THE COMPANIES ACT 2006
COMPANY LIMITED BY GUARANTEE NOT HAVING A SHARE CAPITAL
ARTICLES OF ASSOCIATION OF WORLD DANCE COUNCIL

1. PRELIMINARY

1.1. The Regulations contained in Table C in the Schedule to the Companies (Tables A to F) Regulations 1985 (SI 1985 No.805) as amended by the Companies (Tables A to F) (Amendment) Regulations 1985 (SI 1985 No. 1052) ("Table C") shall not apply to the Council and the Articles hereinafter contained shall be the regulations of the Council to the entire exclusion of Table C.

2. INTERPRETATION

2.1. In these regulations unless the context otherwise requires:

The Act	Means the Companies Act 2006 including any statutory modification or re-enactment thereof for the time being in force;
Area	Where used in relation to a member shall mean the geographical territory which the Council recognises as being under the jurisdiction of that member. As a principle, the Council shall generally define an Area in terms of that political entity accepted as being a country, save that, where the definition of a country's territory is challenged or altered, the Council shall make its own determination as to what shall constitute the member's geographical territory. For the purpose of these articles the All Ireland Board of Ballroom Dancing shall be the member organisation for both Eire and Northern Ireland and Scotland shall be deemed to be within the Areas of the British Council of Ballroom Dancing and the Scottish Dance Teachers' Alliance jointly;
These articles	Means these articles of association in their present form or as from time to time altered
Clear days	In relation to the period of a notice means that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
Committee	Shall mean any Committee appointed in accordance with article 16 and "Committeeman" or "member of the Committee" shall mean a member of a Committee for the time being but shall not include a person co-opted to a Committee; Company Secretary
Company Secretary	Means the secretary of the Council or any other person appointed to perform the duties of the Secretary of the Council, including a joint, Assistant or Deputy Secretary;

Member	Shall mean a Full, Probationary, Introductory, Affiliate, Honorary President, Honorary Vice-President and Honorary Member of the Council from time to time;
Member organisation	Refers to any Member not being an individual;
Office	Means the registered office of the Council;
The seal	Means the common seal of the Council;
Board Of Directors	Denotes the elected officers of The Council; previously referred to as Presidium
These Regulations	shall mean the registered Regulations of the Council for the time being and shall include, without differentiation, any and all schedules to these Regulations;
Amendment of Regulations	shall include the making of a new Regulation and the recision of a Regulation, and „amended“ in relation to the Regulations shall be construed accordingly;
Council	shall mean the World Dance Council whereof these are the registered Regulations;
National Council	shall mean a member organisation which is composed of more than one body, representing the dance industry of that country;
Officer	shall include the President and Vice President of the Council; save that the officers of any committee shall not, unless expressly provided by these Regulations or by the committee's terms of reference; be regarded as officers of the Council
Register of Members	means that a register will be kept with all relative details of the member organisations
Voting in person	shall mean by one nominee only of a member organisation in person
The Word "Grant"	shall mean authorising the relevant body to conduct and to organise championships.
Competitive Dance and Social Dancing	Shall mean all types of dancing undertaken for entertainment, competition or sport.
The United Kingdom	Means Great Britain and Northern Ireland;
Voting in person	Shall mean voting by a Member, or a Delegate of a Member Organisation, in each case present in person at any meetings of the Council.

2.2. Unless the context otherwise requires, words or expressions contained in these regulations bear the same meaning as in the Act but excluding any statutory modification thereof not in force when these regulations become binding on the Council.

2.3. A special resolution shall be effective for the following purposes under any provisions of these Articles:
Amendment of the Memorandum or the Articles of Association of the Company

A two thirds (2/3) majority of members present & voting is required.
For the avoidance of doubt an abstention is not included in the count of the votes made.

2.4. A ordinary resolution shall be effective for the following purposes:
Any other proposals requiring a vote except as per article 2.3.

A simple (1/2) majority of members present & voting is required.
For the avoidance of doubt an abstention is not included in the count of the votes made.

2.5. The headings are inserted for convenience only and shall not affect the construction of these Articles.

2.6. Words importing the singular shall include the plural and vice versa.

2.7. Words importing one gender shall include the other gender.

3. POWERS OF THE COUNCIL

Without prejudice to the general powers conferred on the Council by these Regulations, it is hereby expressly declared that the Council may exercise the following powers:

a. to purchase, sell build upon, lease, mortgage or exchange any property or land, and to enter into any contract and settle the terms thereof;

b. to compromise, settle, conduct, enforce or resist either in a court of law or by arbitration any suit, debt, liability or claim by or against the Council;

c. to determine from time to time the terms and conditions upon which the property of the Council is to be let, leased or sold, and to make, revoke, and alter and at all times enforce as it thinks fit such terms and conditions;

d. to appoint and remove
   i. all solicitors, accountants, architects, surveyors or any other professional advisor it considers necessary for the proper performance of its powers and functions; and
   ii. employees of every description, except as otherwise required by these Regulations;

e. to pay all such expenses, including travelling expenses, as are properly incurred by any organisation or any person (including any nominee or committeeman or person co-opted to a committee or a sub-committee) in the furtherance of the objects of the Council or incidental

thereto or in the execution of any other duty carried out at the express or implied request of the Council or the Presidium;

f. to pay all other expenses costs charges, including all levies as to tax or other legal demands that may be made from time to time incurred in the furtherance of the Council's objects or as the Council may direct; and

g. to formulate Regulations or exercise any control it may at its absolute discretion consider to be necessary in relation to the operation or resolution of all matters arising out of or appertaining to the commercial sponsorship of international championships and/or social dancing competitions including the competitors thereof.

4. MEMBERSHIP AND CLASSES OF MEMBERSHIP

4.1. The Members of the Council shall be the unincorporated bodies, bodies corporate or other representatives of an Area, corporate body or unincorporated body whose name or names shall be entered in the Register of Members of the Council. (See 2.1. Member)

4.2. Adherence to the Articles, Rules and Regulations of the Council

a.) All member organisations, whether full, probationary introductory and affilated, are deemed to agree to be bound by the Council's constitution, as set out in the Articles and Memorandum of Association, the Competition Rules and these Regulations or any amendments thereof at any time in force and the decisions of the Council taken in accordance with the provisions thereof whether the same shall have been communicated to them or not.

b.) Each and every member organisation, by the action of being a member organisation, shall undertake to adopt and have incorporated into their own constitution and rules with immediate effect such Council Rules and such Council Regulations and such Council codes of conduct that the Council shall require to be so adopted and incorporated in general meeting from time to time ("mandatory rules") with a view to fostering the Council's objects in regard to the formulation of rules governing ballroom dancing, dance sport and social dancing, together with the adoption of an appropriate disciplinary code, which mandatory rules the Council may from time to time amend.

4.3. Introductory Membership

a. The Council may, at its absolute discretion, elect as introductory members any group of organisations for a period not exceeding three years, nor less than one year, ("introductory period") and may at any time during the introductory period by notice in writing terminate such introductory membership forthwith.

b. Applications for this category are accepted from all groups in a country that present themselves for membership of the Council for an Introductory Membership period of three years.

c. During this period, the groups in that country are encouraged, by the Council, to form National Council along democratic lines.

d. 2 People may be admitted to the Council Meetings as observers only, and shall not have any rights to vote or voice any opinion, or participate in debate, unless invited to do so by the President of the Council.

e. The said applicant shall be subject to all forms of requirement as laid down in clause 3.4. of these articles.

4.4. Probationary Membership

a. Subject to clause 4.5 the Council may, at its absolute discretion, elect as probationary members any organisation for a period not exceeding three years and may at any time during that three years by notice in writing terminate such probationary membership forthwith and on termination such probationary member organisation shall cease to be entitled to representation on the Council or to take part in the work or objects of the Council. At the end of the three year period the Council, at its absolute discretion may

   i. Continue the probationary period, which shall not be less than one year from the date on which the Probationary Member was elected as a Probationary Member, or for such further period as the Council at its absolute discretion may decide; or

   ii. admit the probationary member organisation to full membership; or

   iii. refuse to extend the probationary period or admit the probationary member to full membership in which event the probationary member shall cease to be a member of the Council.

b. Nothing herein contained shall fetter the discretion of the Council to extend the probationary period of membership for as long as it deems appropriate or to terminate it at any time before the member organisation is admitted to full membership.

c. Such a probationary period shall also apply to any member organisation which is expelled and requested re-admission or whose membership is to be reduced by the provisions of the Articles of Association.

d. Probationary membership entitles the probationary member organisation to representation by up to two delegates on the Council but not to vote on any issue.

