him or the sport of Athletics into disrepute;
- (b) Inducing, instructing, facilitating or encouraging a person subject to the Code to commit a violation of this Rule 8.

9. Misuse of Inside Information:

- (a) Using Inside Information for Betting purposes or otherwise in relation to Betting or for the purposes of the manipulation of the result of an Event or Competition;

- (b) Disclosing Inside Information to any Person (with or without Benefit) where the Person might reasonably be expected to know that the disclosure of such information in such circumstances could be used for Betting purposes or otherwise in relation to Betting or for the purposes of the manipulation of the result of an Event or Competition;
- (c) Inducing, instructing, facilitating or encouraging a person subject to the Code to commit a violation of this Rule 9.

10. Other Violations:

- (a) Attempting, or agreeing with another Person, to act in a manner that would culminate in the commission of a violation of these Rules shall be treated as if a violation has been committed, whether or not such attempt or agreement in fact resulted in such violation. However, there shall be no violation under this Rule where the person the subject of this Code renounces his attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement;
- (b) Knowingly assisting, covering up or otherwise being complicit in any acts or omissions of the type described in these Rules;
- (c) Failing to report to the IAAF or other competent authority (without undue delay) full details of any approaches or invitations received by the person subject to the Code to engage in conduct that would amount to a violation of these Rules;
- (d) Failing to report to the IAAF or other competent authority (without undue delay) full details of any incident, fact or matter that comes to the attention of the person subject to the Code that may evidence a violation under these Rules by a third party, including (without limitation) approaches or invitations that have been received by any other party to engage in conduct that would amount to a violation of these Rules;
- (e) Failing without compelling justification to cooperate with any reasonable investigation carried out in relation to a possible violation of these Rules, including failing to provide any information and/or documentation requested that may be relevant to such investigation.

11. The following are not relevant to the determination of a violation under these Rules:

- (a) whether or not the person subject to the Code was participating, or an Athlete assisted by another Person was participating in the specific Event or Competition;
- (b) the nature of the manipulation of the result of an Event or Competition in issue;
- (c) the outcome of the Event or Competition in which the manipulation of result occurred;
- (d) whether or not the person subject to the Code's efforts or performance (if any) in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question;
- (e) whether or not any of the results in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question.

Sanctions

12. Ineligibility: Where it is determined that a violation of these Rules has been committed, the Ethics Commission shall have the power to impose an appropriate period of Ineligibility from the range of sanctions set out below:
13. Where a person subject to the Code is found guilty of two violations in relation to the same incident or the same set of facts, and is sanctioned separately, the sanctions imposed shall run concurrently.
14. Fines: In addition to the imposition of a period of Ineligibility as set out above, the Ethics Commission may, at its discretion, impose a fine of up to a maximum amount of the value of any Benefit received by the person out of, or in relation to, the violation(s) of these Rules.
15. Disqualification of Results: A violation of these Rules by an Athlete occurring during or in connection with an Event in which the Athlete is participating shall lead to the automatic disqualification of the Athlete and the annulment of all of the Athlete's results from the Event, with all resulting consequences for the Athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money.
16. Where the Athlete who has committed a violation of these Rules participated as a member of a relay team, the relay team shall be automatically disqualified from the Event in question, with all resulting consequences for the relay team, including the annulment of all results and forfeiture of all titles, awards, medals and points and prize and appearance money.
17. In all other cases, the Ethics Commission shall decide whether or not a violation of these Rules shall lead to the disqualification of results from an Event or Competition taking into consideration the specific circumstances of the violation in question.

APPENDIX 3

RULES CONCERNING CANDIDACY FOR IAAF OFFICE AND CONDUCT OF ELECTIONS

1. The IAAF Code of Ethics provides that:

“Candidates for elected IAAF positions shall conduct their candidacies with honesty, dignity and respect for their opponents and in accordance with the Rules Concerning Candidacy for IAAF Office and the Conduct of Elections” (paragraph C.5.21); and

“IAAF Officials shall not, directly or indirectly, solicit, accept or offer any form of remuneration or commission, or any concealed benefit or service of any nature, connected with the organisation of any Athletics event or election or appointment to office” (paragraph D.2.25).

Candidature

2. Candidates for an elected position within the IAAF have the right to promote their candidacies subject to the provisions set out in these Rules.
3. The promotion of a candidature shall be conducted with honesty, dignity and moderation and shall comply with the Code.
4. Candidates shall in no case and under no pretext give presents or offer donations or gifts or grant advantages or benefits of whatever nature to or at the request of any party who will vote in, or who may otherwise influence, an election.
5. Candidates shall not enter into any promise or undertaking to personally act (whether as a candidate or following election), for the direct or indirect benefit of an Area Association, Member, a group of Members or individuals within any such body or grouping.
6. Candidates shall not enter into any form of undertaking with any natural or legal person that is likely to affect the candidate’s freedom of decision or action if elected.
7. Candidates may make declarations or give interviews provided, in doing so, that they comply with the Code.
8. Candidates shall not make payments, directly or indirectly, to journalists or other persons affiliated to the media in order to promote their candidacies.
9. Candidates shall, in the framework of promoting their candidacies, respect the other candidates and the IAAF itself.