4.5 Full Membership

The Council may, at its absolute discretion, elect as Full Members any national organisation that has fulfilled the following criteria:

a. Application for membership has been received by the Company Secretary on or before the 10th March of each calendar year accompanied by an advance payment of the difference between the applicant's probationary and full membership subscriptions.

b. Two copies of the organisations Constitution and/or Bye-Laws, such Constitution, Bye Laws and/or Rules as shall be acceptable to the Council.

c. A list of all regulations relating to the registration of competitors and competitions in respect of all events held or organised by the applicant, including all changes and or amendments to such regulations relating to International Registrations.

d. A copy of all rules and regulations relating to competitions held or organised by the applicant, together with all subsequent changes of any Rules or Regulations relating to such competitions.

e. A list of member organisations registered with the applicant with names, addresses, telephone, fax, e-mail and other relevant details, annually at the beginning of the financial year when due subscriptions are required to be paid.

f. A list of the current names, addresses, telephone, fax, e-mail and other relevant details relating to all the Member's Executive Committee/Board.

g. Proof of length of time the applicant has been a Council and proof of length of time existing as a Dance Teacher organisation.

h. Code of Ethics
   i. Name and description of the Member or Applicant.
   ii. Status of relationship with Amateurs.
   iii. National status of other Professional organisations existing in that country.
   iv. Description of the relationship with the National Government, if any.
   v. Relationship to National IOC member, if any.
   vi. All Members shall provide a complete list of the total number of qualified Professional Dance Teachers, Coaches/Trainers, Adjudicators and Professional Dancers in the country of the applicant and who have been certified as such by the organisations who are members' of the current member or member's Council.
   vii. Approximate number of Amateur competitors in the country of the applicant.
   viii. Total number of Dance Schools, in that country, that are affiliated to the Member or Member's Council.

4.6. Affiliate Members

a. The Council may by resolution elect as an affiliate member of the Council, any international organisation whose objects are the same or substantially similar to those of the Council when such election would, in the opinion of the Council, be desirous for or advantageous to the furtherance of the Council's objects through the fostering of collaboration between the Council and the affiliate member in the promotion, encouragement and supervision of social ballroom dancing and dance sport internationally.

b. The membership of the affiliate member shall be governed by such terms and conditions of membership as are adopted by special resolution passed by the members present and voting at the general meeting of the Council at which the affiliate member is elected (the "affiliate terms"). The affiliate terms (as the same may be varied or amended from time to time in accordance with these articles) governing the membership of the International Dance Organisation of the unincorporated association known as WORLD DANCE COUNCIL at the date hereof shall govern the membership of that body of the Council. No organisation shall be elected to affiliate membership until the affiliate terms that shall govern its membership shall have been so adopted. A copy of the affiliate terms shall be placed in the register of members and in the minute book of the Council. Any member may apply in writing to the Company Secretary for a copy of any affiliate terms, which shall be supplied upon payment of the reasonable cost incurred by the Council in providing such copy. The affiliate terms shall be binding on the affiliate member.

c. The affiliate terms shall be agreed by the Council in general meeting only after due consultation with the international organisation making application to become an affiliate member, and after due course consideration of the proposed affiliate terms proposed by such applicant. If, following adoption of the affiliate terms by the Council, any conflict should arise between the affiliate member's own constitution (or rules or bye-laws promulgated there under) and the affiliate terms, then the affiliate terms shall prevail and the affiliate member shall forthwith take all steps necessary to ensure that the affiliate terms shall prevail and (insofar as they are affected) its own members are able to comply fully with the affiliate terms.

d. These articles shall govern the membership of an affiliate member to the extent that they are not modified or excluded by or are in conflict with the affiliate terms (which affiliate terms shall prevail in the case of a conflict with these articles). Affiliate term may only be amended, modified or varied upon negotiation between the affiliate organization and the Council, all amendments, modifications or variations to be ratified by the membership at the next Annual General Meeting following thereafter.

e. Each affiliate member shall be entitled to appoint not more than two delegates (the "affiliate delegates"), and who may be accompanied by one translator, who shall be entitled to receive notice of and to attend and speak but not to vote at meetings of the Council on behalf of the affiliate member appointing them and the provision of article 3.7 as to the mode of appointment and removal of delegates shall apply to affiliate delegates.

4.7. Honorary Members

a. The Council may be resolution elect as an Honorary President, Vice-President, Member of the Council any person or organisation whom they consider to have rendered outstanding services to the Council or to the art or practice of any forms of dance. The resolution shall be made by notice in writing, addressed to the Company Secretary at the office, by a minimum of three Full Members of the Council. An Honorary President, Vice-President, Member shall have the right to receive notice of, to attend and speak but not to vote at meetings of the Council.

4.8. Delegates

a. Subject to such restrictions as attached to probationary members, honorary members and affiliate members each member organisation shall be entitled to receive notice of and attend, speak and vote at general meetings of the Council and shall appoint not more than three delegates ("delegates") to act as its representatives at meetings of the Council and to exercise all other rights of the member organisation in relation to all business of the Council. The Company Secretary shall enter the names of the delegates in the register of members as representing the member organisation.

b. Each delegate shall be entitled to attend Council and other meetings on behalf of its appointee until such time as he shall cease to represent the member organisation by death, retirement or through the withdrawal of his authority by the member organisation in accordance with article 4.8.d. In the event of a delegate ceasing to represent his member organisation, the member organisation shall appoint a replacement delegate in accordance with article 4.8.d. ("new delegate"). Any new delegate shall take the place of the delegate so removed whose right to attend Council meetings shall cease.

c. Delegates of probationary members cannot be accepted for election to officers of the Council.

d. The appointment or removal of a delegate or appointment of a new delegate shall be made by notice in writing addressed to the Company Secretary at the office. Such notification shall be binding on the Council and it shall not be required to enquire into the validity or otherwise of any such notification.

e. Such Delegates as are appointed by their Member Organisation shall be removed as a Delegate if in the opinion of the Member Organisation and/or the Council that such delegate/s is in the Member Organisation's and/or Council's opinion is unsuitable, by proven grounds or reason of any misdemeanour/misconduct of whatever nature by such Delegates.

5. APPLICATION OF NEW MEMBERS

5.1 An organisation applying for membership, of the WDC, must be a National Council having the ability to invite and to accept new members who meet the applicants Rules and Regulations.

5.2 A Council's President and Officers must be elected by its member organisations.

5.3 The National Council must have a Constitution and/or Bye-Laws.

5.4 Officers and Directors must be democratically elected by its member organisations.

5.5 Where a national Council has been established as a member organisation, and a professional organisation or dance body („other organisation") applies for representation to the Council, the Council may, in its absolute discretion require the national Council to invite the other organisation to be a member of the national Council.

5.6 Must have a minimum of two (2) sub-branches or departments.

a. Competitive Dance- This branch, or department, will include organisations for teachers (that qualify professionals by level examinations to the satisfaction of the WDC). This branch will also include Competitors and/or Organisations, Trainers, Adjudicators and Organisers.

b. Social Dance – This branch must include Teacher organisations (That qualify professionals be examinations to the satisfaction of the WDC) and/or Dance Schools.

5.7 A National Council's Constitution must be constructed and it must always practice inclusion and not exclusion with any Organisations and/or Federations that fulfil the requirements for membership.

5.8 Any organisation who seeks membership of the Council, shall apply in writing not less than ninety days prior to the next following Annual Council Meeting on a form prescribed by the Council which application shall be considered by the Council at its next Annual Council Meeting. If the members of the Council shall, by ordinary resolution, approve the election of the applicant, the applicant will be duly elected as a probationary or affiliate member (as the case may be). The Council shall have absolute discretion as to whether or not the applicant is elected to membership.

5.9 The Council may, at its discretion, ask any organisations making application for any class of membership to send delegates to Council meetings before considering an application to the Council for election or otherwise. Such delegates (who shall not number more than two) shall consist of either two representatives elected by the applicant or one such representative together with one other person as may be so designated to attend by the applicant and as the Council may approve. Such delegates may speak at any Council meeting that they attend at the invitation of the Chairman but may not take part in any debate thereat.

5.10 Subject to article 4.10. no organisation or body may be admitted to membership of the Council if it is not a professional association or professional dance body.

5.11 Where a professional association or dance body established in any Area applies for membership of the Council ("new applicant") and there is an existing member established in that Area as a professional association or dance body, the Council may in its absolute discretion require that the existing member form a national council with the new applicant to represent the interests of the members of both the existing member and the new applicant. Any such national council shall prior to admission to membership submit a draft constitution to the Council for approval (which the Council

may in its absolute discretion give or withhold). If the Council shall approve such constitution and if it shall be satisfied that such national council shall be fairly representative of the members of the existing member and the new applicant it shall so notify the existing member and the new applicant in writing. Upon the Council giving such written notification, the existing member shall cease to be a member and the national council shall become the member for that Area in its place.

6. DISCIPLINARY ACTION

6.1 The Council, or any Sub-committee of the Council, may in their absolute discretion and by decision in general meeting establish an ad hoc Enquiry Committee as provided, to investigate and examine and report upon any written complaint against any person or organisation who is subject to the jurisdiction of these regulations or any article, or the Council or any rule of any Committee, of the Council. In any urgent situation, or where a General Meeting of any Committee, is not scheduled to be held within two months of receipt of any such complaint the Board of Directors shall be empowered to establish an ad hoc Enquiry Committee as provided.
Any complaint must, in the case of any organisation making the complaint, to be signed by at least two officers of that organisation or in the case of an individual or a number of individuals be signed by each such individual and provide an address for each. Sufficient detail shall be stated in order to permit satisfactory investigation.
Each complaint must be submitted to the Company Secretary, or Head Office, within six months of any alleged breach of date upon which any such breach becomes known. The specific article, regulation or rule under which the complaint is made must be stated. Unless the complaint is initiated by the Board of Directors, the Council, or any of its Committees, a payment to the Council of £50 Sterling must accompany any complaint.Any complaint having been considered as provided shall not be subject to re-consideration by way of any further complaint from any source.
An Enquiry Committee is governed by Article 20, of the Articles of Association and this regulation.

6.2 The Enquiry Committee must consist of not less than three persons or more than five with three persons present in person constituting a quorum. The Committee will elect its own Chairman who in the case an equality of votes shall have a second or casting vote. No person who signed the complaint shall be a member of the Enquiry Committee. In addition, and as far as possible, no person who may have been involved in an issue giving rise to any complaint shall be a member of the Enquiry Committee. Voting or attendance by proxy shall not be permitted.

6.3 Any person or organisation in relation to whom any complaint is to be subject of investigation by an Enquiry Committee has the right to make representations to the Enquiry Committee. Not less than 28 days notice in writing of the date on which the Enquiry Committee is to meet shall be given to any such person or organisation. The Company Secretary, or other authorised officer of the Council, must forward to either full details of the complaint 28 days before the Enquiry Committee meeting. Any person or organisation, the subject of any complaint shall be permitted to attend the meeting. An individual may attend in person, or with a representative and may speak and represented for the purpose of answering any complaint or allegation made and making any statement by way of explanation for the consideration of the Enquiry Committee. An organisation shall receive similar facilities with at least two persons and a representative nominated by any organisation involved being entitled to attend.The Enquiry Committee will consider the matter whether or not any person or organisation the subject of complaint makes representations and whether or not either attends the Enquiry Committee.

6.4 An Enquiry Committee is empowered to regulate its own proceedings. An Enquiry Committee cannot take action against any person or organisation against whom a complaint has been made. The Enquiry Committee must report its findings in writing to the Council or Sub-committee or Board of Directors as appropriate under which the Enquiry Committee was established in relation to each matter brought before it. A copy of the report of the Enquiry Committee shall be forwarded to every person and organisation whose name appears in the report, within 28 days of the report being made. Any person or organisation whose name appears in the report may make further written

representations to the Council before the Council or Committee or Presidium considers the report as appropriate before any decision with regard to the report is taken. The Board of Directors may in respect of any report be it by an Enquiry Committee refer that report to the Council or Council Sub-committee with or without recommendation.

6.5 The Council or Sub-committee or Board of Directors that establish the Enquiry Committee will consider any report of the Enquiry Committee and may take such decision as it considers appropriate but having full regard to all articles, regulations and rules of the Council and its Sub-Committees. In particular, any such decision, the effect of which is to obstruct, restrict or remove the rights of any member must be placed before the members as an agenda item at a full Council Meeting prior to any form of implementation. Notice of any decision must be sent without delay to any member, person or organisation who has been the subject of any complaint.

6.6 If any person or organisation wishes to appeal against any decision of the Council or Sub-Committee or Board of Directors, that has been taken on the basis of an Enquiry Committee's report, notice must be given in writing to the Company Secretary, that an appeal will be made, within 14 days of such decision being sent to any person or organisation. Any such appeal must be lodged with the Company Secretary, or Head Office, within a further 14 days and be accompanied by a payment of £100 Sterling to the Council, which shall be refundable if the appeal is upheld. The Board of Directors must within 28 days appoint a Review Committee consisting of the President and three persons. None of these three persons shall have been members of the Enquiry Committee or have been involved in the original complaint or have voted in any Sub-Committee or Board of Directors decision relative to the report the Enquiry Committee. The Review Committee shall review the decision and re-hear the complaint in such manner as it considers appropriate.

6.7 The findings and decisions of the Review Committee shall be final but shall not over-ride any article of the Articles of Association.

6.8 During investigation and examination of any complaint and pending any decision or appeal procedure on any action arising there from, the Council or any Sub-Committee within the Council of the Board of Directors, shall not act in any way against any person or organisation unless by way any report to the police authorities that is considered necessary or way of any legal requirements.

6.9 The Board of Directors shall report in writing any and all actions and decisions taken under this regulation annually.

7. SUSPENSION

The Board of Directors is empowered to impose a period of suspension, not exceeding one year or a fine, or both, in relation to any Council member who, following due process of investigation has been found in breach of the Council's Articles, Rules or Regulations, or whose conduct has been considered to be contrary to the best interests of the Council.
Due process refers to articles 6.2 To 6.9 herein contained.

8. EXPULSION OF MEMBERS

8.1. A member may be expelled by resolution carried by the votes of not less than two thirds of the members entitled to vote at an Annual or Special General Meeting of the Council.

8.2. A member under expulsion shall cease to be a member at the end of the meeting at which the resolution to expel it was carried.

8.3. No member who has been expelled from membership shall be re-admitted to membership except by resolution carried by the votes of not less than two thirds of the members present and voting in

person or by proxy and voting on a poll at an Annual or Special General Meeting of the Council. No member that has been expelled may be re-admitted other than as a probationary member.

8.4. The Council, by resolution carried by the voters of not less than two thirds of the members entitled to vote at an Annual or Special General Meeting of the Council, may as an alternative to expulsion reduce the class of membership of any member to one of probation and from the end of the meeting at which such resolution is carried as aforesaid the member shall become a probationary member in accordance with the provision of articles 4.4.a. to 4.4.d. hereof.

8.5. For the purpose of ascertaining whether a quorum is present at any meeting referred to in this article 8 the member whose expulsion is proposed shall not be deemed to be present nor shall it be entitled to vote on the resolution.

9. CESSATION OF MEMBERSHIP

9.1 Membership of the Council shall cease if in relation to a member:

a. It, being an individual, dies;
b. It, being a body corporate, ceases to be a body corporate;
c. It, being an unincorporated body, is dissolved or ceases to exist;
d. It is expelled in accordance with article 8;
e. It withdraws from the Council by giving not less than one month's notice in writing of its intention so to do;
f. It fails to pay any subscription monies due;
g. The provisions of article 5.4 are not implemented in relation to it.

9.2 A delegate elected as President shall cease to act as a delegate and his appointer may appoint a further delegate to represent it during the tenure of office of the President. At the end of the President's term of office, the member organisation shall inform the Company Secretary in writing whether it wishes to continue to be represented by the former President in which event the additional delegate shall cease to represent it and the name of the former President shall be reinstated in the register as that member organisation's delegate.

10. SUBSCRIPTION

10.1. All members (whether full, probationary, introductory,honorary or affiliate members) shall pay an annual subscription of such sum as the Council may from time to time prescribe.