10. Candidates shall not produce (or cause third parties to produce) any spoken word, written text or representation of any nature likely to harm the image or reputation of another candidate.
11. Candidates shall not engage in any act, collaboration or collusion by or between candidates with the intent to defraud or manipulate the result of the vote.
12. Candidates shall not request support or service from IAAF staff, consultants, agents or advisors in connection with their candidacies.

Athletes' Commission

13. For candidates for the IAAF Athletes' Commission, the following additional rules apply:
 - a. Candidates must keep expenses to a strict minimum;
 - b. Other than each candidate's biography accompanying an application form, no document, poster, sign, banner or present may be distributed and/or displayed inside or outside the athletes' village;
 - c. From the opening day of the athletes' village until the conclusion of the election, candidates may promote their candidacy in social situations inside the village and the stadium. Such promotion must be limited to discussions among athletes.
 - d. Campaigning in or around the voting centres is prohibited.

APPENDIX 4

RULES OF CONDUCT APPLICABLE TO MEMBERS AND CANDIDATE CITIES WISHING TO HOST WORLD ATHLETICS SERIES COMPETITIONS AND OTHER INTERNATIONAL COMPETITIONS ORGANISED BY THE IAAF

1. The IAAF Code of Ethics provides that:

“Members and Candidate Cities wishing to host World Athletics Series competitions and other International Competitions organised by the IAAF (including those persons acting or entitled to act on their behalf) shall conduct their candidacies with honesty, dignity, and respect for their opponents in accordance with the Rules of Conduct Applicable to Members and Candidate Cities Wishing to Host World Athletics Series competitions and other International Competitions organised by the IAAF” (paragraph C.6.22).
2. For the purposes of these Rules, Members and Candidate Cities (including those persons acting or entitled to act on their behalf) are collectively referred to as a “Bidding Party” or “Bidding Parties”.
3. It is essential to the integrity, image and reputation of the IAAF and the World Athletics Series competitions and other International Competitions organised by the IAAF that the conduct of Bidding Parties complies at all times with the Code (including in particular these Rules).

Bidding Information

4. Bidding Parties may promote their candidacies by any media. Such promotion may list third parties providing financial support to the candidature. The sale of promotional items and services is subject to the IAAF’s prior written approval.
5. Printed material (including bid documents submitted to the IAAF), website and social network content and oral statements (“Bidding Information”) published or made by or on behalf of a Bidding Party to host a World Athletics Series competition or any other International Competition organised by the IAAF shall be dignified, complete and truthful. Facts or information that come to light following the submission of a bid that result in the Bidding Information no longer being complete or truthful must be disclosed by any one or more of the Bidding Parties to the IAAF immediately. Such information must be corrected by the Bidding Parties immediately.

6. Bidding Parties are jointly and severally responsible for ensuring that all Bidding Information strictly complies with the Code, including in particular these Rules.
7. Bidding Information shall not include comparisons of different bids and shall not disparage or demean other bids or Bidding Parties.

Promotion of Candidate Cities

8. Bidding Parties may attend events to which the IAAF and/or other parties have invited them, and undertake promotional activities at those events, provided always that an equivalent proposal has been guaranteed to all other Bidding Parties.
9. Bidding Parties shall not solicit or accept any support or promotion from IAAF sponsors, suppliers or other IAAF marketing partners.

Lobbying of Council Members

10. In-person contacts, involving any discussion of a bid, between persons acting on behalf of a bid and IAAF Council Members shall be limited to contacts at the site of Council meetings immediately prior to such meetings and contacts at the site of, and in connection with, World Athletics Series competitions and other International Competitions organised by the IAAF. As exceptions to this limitation (i) in-person contacts with Council Members are permitted in connection with the activities of an IAAF Evaluation Commission, and (ii) in-person contacts are permitted with a Council Member who is from the Bidding Member.

Gifts

11. Gifts or benefits, (other than of nominal value), shall not be offered, given to or received by an IAAF Official in connection with a bid. Similarly, no advantage or promise of any kind of advantage may be made to or accepted by an IAAF Official.

Collaboration between Members/Candidature Cities

12. Collaboration and collusion between Bidding Members/Candidate Cities are not permitted.

Sanctions

13. In case of a breach of these Rules, the matter shall be referred to the IAAF Ethics Commission for determination which may impose any sanctions set out in the Code and/or recommend to the Council that the bid be withdrawn.