10.2. Payment of subscriptions for each year of membership shall be made on or before the 31st January for that year (or if a member is admitted during a calendar year and after the holding of the Annual Council Meeting for that year, upon the date of admission to membership) at the rate prescribed by the Council in the previous year. Failure to pay any subscription when due shall render a member organisation liable to expulsion.

10.3. Members that can prove hardship to the satisfaction of the Board of Directors may apply to the Board of Directors for a reduction in the amount of the subscription monies due from them (subject to payment of such minimum amount as the Board of Directors may from time to time determine). The Board of Directors shall have absolute discretion as to whether or not to approve a reduction in subsequent fees.

10.4. Failure to pay the annual subscription, or to pay any subscription on time will result in the loss of voting and representation rights at WDC meetings.

10.5. The annual subscription shall be reviewed and agreed by the members at the meeting of the Council in General Meeting each year.

11. GENERAL MEETING

11.1. The Council shall meet at least once a year ("the Annual Council Meeting"). Not more than 15 months shall elapse between the date of one Annual Council Meeting and that of the next.

11.2. All general meetings other than Annual Council Meetings shall be called Special General Meetings.

11.3. The Board of Directors may call general meetings and, on the requisition of members pursuant to the provisions of the Act, shall forthwith proceed to convene a Special General Meeting for a date not later than eight weeks after receipt of the requisition. If there are not within the United Kingdom sufficient members of the Board of Directors to call a general meeting, any member of the Board of Directors or any member entitled to vote thereat may call a general meeting.

12. SPECIAL GENERAL MEETING called by the Board of Directors

12.1 The Board of Directors may at any time call a Special General Meeting of the Council to deal with any matter which at its absolute discretion considers would be inappropriate to delay until the next Annual Council Meeting and the Company Secretary shall be instructed to call such a meeting. In such an event, the meeting shall be deemed a Special General Meeting of the Council.

13. SPECIAL GENERAL MEETING called by a member

13.1. Any member entitled to vote at the general meetings of the Council may requisition the Board of Directors in writing by notice sent to the office to call a general meeting. Such requisition shall specify the reason for the meeting and shall set out briefly the agenda thereof.

13.2. Subject to the provisions of the Act the Board of Directors, may at its absolute discretion decide whether or not such a meeting may be called, and it so shall require the Company Secretary agenda together with any accompanying documents to the members specifying a time date and place for the meeting. In such an event, the meeting shall be deemed a Special General Meeting of the Council.

13.3. If the Board of Directors, at its absolute discretion and subject to the provisions of the Act, refuses to call such a meeting, it shall inform the member of its decision within six weeks of the receipt of the requisition for the meeting and the member organisation shall within 6 weeks of receipt of such notice be entitled, on depositing sufficient funds with the Company Secretary as may be required by the Council to cover all the expenses of calling such meeting (including sufficient funds to cover the expenses of any member which may attend in person or by delegate or proxy), to require the President to circularise the members with the agenda and to convene a Special General Meeting at a time and place specified by the President for the meeting.

14. NOTICE OF GENERAL MEETINGS

14.1. Notice of every Council meeting shall be prepared by the President and Company Secretary and dispatched to all member organisations according to the following schedule:

a. On or before 1st February, every year, a Notice of the Annual Council Meeting will be sent to all member organisations.

b. Member organisations must send written proposals to the Council´sheadquarters, to be received before 10th March.

c. On or before 15th March, a second Notice of Proposals submitted will be sent to all member organisations.

d. Member organisations must send written amendments to the Council´s Headquarters, to be received before 10th April.

e. On or before 15th April, an Agenda containing all proposals and amendments will be sent to all member organisations.

f. In every third year, a special form will be sent with the 1st February Notice inviting nominations for persons to be elected to the Presidium. Nominations must be received before 10th April.

g. No proposal, amendment or nomination will be accepted after these deadline dates without the unanimous consent of the President and the Board of Directors. This means that no proposal, amendment or nomination will be accepted at the meeting if it has not been sent to the Council´s Headquarters before the deadline date unless the President and the Presidium unanimously agree that it can be accepted.

14.2. in the case of the Annual Council Meeting, by all the members entitled to attend and vote thereat; and

14.3. in the case of any other meeting by a majority in number of the members having a right to attend and vote being a majority together holding not less than ninety-five per cent of the total voting rights at meetings of all the members.

14.4. The notice shall specify the time and place of the meeting and the general nature of the business to be transacted and, in the case of an Annual Council Meeting, shall specify the meeting as such.

14.5. The notice shall be given to all the members and to the members of the Board of Directors and to the auditors (if any).

14.6. The accidental omission to give notice of a meeting to, or the non receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at that meeting.

15. PROCEEDINGS AT GENERAL MEETINGS

15.1. The quorum for the transaction of business at the Annual Council Meeting shall be ten members entitled to vote thereat present in person or by one or more delegates or by proxy. If a quorum is not present within half an hour of the time appointed for the meeting, the members present and entitled to vote shall have the power to conduct all business of the Council in general meeting except in

relation to the election of members of the Board of Directors and amendments to these articles or any rules or bye-laws made there under.

15.2. At any other general meeting, a quorum shall be a minimum of five members entitled to vote thereat present in person or by one or more delegates or by proxy and if no quorum is present within half an hour of the time appointed for the meeting, or such longer time as the President (if present) shall specify, the meeting:

a.) if a Special General Meeting requisitioned by members, shall be dissolved;

b.) If a Special General Meeting called by the Board of Directors shall stand adjourned to the next day at the same time and place. If, at the adjourned meeting, a quorum is not present within half an hour of the time appointed for the meeting the members entitled to vote thereat present in person or by one or more delegates or by proxy shall be a quorum.

15.3. The Chairman of the meeting may, with the consent of a simple majority of the members present and entitled to vote, adjourn any meeting but no business shall be transacted at any adjourned meeting other than the business not reached or left unfinished at the meeting from which the adjournment took place.

15.4. Every adjourned meeting shall be deemed to be a continuation of the original meeting and any resolution passed on the date on which it was in fact passed and shall not be deemed to have been passed on any earlier date. It shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

15.5. A member of the Board of Directors shall, notwithstanding that he is not a member, be entitled to attend and speak at any general meeting.

15.6. On every resolution placed before the Council in general meetings, there shall be conducted a poll.

15.7. A poll shall be taken as the chairman directs and he may appoint scrutineers (who need not be members) and fix a time and place for declaring the result of the poll. The result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

15.8. A declaration by the Company Secretary that a resolution has been carried or carried unanimously, or by a particular majority, or lost, or not carried by a particular majority and an entry to that effect in the minutes of the meeting shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

15.9. The result of such a poll shall be deemed to be the resolution of the Council in general meeting. A resolution in writing executed by or on behalf of each member who would have been entitled to vote upon it if it had been proposed at a general meeting at which he was present in person or by delegate or proxy shall be as effectual as if it had been passed at a general meeting duly convened and held and may consist of several instruments in the like form each executed by or on behalf of one or more members.

15.10. Subject to the provisions of these articles, meetings of the Council shall be conducted in such manner as the President shall from time to time direct.

15.11. Voting Procedure at Council Meetings
Any poll taken at a Council meeting in accordance with the Articles shall be entered on a form prescribed in Schedule 3 of these Regulations by the Company Secretary. On that form the Company Secretary shall record the vote (for or against or abstaining) of each member organisation entitled to vote, save that if the representative(s) of a member organisation be

absent from the meeting at the time of the vote, he shall indicate on the form that member organisation's absence.