APPENDIX 5

RULES CONCERNING CONFLICTS OF INTEREST OF IAAF OFFICIALS

1. The IAAF Code of Ethics provides that:

“IAAF Officials shall act for the benefit of the IAAF when making decisions that affect or may affect the IAAF and must do so without reference to their own personal interest, either financial or otherwise” (paragraph D.4.30).
2. All IAAF Officials must perform their duties with integrity, transparency and in an independent manner, free from any influence that might interfere with their loyalty to the IAAF.
3. It is the individual responsibility of all IAAF Officials to avoid any case of conflict of interest and to disclose any potential conflict of interest as detailed in this Rule.
 - a. An “interest” for the purposes of the Code and this Rule means and includes any interest, direct or indirect, whether private or personal, financial or otherwise related to the IAAF Official concerned. This also includes the interest of a third person (such as a parent, spouse or other immediate family, or dependent).
 - b. The following is a non-exhaustive list of examples of circumstances in which conflicts of interest could arise: personal and/or material involvement as an employee, contractor, director, trustee, shareholder, partner or other position with suppliers to the IAAF, sponsors, broadcasters, or other parties contracting with the IAAF or any other organisation or person likely to benefit from the assistance of the IAAF (such as a subsidy, approval or election).
4. The fact that an IAAF Official also holds a position in an Area Association or Member shall not in and of itself constitute a potential conflict of interest.
5. IAAF Officials shall be required to disclose any interest that may give rise to a potential or actual conflict of interest by submitting to the Chairperson of the IAAF Ethics Commission and to the person in charge of the body of which they are a member or to whom they report, a Code of Ethics Interests Reporting Statement.
6. Should there be a potential conflict of interest between an IAAF Official and the IAAF (whether or not it has been disclosed on a Code of Ethics Interests Reporting Statement), the individual IAAF Official concerned must refrain from expressing their opinion, and from taking any further part in the matter, including any deliberations or decisions, unless permitted by the person in charge of the body of which they are a member or to whom they report. If necessary, the person in charge of the body of which the IAAF Official is a member or to whom the IAAF Official reports may refer the matter to the Chairperson of the IAAF Ethics Commission.
7. Should there be an alleged conflict of interest, it shall be referred to the IAAF Ethics Commission for determination of whether it is a violation of the Code.

PROCEDURAL AND ORGANISATIONAL RULES

APPENDIX 6

STATUTES OF THE IAAF ETHICS COMMISSION

**Amendments to 1st May 2015 edition mentioned in bold and
in force as from 26 November 2015**

A Creation, Composition and Organisation

1. The IAAF Ethics Commission (the Commission) is an independent judicial body established by the Congress in accordance with Article 5.7 of the IAAF Constitution.
2. The Ethics Commission shall be composed of **at least nine** members appointed by the Council. Three of these members shall be individuals who have a legal background and who also have a significant involvement with sports, preferably including Athletics.
3. The Council shall appoint a Chairperson of the Ethics Commission and **the** other members upon the recommendation of the IAAF President.
4. No current member of the Council shall be eligible to be a member of the Ethics Commission.
5. No member of the Ethics Commission may belong to any other IAAF body.
6. The Chairperson of the Ethics Commission shall appoint a Deputy Chairperson from amongst the **other** members appointed by the Council.
7. If the Chairperson of the Ethics Commission is prevented from acting in any matter (whether due to personal or factual circumstances), the Deputy Chairperson of the Ethics Commission shall replace him. If both the Chairperson and the Deputy Chairperson are prevented from acting in any matter (whether due to personal or factual circumstances), the remaining members of the Ethics Commission shall choose an acting Chairperson.
8. Commission Meeting: The Ethics Commission shall meet when convened by the Chairperson. A quorum is constituted if at least five of the members are present.
9. Commission Hearings: A panel of the Ethics Commission consisting of at least 3 members appointed by the Chairperson shall conduct hearings to adjudicate on proceedings before it. In exceptional cases, a panel of more than 3 members may be appointed (either 5 or 7 members). Ethics Commission hearings shall be confidential, with only the decision of the panel being made public.
10. The Ethics Commission shall be assisted for administrative purposes by **at least one legal** secretary who is independent from the IAAF and appointed by the Chairperson.
11. Subject to such reasonable budgetary limitations as may be imposed by the Council, the IAAF shall provide the Ethics Commission with the necessary financial resources to fulfil its functions.

B Appointment of Members of the Commission

12. Ethics Commission members shall be appointed by the Council for a term of 4-years. Members may be re-appointed for one further term.

13. In the event of death, resignation, incapacity or inability of a member to perform his functions, the Council shall appoint a replacement to the Ethics Commission for the remainder of the 4-year term. The replacement member may be appointed for one further term.
14. An Ethics Commission member may be removed from office by the Council for just cause.
15. In the event of death, resignation, successful challenge, withdrawal or removal of a member of the Ethics Commission during the pendency of a proceeding in which he is involved, the member shall be replaced. Unless otherwise decided by the Chairperson of the Commission, the proceeding shall continue without repetition of the procedure which took place prior to the replacement.

C Powers

16. The Ethics Commission shall have the following powers under the Code:
 - (i) to appoint an independent and appropriately **qualified investigator to investigate** alleged violations of the Code;
 - (ii) to adjudicate whether violations of the Code have been committed, (other than violations of the Anti-Doping Rules);
 - (iii) to determine for each proceeding (a) its procedure in accordance with the Procedural Rules and (b) any other procedural matters that are not set out in the Procedural Rules, in accordance with the rules of natural justice;
 - (iv) to adjudicate whether violations of any code of ethics of a Member Federation have been committed where the alleged violation has serious and important implications for the IAAF;
 - (v) to adjudicate on any appeals against any decision by a Member Federation's Ethics Commission (or body delegated by the Member Federation) with authority to determine violations of a Member Federation's code of ethics;
 - (vi) to impose sanctions for violations of the Code;
 - (vii) to provide advisory opinions on any potential issue related to the Code;
 - (viii) **to make recommendations to the IAAF, including recommending** amendments to the Code (and/or the Rules thereunder);
 - (ix) to perform any other task related to the Code and the development and respect of ethical principles in the sport of Athletics that might be referred to it by the Council and/or the President **or which the Commission of its own initiative considers to be appropriate for it to undertake.**

D Sanctions

17. The Ethics Commission shall have the following powers **to be exercised in accordance with the Procedural Rules where applicable:**
 - (i) to caution or censure;
 - (ii) to issue fines;
 - (iii) to suspend a person (with or without conditions) or expel the person from office;

- (iv) to suspend or ban the person from taking part in any Athletics-related activity, including Events and Competitions;
- (v) to remove any award or other honour bestowed on the person by the IAAF;
- (vi) to impose any sanctions as may be set out in specific Rules;
- (vii) to impose any other **reasonable** sanction that it may deem to be appropriate, including community service within athletics and/or restitution; and
- (viii) for any appeals under C16(v) above, to uphold, dismiss or refer back to the Member Federation for further consideration and to do so without procedural costs.

E Withdrawal of a Member

18. An Ethics Commission member shall decline to participate in a matter or withdraw from any matter to which he has been appointed in any of the following circumstances:
 - (i) if he is of the same nationality as a party involved in the matter (unless his appointment is agreed by the parties);
 - (ii) if he has a direct or indirect interest in the matter;
 - (iii) if he has already dealt with the case in a different function or capacity;
 - (iv) if he has previously expressed an opinion about the matter or its outcome;
 - (v) if there are any other serious grounds for questioning his independence or impartiality in the matter.
19. Members of the Ethics Commission who decline to participate in or who are required to withdraw from a matter shall notify the Chairperson of the Ethics Commission immediately.

F Challenge to a Member

20. An Ethics Commission member may be challenged in any matter if the circumstances give rise to legitimate doubts over his independence or impartiality.²¹ Challenges must be made within 7 days of the grounds for challenge becoming known. The resolution of the challenges are in the exclusive power of the Chairperson of the Commission (or the Deputy Chairperson as applicable). A petition shall be filed by the person making the challenge setting out the facts upon which the challenge is based.
22. The Chairperson of the Ethics Commission (or the Deputy Chairperson as applicable) shall rule on the challenge after the challenged member has been invited to submit written comments in response. The Chairperson of the Ethics Commission (or Deputy Chairperson) shall give reasons for his decision.

G Confidentiality

23. The members of the Ethics Commission shall ensure that everything disclosed to them during the course of their duties remains confidential, including the facts of any case or issue and any deliberations or decisions that are taken.
24. The members of the Ethics Commission shall not disclose the existence of, or make any statements related to (i) any matter that is pending before the Ethics Commission or (ii) any matter that has been concluded by the Ethics Commission, except to the extent stated in the final decision of the matter by the Ethics Commission.

- 25. Paragraphs G23 and G24 above shall not apply in the event that the Ethics Commission or its Chairperson decide that information should be shared in order properly and effectively to ensure discharge of the Commission's functions and/or to protect the integrity and reputation of Athletics.**

H Independence

- 26.** The members of the Ethics Commission shall carry out their functions and render their decisions entirely independently and must avoid any third-party influence. Members of the Ethics Commission shall immediately disclose any circumstances likely to affect their independence with respect to the parties.

I Exemption from Liability

- 27.** Except in the case of bad faith or gross negligence, neither the members, nor **any legal** secretary, nor any investigator of the Ethics Commission may be held personally liable for any act or omission relating to any procedure.

APPENDIX 7

PROCEDURAL RULES OF THE ETHICS COMMISSION

**Amendments to 1st May 2015 edition mentioned in bold and
in force as from 26 November 2015**

Introduction

The purpose of these procedural rules is to set out how and by whom allegations of violations of the Code of Ethics are to be reported and handled at all stages, from the receipt of a complaint, to the decision to initiate an investigation, to the conduct of the investigation and finally to the decision-making process and imposition of sanctions by the Ethics Commission.

CHAPTER I - GENERAL PROVISIONS

RULE 1

Scope of application

1. These Procedural Rules shall govern all proceedings relating to alleged violations of the Code of Ethics (the Code) other than alleged violations of the IAAF Anti-Doping Rules which shall be handled in accordance with Chapter 3 of the IAAF Competition Rules.
2. These Procedural Rules also apply for any appeal made to the Ethics Commission against **a decision of a** Member's Ethics Commission (or other body delegated by the Member Federation) with authority to determine violations of a Member's code of ethics.
3. These Procedural Rules shall also apply, where applicable, when the Ethics Commission (the Commission) is called upon to give an advisory opinion.
4. For the purpose of these Procedural Rules, Proceedings shall mean all the stages in the Procedural Rules, including **any** complaint, investigation, notification, hearing and adjudication, unless stated otherwise in these Rules.

RULE 2

Seat

The seat of the Ethics Commission and of each Commission Panel is Monaco. However, should circumstances so warrant, and after consultation with all parties **where possible**, the Chairperson of the Panel may decide to hold a hearing in another place.

RULE 3

Parties

Only accused persons are considered parties.