15.12. Standing Orders of the Council

a. The Regulations governing the conduct of meeting of the Council (which shall be known as „the standing orders") contained within these statutes shall be followed by the Council in general meeting.

b. The Chairman of the meeting, at his absolute discretion, shall be enabled by this Regulation to lift the standing orders in order to conduct the meeting in such other manner as he deems fit.

c. SELECTION OF SPEAKERS AT COUNCIL MEETINGS
Every person present shall raise his hand when desirous of speaking and whilst speaking shall stand. The Chairman of the meeting shall decide the order of precedence, with no speech of a delegate lasting longer than 5 minutes at the discretion of the chairman.

d. CHAIRMAN OF THE MEETING'S RULING AT COUNCIL MEETINGS
If the Chairman of the meeting rises to call a nominee to order, or for any other purpose connected with the meeting, the nominee speaking shall resume his seat and no other nominee shall rise until the chair is resumed. The ruling of the Chairman of the meeting on any question of standing orders or on points of order or explanation shall be final. Any delegate may appeal against the decision of the Chairman of the meeting, but this requires a seconder and majority vote.

e. SPEECHES AT COUNCIL MEETINGS
No nominee shall be permitted to speak more than once on any subject before the meeting or upon the same point of order, except the mover of the original motion. On an amendment being moved, any nominee, even though he has spoken on the original motion, may speak again on the amendment. No delegate shall speak for more than five minutes at one time unless the Chairman of the meeting so permits. Nominees wishing to raise points of order or explanation must rise immediately and obtain the permission of the Chairman of the meeting to speak. Any member organisation may formally second any motion or amendment. The nominee representing the member organisation so seconding a motion or amendment may reserve his speech until a later period in the debate.

f. MOTIONS AND AMENDMENTS AT COUNCIL MEETINGS

i. All proposals placed before the Council and all amendments placed before the Council be submitted in writing, together with a brief report setting out the intended purpose of the proposal, the financial and legal implications of the proposal, the date on which the proposal would come in to effect and any transitional or administrative arrangements required to implement the proposal.

ii. The first proposal on any particular subject shall be known as the original motion. All succeeding proposals on that subject shall be called amendments. Every Motion or amendment must be moved and seconded by member organisations actually present at the meeting before they may be discussed. When an amendment is moved to an original motion, no further amendment shall be discussed until the first amendment is disposed of. Notice of any further amendment must be given to and read out from the Chair before the first amendment is put to the vote and this procedure must be repeated with succeeding amendments.

iii. The Presidium be expressly enabled to propose and second proposals being placed before the Council or any Council Committee.

g. SUBSTANTIVE MOTIONS AT COUNCIL MEETINGS
If an amendment is carried it displaces the original motion and it self becomes the substantive motion and may be further amended, provided it is consistent with the business

and has not been covered by an amendment or motion which has been previously rejected. The substantive motion will then be put to the vote.

h. RIGHT TO REPLY AT COUNCIL MEETINGS
The mover of the original motion shall, provided that no amendment is moved, have the right of reply at the close of the debate upon such a motion but shall introduce no new matter. The motion shall then be put to the vote immediately and under no circumstances shall any further discussion be allowed once the motion has been put from the chair. When an amendment is moved, the mover of the original motion shall be entitled to speak upon the amendment. The mover of an amendment shall not be entitled to reply.

i. WITHDRAWAL OR ALTERATION OF MOTIONS OR AMENDMENTS AT COUNCIL MEETINGS
No motion or amendment which has been accepted by the chair shall be withdrawn without the unanimous consent of the member organisations at the meeting. Neither shall any addendum or rider be added to the motion which has been accepted by the chair without such full consent. Should any nominee dissent, the addendum may be proposed and seconded and treated as an ordinary amendment.

j. CLOSURE OF DEBATE AT COUNCIL MEETINGS
Motions for next business or for the closure of debate on a motion or an amendment may be moved and seconded only by delegates who have not previously spoken at any time during the debate, either on the original motion or on any subsequent amendments. In the event of the closure of debate being carried, the mover of the original motion shall have the right to reply before the motion or amendment is put to the vote. Should a motion for next business or closure of debate be defeated, ten minutes must elapse before it can be accepted again by the Chairman of the meeting, unless he is of the opinion that the circumstances have materially altered in the meantime. No speeches shall be allowed on motions for next business or the closure of debate.

15.15 The Council shall keep at its headquarters a register of members in which the Company Secretary shall enter the following particulars

a. the names and addresses of the Member Organisations and its Delegates;
b. the date at which each Member Organisation or Delegate was entered in the register as a member or delegate, and the date at which any such member organisation or delegate ceased to be a member,
c. the names, addresses, telephone, fax, e-mail and other relevant details of the officers of the member with the offices held by them respectively and the dates on which they assumed office.

15.16 The inclusion or omission of the name of any person or member organisation or delegate from the register of members shall, in the absence of evidence to the contrary, be conclusive that such person or member organisation or delegate is not a member or delegate of the Council.

16. VOTES OF MEMBERS

16.1. Subject to the restrictions placed on the rights of probationary members and honorary members and to any special rights set out in any affiliate terms, each member shall be entitled to have one vote at meetings of the Council notwithstanding that it may have more than one delegate on the Council. If the delegates representing any member organisation cannot agree on how the vote of

that member organisation shall be cast at the time the vote in question is taken, then that member organisation shall be deemed to have abstained from voting on the resolution in question.

16.2. A member in respect of whom an order has been made by any court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder may vote by his receiver, curator bonis or other person, may, on a poll, vote by proxy. Evidence to the satisfaction of the Board of Directors of the authority of the person claiming to exercise the right to vote shall be deposited at the office, or at such other place as is specified in accordance with the articles for the deposit of instruments of proxy, not less than 48 hours before the time appointed for holding the meeting or adjourned meeting at which the right to vote is to be exercised and in default the right to vote shall not be exercisable.

16.3. No objection shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting shall be valid. Any objection made in due time shall be referred to the chairman whose decision shall be final and conclusive.

16.4. PRODECURE FOR THE RECORDING OF VOTES AT COUNCIL MEETINGS

a. Arrangements for voting on proposals

There shall be a form wherein the country of all member organisations´areas shall be listed in alphabetical order, in Coloumn 1, which shall be headed „Member Organisation“. The headings of Coloumns 2 – 5 inclusive shall be „For, “Against”, “Abstained” and “Absent” respectively. On every motion before the Council, after the Chairman of the meeting has read the motion and any amendments in accordance with the Statutes to the meeting, the Company Secretary shall read the name of each country listed in Column 1, whereupon a nominee, if there by any nominees present, of the member organisation whose area comprises that country shall call „For“, or „Against“, or „Abstain“, as appropriate. The Compnay Secretary shall mark the appropriate row and column with a tick, to indicate how the member organisation has voted; in the absence of a member organisation’s nominees, he shall note the member organisation´s absence. When all member organisations´countries have been called, the Company Secretary shall decalre whether or not the motion has been carried or lost.

b. Arrangements for voting in elections to Officer posts of the Council

The voting arrangements that shall apply to the election of Officers of the Council, whose election to posts is required by virtue of Regulation 10(e) (that is the offices of President and Vice Presidents) shall be as set out in this Section. In the case of each election that comes before the Council, the Chairman of the meeting shall call for candidates to be nominated and seconded. Where there is more than one candidate standing for election to a post, the Company Secretary shall enter the name of each candidate as headings in Columns 2 onwards, provided that the candidate has been nominated and seconded. The names of all candidates having been entered on the form, the Company Secretary shall read the name of each country listed in Column 1, whereupon a nominee, if there be nominees present, of the member organisation whose area comprises that country shall call the name of the candidate for whom it wishes to cast its vote. The Company Secretary shall mark the appropriate cell with a tick, to indicate how the member organisation has voted. When all member organisations´countries have been called, the Company Secretary shall declare the total number of votes cast for each candidate. The candidate who secures the votes cast by not less than 50% of the member organisations present shall be deemed to be elected to the post in question. In the event of no one candidate securing the votes cast by not less than 50% of the member organisations present and voting and there are more than two candidates for the post in question, the candidate with the least number of votes cast in his favour shall withdraw his candidacy for the post. The remaining candidates shall stand to the next round of voting. This process shall be repeated until the number of candidates is reduced to two. In this final round, the candidate with the highest number of votes cast in his favour shall be elected to the post. In the event of a tie

(i.e. where the two candidates in the final round share an equal number of votes), the poll shall be declared void by the Company Secretary and a second election shall be begun from the beginning. For the avoidance of doubt any candidate who, in any round of voting, secures the votes cast by not less than 50% of the member organisations present shall be deemed to be elected to the post.

17. VOTING BY PROXY

17.1. A closed proxy must be lodged with the Chairman of any meeting via the WDC office by a member unable to attend the meeting having first tendered its apologies for absence:

17.2. Only closed proxies are permitted. Open proxies being prohibited.

17.3. A member can hold up to a maximum of two closed proxies.

17.4. A closed proxy is defined as the vote of an absent member instructing a member voting on its behalf to vote either “Yes” or “No” to a specific proposal including any amendment to the proposal accepted at the meeting.

17.5. A closed proxy or any form of proxy shall not be deemed as an attendance by a member to rank in the count to establish a quorum.