RULE 4
Right to be heard

Subject to these Rules, the parties shall have the right to be heard within a reasonable time, the right to present evidence, the right to review proposed evidence, the right to access files related to the complaint, the right to have adequate time for the preparation of their defence and the right to a reasoned decision.

RULE 5
Representation and assistance

1. The parties may be represented or assisted by persons of their choice at their own cost and expense.
2. The Ethics Commission (or any Panel established by it) may request that the parties' representatives submit a duly signed power of attorney.

RULE 6
Notifications and communications

1. All notifications and communications that the Ethics Commission (or any Panel established by it) intends for the parties shall be made through **a legal** secretary of the Ethics Commission. The notifications and communications shall be written in English or French and sent to the address provided by the party.
2. All communications from a party intended for the Ethics Commission (or any Panel established by it) shall be sent by courier, e-mail or facsimile to **a legal** secretary of the Ethics Commission, failing which they shall be declared inadmissible.

RULE 7
Obligation of the Parties to co-operate

1. The parties shall be obligated to act in good faith during the whole Proceedings.
2. The parties shall be obligated to co-operate with the Investigator and the Ethics Commission (including any Panel established by it) to establish the facts of the case. In particular, they shall comply with any request for information from the Investigator appointed pursuant to Rule 13.5, below, or the Ethics Commission (or any Panel established by it) and with any order to appear in person before the Investigator or the Ethics Commission (or any Panel established by it).
3. If the parties fail to co-operate, the Investigator or Ethics Commission (or any Panel established by the Commission) as the case may be may reach a decision based on the file in possession, taking into account the conduct of the parties. **The Ethics Commission may also treat non-cooperation as an independent breach of the Code of Ethics.**

RULE 8
Language used in Proceedings

1. The language used in Proceedings shall be one of the two official languages of the IAAF (English or French). The parties may choose either of the two language **for their own documents to be submitted and any evidence to be given to the Commission.**

2. In hearings, the parties are entitled to choose a language that they understand **for their own evidence and submissions to the Panel**. The parties may choose another language than English or French provided that the Panel agrees. The parties shall advise the Panel of such choice. In the event of such a choice, the Panel may order that the parties bear all or part of the translation and interpreting costs.
3. The Panel may order that all documents submitted in languages other than the language of the **Proceedings** shall be filed together with a certified translation in the language of the procedure.

RULE 9
Notification of decisions

Decisions of the Ethics Commission (and any Panel established by it) shall be notified in writing and by any means permitting proof of receipt.

RULE 10
Effect of decisions

Decisions of the Ethics Commission (and any Panel established by it) shall come into force when they are communicated **and published**.

RULE 11
Evidence & Proof

Types of evidence

1. The Ethics Commission shall not be bound by rules governing the admissibility of evidence. Facts relating to a violation of the Code may be established by any means deemed by the “Panel” hearing the case (the Panel) to be reliable.
2. Types of evidence shall include: the investigator’s report and other forms of evidence such as admissions, documents, oral evidence, video or audio evidence, evidence based on electronic media in any form and any such other form of proof as the Panel may deem to be reliable.

Inadmissible evidence

3. Evidence that obviously does not serve to establish relevant facts shall be rejected.

Evaluation evidence

4. The Panel shall have the sole discretion regarding evaluation of the evidence.
5. The Panel shall have the sole discretion to accept any facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction, which is not subject of a pending appeal, as irrefutable evidence against the parties to whom the decision pertained of those facts.
6. The Panel may draw an inference adverse to a party if the party, after a reasonable request to attend a hearing, answer specific questions or otherwise provide evidence, refuses to do so.

Standard of proof

7. The standard of proof in all cases shall be determined on a sliding scale from, at minimum, a mere balance of probability (for the least serious violation) up to proof beyond a reasonable doubt (for the most serious violation). The Panel shall determine the applicable standard of proof in each case.

RULE 12 Time limits

1. Any time limits **expressed to be a number of days or weeks** fixed or notified directly to the parties by the Investigator or Chairperson of the Ethics Commission or any Panel shall begin from the day after sending of the notification. Official holidays and non-business days are not included in the calculation of time limits. **Where time limits are specified by date, the relevant action is to be completed by the date specified.**
2. Any time limits fixed or notified are respected if the communications by the parties, by the Investigator or the Chairperson of the Ethics Commission or any Panel are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the country where the notification has been received, the time limit shall expire at the end of the first subsequent business day.
3. The Chairperson of the Ethics Commission (or the Chairperson of any Panel established by the Commission) may extend the time limits provided in these Procedural Rules if the circumstances warrant.

CHAPTER II - SPECIAL PROVISIONS

RULE 13 Rules applicable to the disciplinary proceedings

Initial Consideration

1. Any person subject to the Code may file a complaint regarding potential violations of the Code with a **Legal Secretary** of the Ethics Commission. Complaints must be submitted in writing, including available evidence.
2. On receipt of a complaint, a **Legal Secretary** of the Ethics Commission shall submit it to the Chairperson of the Ethics Commission **and process the complaint.**
3. If the Chairperson of the Ethics Commission considers the complaint to be frivolous or **malicious** he may close the Proceedings. **If the Chairperson or a Legal Secretary considers it appropriate to do so, a Legal Secretary may ask any person filing a complaint to provide further information before a decision is taken under Rule 13(4) whether a prima facie case is made out.**
4. If the evidence submitted with **or subsequent to any** complaint is found by the Chairperson of the Ethics Commission to establish a prima facie case, the Chairperson shall cause an investigation to be commenced **and shall appoint an investigator in each case, unless in the view of the Chairperson in consultation with the Commission there is some good reason not to cause an investigation to be commenced or an investigator to be appointed immediately or at all.**

5. **The Chairperson may initiate investigation proceedings in the absence of a complaint referred to in Rule 13(1) above if he or she considers that other information that has come to his or her attention establishes a prima facie case of a serious infringement of the Code, having consulted with the members of the Commission. Grounds do not need to be given for the initiation of investigation proceedings and the decision may not be contested. If another well-qualified body is already seised of a complaint or investigating a matter, the Chairperson of the Ethics Commission shall have a discretion to delay commencing an investigation, or may stay a current investigation, pending the outcome of the other body's investigation, for example where that other body may have superior powers of coercion or the investigations are likely to be substantially duplicative.**
6. **The Chairperson of the Commission shall have discretion, to be exercised in appropriate cases, to write to any persons against whom a prima facie case has been found to exist, to ask that person whether or not they wish to admit any violations suggested by the prima facie case. If the person wishes to admit any violations, the Chairperson shall have the power to direct that the matter proceed directly to adjudication on sanction.**

Investigation

7. **Where an Investigator is to be appointed in accordance with Rule 13(4) above, the Chairperson of the Ethics Commission shall assign the investigation to the appointed Investigator. The Investigator shall direct the investigation proceedings.**

Any parties against whom a prima facie case has been found at the time of commencement of the investigation shall be notified by a Legal Secretary on behalf of the Chairperson of the Commission of the commencement of the investigation proceedings and of the possible violations of the Code to which the Proceedings relate and shall be afforded the right to make a written submission to the Investigator. Where an Investigator identifies any additional person against whom the Investigator considers a prima facie case of violation of the Code to exist, the Investigator may expand the investigation to deal with that person's involvement in the events in question. In such circumstances, the Investigator shall write to the person notifying him or her advising of the right to make a written submission to the investigator.

8. **When the investigation has been concluded, the Investigator shall so inform the Chairperson of the Ethics Commission. Where new evidence comes to light or where otherwise appropriate, the Chairperson of the Ethics Commission may ask the Investigator to reopen a concluded investigation or any part thereof.**
9. **Upon the conclusion of an investigation, the Investigator shall provide the Chairperson of the Ethics Commission with a final report of the investigation, together with the investigation files. The final report shall contain all relevant facts and evidence, shall identify all individuals who provided such facts and evidence, and shall set out the possible violations of the Code by all relevant persons. The Investigator shall make a recommendation as to whether the matter should proceed to adjudication against any persons.**

Decision to proceed to adjudication

10. **The Chairperson of the Ethics Commission shall appoint a member of the Ethics Commission to review an Investigator's final report and the investigation files.**

11. If the member of the Ethics Commission deems that there is insufficient evidence to proceed, he may make a recommendation to the Chairperson of the Ethics Commission, who may close the case **or reconsider the matter and reach a fresh decision**. If necessary, the member of the Ethics Commission may **in consultation with the Chairperson of the Ethics Commission** return the final report to the Investigator for amendment or completion. **If the Chairperson of the Commission considers it appropriate, a notice of the closure of the investigation and the case may be published by the Commission.**
12. If the member of the Ethics Commission deems that there is sufficient evidence to proceed, he shall send his recommendation, together with the Investigator's final report and the investigation files, to the Chairperson of the Ethics Commission, who shall direct that adjudicatory proceedings be commenced.
13. The member of the Ethics Commission who reviewed the Investigator's final report and the investigation files shall not take part in any further aspect of the Proceedings.

Notification of charge

14. If the Chairperson of the Ethics Commission directs that adjudicatory proceedings are to be commenced, the parties shall be sent written notice of the following:
 - (i) that they have a case to answer;
 - (ii) the specific violations of the Code that they are alleged to have committed;
 - (iii) details of the alleged acts and/or omissions relied upon in support of the charge, **either summarized in the notification or by reference to the Investigator's investigation report;**
 - (iv) the range of sanctions applicable under the Code if it is established that they have committed the violation;
 - (v) the timing for the parties to file their written submissions; and
 - (vi) that they may be provisionally suspended.

Adjudication

Formation of the Panel

15. The Chairperson of the Ethics Commission shall appoint at least three (3) members from the Ethics Commission to form a Panel to hear each case and shall appoint the Chairperson of each Panel. The appointed members shall be independent of the parties and shall not be from the same country as the parties, and **shall** have had no prior involvement with the Proceedings **or prior involvement with the specific subject matter of the charges in the Proceedings**. The acts of the Chairperson or Members of the Ethics Commission pursuant to these Rules prior to the formation of the Panel, shall not be considered to be a prior involvement with the Proceedings. The members of the Panel shall preferably have a good command of the language of the proceedings and, if necessary, translation services may be used. The members of the Panel shall have the availability required expeditiously **to** complete the Proceedings. The parties shall be informed of the composition of the Panel.
16. The Panel shall in each proceeding (i) determine its procedure in accordance with these Rules and (ii) determine any other procedural matters arising in the course of the Proceedings that are not set out in the Rules, in **accordance** with the principles of natural justice. **In particular, the Panel may in appropriate cases appoint a prosecutor or counsel to the Panel to present the case against the parties, or invite**

the investigator to present his or her conclusions to the Panel. The Panel may also conduct the Proceedings in an inquisitorial manner.