17.6. An instrument appointing a proxy shall be in writing, executed by or on behalf of the appointer and shall be in the following form (or in a form as near thereto as circumstances allow or in any other form which is usual or which the Board of Directors may approve.

a. § PLC/Limited I/We, § of § being a member/members of the above-named company, hereby appoint § of §, or failing him, § of §, as my/our proxy to vote in my/our name/s] and on my/our behalf at the annual/extraordinary general meeting of the company to be held on § 20§, and at any adjournment thereof.

   Signed on § 20§.”

b. Where it is desired to afford members an opportunity of instructing the proxy how he shall act the instrument appointing a proxy shall be in the following form (or in a form as near thereto as circumstances allow or in any other form which is usual or which the Board of Directors may approve)

c. § PLC/Limited I/We § of § as my/our proxy to vote on my/our name/s/ and on my/our behalf at the annual/extra ordinary general meeting of the company, to be held on § 20§, and at any adjournment thereof.

   This form is to be used in respect of the resolutions mentioned below as follows:

d. Resolution No. 1 *for *against
   Resolution No. 2 *for *against.
   *Strike out whichever is not desired.

   Signed this § day of § 20§.”

17.7. The instrument appointing a proxy and any authority under which it is executed or a copy of such authority certified notary or in some other way approved by the Board of Directors may be deposited at the office or at such other place within the United Kingdom as is specified in the notice convening the meeting or in any instrument of proxy sent out by the company in relation to the meeting not less than 48 hours before the time for holding the meeting or adjourned meeting (or such shorter period

as the Board of Directors may approve) at instrument of proxy which is not deposited or delivered in a manner so permitted shall be invalid.

17.8. A vote given by proxy or by the delegate of a member organisation shall be valid notwithstanding the previous determination of the authority of the person voting or demanding a poll unless notice of the determination was received by the Council at the office or at such other place at which the instrument of proxy was duly deposited before the commencement of the meeting or adjourned meeting at which the vote is given or the poll demanded.

18. OBSERVERS AT COUNCIL MEETINGS

18.1. Visitors and Observers shall at the discretion of the Council be allowed to attend meetings or parts of a meeting, but shall not be allowed to take part in debate or to vote. Visitors / Observers shall be listed in the minutes of the meeting and shall pay an observers fee prescribed by the Board of Directors from time to time

18.2. For the express purpose of the avoidance of doubt, delegates of organisations that have applied for membership or for affiliate membership of the Council and have been invited to a meeting in accordance with the provisions of article 4.8. shall not be deemed to be observers or visitors, and shall be admitted to all or part of the meeting as determined by the Chairman of the meeting.

18.3. For the express purpose of the avoidance of doubt, in addition to its delegates each member organisation shall be entitled to send, to general meetings, for the sole purpose of translating the proceedings for its delegates, a person who is capable of translating from English into the native language of the member organisation, English being the official language of the Council. Such a person shall not be allowed to enter into any debate or to vote, but shall be deemed to be in attendance at the meeting and shall not be excluded from any part of the meeting at which the member organisation's delegates are rightfully present.

19. ACTS OF THE COUNCIL

19.1. All acts done in good faith by any members of the Council or of the Board of Directors, notwithstanding that it shall be afterwards discovered that there was any defect in the appointment of any member or delegate of a member or member of the Board of Directors or that any one of them was disqualified from voting, shall be as valid as if every member or delegate has been duly appointed and was duly qualified to vote.

20. COMMITTEES

20.1 The Council may constitute Committees (or Sub-Committees) and may delegate all or any of its powers to any such Committee and/may authorise the Sub-Committee to perform such functions as the Council considers fit. The powers and/or functions of such Committees, the conduct of proceedings of any such Committee and all other terms upon which any such Committee is appointed shall be recorded in writing as soon as practicable after the meeting of the Council at which such appointment is made and shall be referred to in these articles as the "terms of reference" of that Committee.

20.2 Any Committee (or Sub-Committee) constituted pursuant to this article shall have only those powers and functions contained in the terms of reference for that Committee and its proceedings and conduct shall be governed in all respects by such terms of reference. The terms of reference of any

Committee may only be changed by the Council in general meeting or by the direction of the Board of Directors. Such change in any terms of reference shall not be effective until it has been recorded in writing after the meeting of the Council or Board of Directors (as the case may be) that authorised such change.

21. THE BOARD OF DIRECTORS

21.1. Unless otherwise determined by ordinary resolution, the number of members of the Board of Directors (other than Alternates) shall not be subject to any maximum but shall not be less than five.

21.2. The officers of the Council shall be:

a. The President;
b. Such number of Vice Presidents as the Council, in general meeting may by ordinary resolution elect;
c. Any chairman of any Sub-Committee who, by virtue of the Sub-Committee's terms of reference, is co-opted onto the Board of Directors as a Vice-President;
d. Any affiliate delegate, which by virtue of the affiliate member's affiliate terms is entitled to nominate a representative to the Board of Directors, and which such affiliate delegate is approved by resolution of the Council in general meeting (insofar as such affiliate terms and these articles allow);

21.3. The officers so specified shall form an executive called the Board of Directors which shall constitute the board of directors of the Council.

21.4. The members of the Board of Directors shall be delegates of members, save as provided for by article 24.6.

21.5. Officers of the Council cannot use proxies at meetings of the Board of Directors.

For the avoidance of doubt, the officers of the Council shall be those persons jointly and severally appointed to office in accordance with the Articles, specifically not their representatives, proxies or deputies, save where such representation is expressly empowered by these Regulations. Officers of the Council shall not nominate such representatives, proxies or deputies to attend meetings the Board of Directors, save where such representation is expressly empowered by these Regulations, nor shall such representatives, proxies or deputies be in any way enabled by any form of proxy or instrument to carry out any duty, function or responsibility of an officer of the Council in the stead of that officer. The Board of Directors shall not be consulted as a committee pursuant to the Articles but shall be governed in all respects by the Council's constitution.

22. POWERS OF THE BOARD OF DIRECTORS

22.1. Subject to the provisions of the Act. The memorandum and the articles and to any directions given by the members by special resolution, the business of the Council shall be managed by the Board of Directors who may exercise all the powers of the Council. No alteration of the memorandum or articles and no such direction shall invalidate any prior act of the Board of Directors which would have been valid if that alteration had not been made or that direction had not been given. The powers given by this regulation shall not be limited by any special power given to the Board of Directors by the articles and a meeting of the Board of Directors at which a quorum is present may exercise all powers exercisable by the Board of Directors.

22.2. The Board of Directors may, by power of attorney or otherwise, appoint any person to be the agent of the Council for such purposes and on such conditions as they determine, including authority for the agent to delegate all or any of his powers.

23. DELEGATION OF BOARD OF DIRECTORS'S POWERS

23.1 The Board of Directors may delegate any of its powers to any committee consisting of one or more members of the Board of Directors. They may also delegate to any managing director or any member of the Board of Directors holding any other executive office such of their powers as they consider desirable to be exercised by him. Any such delegation may be made subject to any conditions the Board of Directors may impose, and either collaterally with or to the exclusion of their own powers and may be revoked or altered. Subject to any such conditions, the proceedings of a committee with two or more members shall be governed by the articles regulating the proceedings of the Board of Directors so far as they are capable of applying.

24. APPOINTMENT AND RETIREMENT OF BOARD OF DIRECTORS MEMBERS

24.1 The Council may by ordinary resolution in general meeting appoint any person who is entitled to be a member of the Board of Directors and who is willing to act to be a member of the Board of Directors, either to fill a vacancy or as an additional member of the Board of Directors.

24.2 Any affiliate delegate, which by virtue of any affiliate terms is appointed to the Board of Directors, shall be nominated by the affiliate member in writing and his appointment to the Board of Directors shall be subject to the prior approval of the Council by resolution in general meeting (which the Council may in its absolute discretion give or withhold). If the affiliate member shall cease to be a member of the Council for whatever reason, any office of the Council held by an affiliate delegate and the number of officers required by these articles shall be reduced accordingly.

24.3 The President and Vice Presidents shall hold office for a maximum of three years and shall retire and offer themselves for re-election by the Council at the Annual Council meeting held every third year. Such officers, if not elected, shall be deemed to retire at the conclusion of such Annual Council Meeting.