Submissions by the parties

17. The Chairperson of the Panel shall set time limits for the parties to submit briefs containing a defence of lack of jurisdiction (**which the Panel may determine as a preliminary issue**), and for the parties to submit a statement of defence on the merits, which statement should include any evidence upon which the parties intend to rely, including a list of all witnesses they will call, together with written statements of evidence.

Hearings

18. The Chairperson of the Panel shall have the discretion to determine whether a hearing shall be held, **provided, however, that if requested by any of the Parties a hearing shall be held. If a party fails to appear without compelling explanation, the Panel may nevertheless proceed with the hearing.**
19. Hearings shall **take place in private, unless the parties request the hearings be held in public in which case the Chairperson of the Panel shall have discretion to allow public access to the hearing, including full discretion as to the terms and limits of any such access.**
20. The Chairperson of the Panel shall preside **at** the hearing.
21. The procedure followed at the hearing, including the calling of **any** witnesses referred in the Investigator's report, shall be determined by the Chairperson of the Panel, provided that the hearing is conducted in a manner that offers the parties a fair and reasonable opportunity to present **their own** evidence (**as well as** the right to call **their own** and to cross-examine **other** witnesses, by telephone or video-conference, where necessary), to address the Panel and **to** present their case. It is the responsibility of the parties to ensure the appearance of **their** witnesses requested by them and to pay all costs and expenses associated with their appearance.
22. **The parties shall be entitled to make final submissions to the Panel before any hearing is concluded.**

Deliberations and decisions

23. After the hearing, the Panel **shall deliberate** on its decision in private. If there is no hearing, the Chairperson shall schedule the deliberations. **The** deliberations and decision-taking may be conducted via telephone conference, video conference or any other **feasible** method.
24. **If not unanimous, the Panel shall render a majority decision.**
25. The Panel shall announce its decision in writing, with reasons, as soon as possible after the conclusion of the hearing **or, if there is no hearing, as soon as possible after the Panel has considered the evidence and submissions.** The written decision shall contain the composition of the Panel, the names of the parties, the date of the decision, a summary of the facts, the **terms** of the decision, the provisions on which the decision was based and notice of the provisions for appeal, **namely an appeal to CAS as set out in at paragraph A4 of the Statutes of the Ethics Commission.** The decision shall be signed by the Chairperson of the Panel and notified to the parties,

with a copy to the IAAF and, if applicable to the relevant Member Federation and/or Area Association concerned. The decision shall be made public. **Otherwise, the record of the proceedings shall remain confidential, unless there are exceptional reasons to disclose some part of the record at this or a subsequent point in time.**

Recognition of decisions

26. All Member Federations shall recognise and take all necessary and reasonable steps within their powers to enforce and give effect to the Code and to all decisions taken and sanctions imposed thereunder.

Provisional Suspension

27. The Chairperson of the **Commission and the Chairperson of any Panel** shall **each** have the discretion, **after consulting with the members of the Commission**, in circumstances where he **or she** considers that the integrity of the sport could otherwise be seriously undermined, provisionally **to suspend a person from any IAAF office or position or any office or position within a member federation or area organisation**, at any time pending the **conclusion of an investigation or any ensuing Panel's final decision**. A copy of any written notice to provisionally suspend a **person** will, at the same time, be sent by the Commission to the IAAF and, if applicable, to the relevant Member and/or Area Association concerned.
28. **If any such person seeks to challenge the suspension of him or her, the Chairperson of the Commission or of a Panel may summon a suspended person(s) to a hearing, which may be held by videoconference or teleconference**, on short notice or set a short time limit in which to submit written statements. The Chairperson shall have the discretion to determine the appropriate procedure to be followed at any such hearing, provided that the **suspended person** is afforded a fair and reasonable opportunity to present evidence, and to present **his or her** case.
29. A provisional suspension shall be valid for a maximum of **180** days. **The provisional suspension may be extended by the Chairperson of the Ethics Commission or the Chairperson of a Panel for additional periods not to exceed a further 180 days in the case of each extension.**
30. The duration of provisional suspensions shall be taken into account in the final decision.

Review

31. The Ethics Commission may reopen a case that has been closed following a final binding decision if significant new facts or evidence are discovered **that could not have been** produced sooner and would **if produced** likely have resulted in a more favourable decision. A request for review must be made in writing by anyone concerned within twenty days of discovering the new facts or **evidence**. The limitation period for submitting a request for review is one year after the date of the decision.

RULE 14

Rules applicable appeals against decisions of Members

1. Except as specified, these Procedural Rules shall apply to all appeals against decisions of a Member's Ethics Commission (or the body delegated by the Member Federation) with authority to determine violations of a Member's code of ethics.

Statement of Appeal

2. The Appellant shall submit to the Ethics Commission a statement of appeal containing:
 - the name and full address of the Respondent;
 - a copy of the decision appealed against;
 - the Appellant's request for relief;
 - if applicable, an application to stay the execution of the decision appealed against, together with reasons;
 - a copy of the provisions of the statutes providing for appeal to the Ethics Commission.

Upon filing the statement, the Appellant shall pay the fee of USD 200.00.

Time Limit

3. The time limit for an appeal shall be 14 days from the receipt of the decision appealed against.

Appeal Panel

4. On receipt of the Statement of Appeal, the Chairperson of the Ethics Commission shall form a Panel in accordance with Rule 13.15 of these Procedural Rule to hear and determine the appeal.

Appeal Brief

5. Within 10 days following the expiry of the time limit for the appeal, the Appellant shall file with the Ethics Commission a brief stating the facts and legal arguments giving rise to an appeal, together with all exhibits and specifications of other evidence upon which **the Appellant** intends to rely, failing which the appeal shall be deemed withdrawn.

In his written submissions, the Appellant shall specify any witnesses and experts whom he intends to call and state any other evidentiary measure which he requests. The witness statements, if any, shall be filed together with the appeal brief, unless the Chairperson of the Panel decides otherwise.

Answer of Respondent

6. Within 20 days for the receipt of the grounds for the appeal, the Respondent shall submit to the Ethics Commission an answer containing:
 - any defence of lack of jurisdiction;
 - **a statement of defence on the merits;**
 - any counterclaim;
 - any exhibits or specifications of other evidence upon which the Respondent intends to rely, including the names of the witnesses and experts whom he intends to call.

The witness statements, if any, shall be filed together with the answer, unless the Chairperson of the Panel decides otherwise.

Appeal and answer complete

7. Unless the parties agree otherwise of the Chairperson of the Panel orders otherwise on the basis of exceptional circumstances, the parties shall not be authorised to supplement

their arguments, nor to produce new exhibits, nor to specify further evidence on which they intend to rely after the submission of the grounds for appeal and the answer.

Scope of Panel's review, hearing

8. The Panel shall have full power to review the facts and the law. It may issue a new decision which replaces the decision challenged or annul the decision and refer the case back to the previous instance.

Upon transfer of the file, the Chairperson of the Panel shall issue directions in connection with the hearing of the examination of the parties, the witnesses and the experts, as well as for the oral arguments. He may also request communication of the file of the Member whose decision is subject of the appeal. After consulting the parties, the Panel may, if it deems itself to be sufficiently well informed, decide not to hold a hearing. If any of the parties is duly summoned yet fails to appear **without compelling explanation**, the Panel may nevertheless proceed with the hearing.

RULE 15

Rules applicable to the advisory opinions

1. Any member of the IAAF Family may ask the Ethics Commission for an advisory opinion about any potential issue related to the Code. The request for an opinion shall be addressed to the Ethics Commission and accompanied by any document or other evidence likely to assist the Ethics Commission in giving the opinion.
2. When a request is filed, the Chairperson of the Ethics Commission shall review whether it may **properly** be the subject of an opinion **and if so whether it would be appropriate to provide an advisory opinion**. If in the affirmative, he shall **determine the procedure for the rendering of such an opinion** and the Ethics Commission shall render its opinion.
3. The advisory opinion may be published with the consent of the person who requested it **or if the Ethics Commission otherwise considers it appropriate to publish it**. An advisory opinion does not constitute a binding decision.

RULE 16

Procedural costs

1. In general, the procedural costs are made up of the costs and expenses of the investigation and adjudicatory proceedings, excluding **the parties'** legal costs.
2. If the Panel has determined that there has been violation of the Code of Ethics, the procedural costs shall be borne by the party that has been sanctioned. The procedural costs imposed on the sanctioned party may be reduced or waived in exceptional circumstances in particular taking into account the parties financial circumstances.
3. Except as provided in Rule **16.2** above, the procedural costs shall be borne by the IAAF.
4. In the event of closure of proceedings or acquittal, the procedural costs shall be borne by the IAAF. The Panel may however order the complainant to pay the procedural costs, in whole or in part, if it considers the complaint to have been frivolous or

vexatious, **having given the complainant the opportunity to have made representations.**

RULE 17
Miscellaneous provisions

1. The headings used for the various Rules of the Procedural Rules are for the purpose of guidance only and shall not be deemed to be part of the substance of the Procedural Rules or to inform or affect in any way the language of the provisions to which they refer.
2. The Procedural Rules exist in the two official languages of the IAAF (English and French). In all cases of a difference of interpretation of any text, the English version shall govern.
3. The Procedural Rules may be amended **by the IAAF** from time to time in accordance with the IAAF Constitution **and the Commission may make recommendations for amendment to the IAAF.**
4. If any Rule or provision of the Procedural Rules is held invalid, unenforceable or illegal for any reason, it shall be deemed deleted, and the Procedural Rules shall remain otherwise in full force and effect.
5. The Procedural Rules are governed by and shall be construed in accordance with Monegasque law.
6. As used in the Procedural Rules:
 - (i) References to the masculine gender shall include the feminine gender, where appropriate.
 - (ii) References to the singular include the plural and vice versa where appropriate.