24.4 A person who has been elected to membership of the Board of Directors and who is the subject of a tri-annual election, is eligible to stand for re-election to membership of the Board of Directors on condition only that he remains a member of a member organisation.

24.5 If the Council, at the meeting at which a member of the Board of Directors retires and offers himself for re-election, does not fill the vacancy the retiring member of the Board of Directors shall, if willing to act, be deemed to have been re-appointed unless at the meeting it is resolved not to fill the vacancy or unless a resolution for the appointment of the member of the Board of Directors is put to the meeting and lost.

24.6 No person including a member of the Board of Directors retiring and offering himself for re-election shall be appointed or re-appointed a member of the Board of Directors at any general meeting unless not less than thirty-five clear days before the date appointed for the meeting, notice executed by a member qualified to vote at the meeting has been given to the Council of the intention to propose that person for appointment or reappointment stating the particulars which would, if he were so appointed or re-appointed, be required to be included in the company's register of directors together with notice executed by that person of his willingness to be appointed or re-appointed.

24.7 Not less than twenty-eight clear days before the date appointed for holding a general meeting notice shall be given to all who are entitled to receive notice of the meeting of any person including a member of the Board of Directors retiring and offering himself for re-election retiring at the meeting in respect of whom notice has been duly given to the Council of the intention to propose him at the meeting for appointment or reappointment as a member of the Board of Directors. The notice shall

give the particulars of that person which would, if he were so appointed, be required to be included in the company's register of directors.

24.8 Should a vacancy occur in the office of President before the expiration of the three-year term of office of the President last elected an acting President may be appointed at the absolute discretion of the Board of Directors until the next Annual Council Meeting or the next Special Council Meeting on the agenda of which the election of a new President may be legitimately placed as an item in accordance with these articles.

24.9 A person appointed to the post of acting President shall hold office until the election of a President in accordance with article 24.3 (at which time his appointment shall cease automatically) but during his period of appointment he shall not be required to be a delegate of the member appointing him as such.

24.10 Should a vacancy occur in the office of any one of the Vice Presidents before the expiration of the three-year period of office of such Vice President before the expiration of the three-year period of office of such Vice President a special election may, at the absolute discretion of the Board of Directors, be held either at a Special General Meeting or by mail nomination and ballot (to be conducted in such manner as the Board of Directors may, in its discretion, determine). Any person so elected to the office of Vice President to fill a vacancy shall hold such office until the next general meeting of the Council at which his predecessor would have been required to offer himself for re-election.

25. DISQUALIFICATION AND REMOVAL OF MEMBERS OF BOARD OF DIRECTORS

25.1 The office of a Board of Directors member shall be vacated automatically if:

a. He ceases to be a member of the Board of Directors by virtue of any provision of the Act or he becomes prohibited by law from being a member of the Board of Directors;

b. or He becomes bankrupt or makes any arrangement or composition with his creditors generally;

c. or He is, or may be, suffering mental disorder and either:

i. He is admitted to hospital in pursuance of an application for admission for treatment under the Mental Health Act 1983 or, in Scotland, an application for admission under the Mental Health (Scotland) Act 1960, or

ii. An order is made by a court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder for his detention or for the appointment of a receiver, curator bonis or other person to exercise powers with respect to his property or affairs; or

d. He resigns his office by notice to the Council; or

25.2 He shall for more than six consecutive months have been absent without permission of the Board of Directors from meetings of the Board of Directors held during that period and the Board of Directors resolves that his office be vacated;

25.3 The affiliate member of which he is an affiliate delegate ceases to be a member of the affiliate terms governing his appointer's membership are amended such that his appointer's right to appoint a member of the Board of Directors is revoked;

25.4 He is a member of the Board of Directors by virtue of article 21.2.c and in accordance with the terms of reference of such Committee or by virtue of any amendment to such terms of reference he ceases to be entitled to be co-opted to the Board of Directors, or if he ceases to be a member of such Committee or such Committee is dissolved.

26. EXPENSES

26.1 Subject to the provisions of the memorandum of association of the Council the members of the Board of Directors may be paid all travelling, hotel, and other expenses properly incurred by them in connection with their attendance at meetings of the Board of Directors or committees of the Board of Directors or of the Council or general meetings or separate meetings of the holders of debentures of the Council or otherwise in connection with the discharge of their duties.

27. INTERESTS OF MEMBERS OF THE BOARD OF DIRECTORS

27.1 Subject to the provisions of the Act, and provided that he has disclosed to the Board of Directors the nature and extent of any material interest of his, a member of the Board of Directors notwithstanding his office:

a. May be a party to, or otherwise interested in, any transaction or arrangement with the Council or in which the Council is otherwise interested;

b. May be a director or other office of, or employed by, or a party to any transaction or arrangement with, or otherwise interested in, any body corporate or unincorporated promoted by the Council or in which the Council is otherwise interested; and

c. Shall not, by reason of his office, be accountable to the Council for any benefit which he derives from any such office or employment or from any such transaction or arrangement or from any interest in any such transaction or arrangement or from any interest in any such body corporate and no such transaction or arrangement shall be liable to be avoided on the ground of any such interest or benefit.

27.2 For the purposes of article 27.1;

a. A general notice given to the Board of Directors that a member of the Board of Directors is to be regarded as having an interest of the nature and extent specified in the notice in any transaction or arrangement in which a specified person or class or persons is interested shall be deemed to be a disclosure that the member of the Board of Directors has an interest in any such transaction of the nature and extent so specified; and

b. An interest of which a member of the Board of Directors has no knowledge and of which it is unreasonable to expect him to have knowledge shall not be treated as an interest of his.

28. GRATUITIES AND PENSIONS

28.1 The Board of Directors may exercise the powers of the Council conferred by Clause 3.10 of the memorandum of association of the Council.

29. PROCEEDINGS OF THE BOARD OF DIRECTORS

29.1 Subject to the provisions of the articles, the Board of Directors may regulate its proceedings as it thinks fit. The President may at the request of a member of the Board of Directors call a meeting of

the Board of Directors. Questions arising at a meeting shall be decided by a majority of votes. In the case of an equality of votes, the President shall have a second or casting vote.

29.2 The quorum for the transaction of the business of the Board of Directors may be fixed by the Board of Directors and unless so fixed at any other number shall be five.

29.3 The continuing members of the Board of Directors or a sole continuing member of the Board of Directors may act notwithstanding any vacancies in their number, but, if the number of members of the Board of Directors is less than the number fixed as the quorum, the continuing member or members of the Board of Directors may act only for the purpose of calling a general meeting.

29.4 All acts done by a meetings of the Board of Directors, or of a committee of the Board of Directors, or by a person acting as a member of the Board of Directors shall, notwithstanding that it be afterwards discovered that there was a defect in the appointment of any member of the Board of Directors or that any of them were disqualified from holding office, or had vacated office, or were not entitled to vote, be as valid as if every such person had been duly appointed and was qualified and had continued to be a member of the Board of Directors and had been entitled to vote.

29.5 A resolution in writing signed by all the members of the Board of Directors entitled to receive notice of a meeting of the Board of Directors or of a committee of the Board of Directors shall be as valid and effectual as if it had been passed at a meeting of the Board of Directors or (as the case may be) a committee of the Board of Directors duly convened and held and may consist of several documents in the like form each signed by one or more members of the Board of Directors or of such committee.

29.6 A member of the Board of Directors may provided that he has declared the nature and extent of his interest at a meeting of the Board of Directors, vote at any meeting of the Board of Directors or of any committee of the Board of Directors, on any resolution, notwithstanding that it any way concerns or relates to a matter in which he has, directly or indirectly, any kind of interest whatsoever, and if he shall vote on any such resolution as aforesaid he shall (whether or not he shall vote on the same) be taken into account in calculating the quorum present at the meeting.

29.7 If a question arises at a meeting of the Board of Directors or of a committee of the Board of Directors as to the right of a member of the Board of Directors to vote, the question may, before the conclusion of the meeting be referred to the chairman of the meeting and his ruling in relation to any member of the Board of Directors other than himself shall be final and conclusive.

30. DUTIES OF THE PRESIDENT

30.1. The President may preside as Chairman over Council meetings and shall be an ex-officio member of all Committee meetings unless there is an express statement to the contrary included by the Council within the terms of reference of any Committee. At both Council and Committee meetings the President shall have the right to vote.

30.2. The President shall preside as Chairman over meetings of the Board of Directors and, in the event of an equality of votes, shall have a second or casting vote. Other officers of the Board of Directors shall each have one vote.

30.3. If the President is not present at any meetings of the Council or is unwilling to act as Chairman the members present and entitled to vote shall elect a Vice President to be the Chairman of the meeting or if no Vice President is present or if he is unwilling to act then the members present and entitled to vote shall elect a person who shall be a delegate of a member organisation if such person is willing to act to be the Chairman of the meeting.

31. THE COMPANY SECRETARY AND OTHER EXECUTIVE APPOINTEES

31.1. The Council shall have a Company Secretary and such other executive appointees as the Board of Directors may from time to time determine who shall be appointed and may be removed by the Board of Directors and who shall receive such remuneration (if any) as the Council in general meeting shall determine.

31.2. The Company Secretary and other executive appointees, if any, shall act under the direction of the Council, and without prejudice thereto the Company Secretary shall in particular

a. Summon and attend all meetings of the Council and of Committees and sub-Committees and keep the minutes referred to in article 31, save that in the event of an express statement to the contrary being included by the Council within the terms of reference of any Committee or sub Committee the Company Secretary shall not be required to summon and attend meetings of that Committee or sub-Committee or to take minutes thereat, and it shall be the duty so to do of the person so appointed by virtue of the terms of reference of that Committee. Minutes of all meetings of Committees and sub-Committees which are not taken by him shall be sent to the Company Secretary at the office no later than fourteen days after the meeting;

b. Unless the Council otherwise directs, keep all books of account and receive all contributions and other payments due to the Council from the members and other persons and pay over the amount so received as the Council directs;

c. Produce or give up all books, documents and property of the Council in his possession whenever required so to do by a resolution of the Council.

32. MINUTES OF COUNCIL

32.1 Minutes of every Council meeting and of every Committee meeting and of every meeting of the Board of Directors and committee of the Board of Directors shall be kept.

32.2 After opening a meeting and having read the minutes of the previous meeting, the Chairman of the meeting shall call for a motion confirming the minutes but no motion or discussion on them shall be allowed save in regard to their accuracy. After confirmation of the minutes, they shall be signed by the Chairman of the meeting and nominees shall then be permitted to ask any questions in regard to matters arising from them. Such questions shall be allowed for the purpose of informationonly and no debate on the policy outlined in the minutes shall take place.

32.3 Minutes of every Council meeting and of every meeting the Board of Directorsshall be circulated by the Company Secretary to all Member Organisations and to all Honorary Members and all Affiliated Members when the minutes have been passed as a true record at the next subsequentmeeting of the Board of Directors, save that this Regulation shall not apply to any meeting of the Council or of the Board of Directors that should take place within thirty-five days of the annual meeting of the Council that is required to take place by virtue of the Articles.

33. THE SEAL

33.1. If the Council has a seal it shall only be used with the authority of the Board of Directors or of a committee of the Board of Directors. The Board of Directors may determine who shall sign any instrument to which the seal is affixed and unless otherwise so determined it shall be signed by the President and the Company Secretary.

33.2. The Council may exercise the powers conferred by section 39 of the Act with regard to having an official seal for use abroad, and such powers shall be vested in the Board of Directors.

34. NOTICES

34.1. Any notice to be given to or by any person pursuant to the articles shall be in writing except that a notice calling a meeting of the Board of Directors need not be in writing.

34.2. The Council may give any notice to a member either personally or by sending it by post in a prepaid envelope addressed to the member at his registered address or by leaving it at that address or by electronic means.

34.3. A member present, either in person or by proxy, at any meeting of the Council shall be deemed to have received notice of the meeting and, where requisite, of the purposes for which it was called.

34.4. A notice shall be deemed to be given at the expiration of 5 clear days after the envelope containing it was posted or a notice was sent by electronic means.

35. INDEMNITY

35.1 Every member of the Board of Directors or other officer of the Council shall be indemnified out of the assets of the Council against all losses or liabilities which he may sustain or incur in or about the execution of the duties of his office or otherwise in relation thereto, including any liability incurred by him in defending any proceedings, whether civil or criminal, or in connection with any application under section 144 or section 727 of the Act in which relief is granted to him by the Court, and no member of the Board of Directors or other officer shall be liable for any loss, damage or misfortune which may happen to or be incurred by the Council in the execution of the duties of his office or in relation thereto, But this article shall only have effect in so far as its provisions are not avoided by section 310 of the Act.

35.2 The Board of Directors shall have power to purchase and maintain for any director or officer of the Council insurance against any such liability as is referred to in section 310(1) of the Act.

36. RULES AND BYE-LAWS

36.1 Each member shall be bound by any rules, bye-laws or other regulations from time to time made or adopted by the Council in general meeting or by any Committee.

37. DISPUTES

37.1 The Law governing these Regulations shall be that of England and any dispute not submitted to arbitration in accordance with Regulation 37.2 hereinafter shall be subject to the jurisdiction of the English courts.

37.2 Every dispute relating to the interpretation of the Council's constitution and these Regulations between a member or any person aggrieved who has not for more than six months ceased to be a member, or any person claiming through such member or person aggrieved or claiming under these Regulations shall be submitted to an arbitrator appointed by the President of the Law Society and his decision shall be binding and conclusive on all parties without appeal, and shall not be removable.

38. DISSOLUTION

If on the winding up or dissolution of the Council there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall be disposed of in whatever manner may be decided by a special general meeting.

39. COPIES OF REGULATIONS TO BE SUPPLIED

The Company Secretary shall deliver a copy of these Regulations to every person on demand on payment of a sum as the Council may from time to time direct.

40. WDC Code of Ethics

Consistent with the general ideas of society the World Dance Council expects all its Members, Member Federations, its Dancers, Adjudicators and all Officers to comply with the standards of ethics, moral, good behavior and sportsmanship.
The WDC will not tolerate any discrimination and any violation of human rights or bias based on racial, religious, political grounds or sexual orientation.

41. WDC Anti-Doping Rules.
The World Dance Council is a signatory to the WADA Anti-Doping Rules. The WDC Anti-Doping rules are available as schedule 3 appended to this constitution.

NAMES AND ADDRESSES OF SUBSCRIBERS

President: Donnie Burns

Company Secretary: Hannes Emrich

Dated this 30th May of 2011

Witness of the above signatures:

Director:

Director:

SCHEDULE 1: SUB-COMMITTEE TERMS OF REFERENCE

WORLD COMPETITIVE DANCE COMMITTEE: terms of reference
The function of the World Competitive Dance Committee is to consider and debate all matters relating to competition rules, selection of adjudicators and the granting of Council Championship Titles in all forms of competitive dance. The World Competitive Dance Committee can take decisions in competitive dance matters and the Presidium may veto a decision of the Committee after debate if the Presidium considers that the decision does not correspond with the interest of the World Dance Council.

WORLD DANCE TEACHERS' COMMITTEE: terms of reference
The function of the World Dance Teachers Committee is to consider and debate all matters relating to dance schools, social dances and social dancers. The World Dance Teachers' Committee can take decisions in social dance matters and the Presidium may veto a decision of the Sub-Committee after debate if the Presidium considers that the decision does not correspond with the interest of the World Dance Council.

WORLD COMPETITIVE DANCE AND DANCE TEACHERS' COMMITTEES: composition and regulation

1. The Members of the Sub-Committee shall comprise of up to three nominees of each Member Organisation on the Council. The Sub-Committee shall elect an Executive Board as follows :
   a Chairman
   a Senior Vice Chairman
   Vice-Chairmen with Special Responsibilities.

2. It is the responsibility of the Sub-Committee to decide what posts and how many posts of Special Responsibility it needs to operate effectively, bearing in mind that the members of the Executive Board will be „Officers of the Committee". The Chairman of the Sub-Committee is an ex officio member of the Board of Directors.
3. At the request of the Sub-Committee or the Chairman in consultation with the Executive Board in between meetings, the Board of Directors shall appoint Commissioners, if any, as are required to carry out research and development on behalf of the Sub-Committee.
4. The Executive Board may co-opt such persons of expertise to the Board as it considers appropriate.
5 Meetings of the Sub-Committee will be called by the Company Secretary at the request of the Committee Chairman. The Company Secretary shall make such arrangements as are expedient to ensure that minutes of Sub-Committee meetings are circulated to all Member Organizations, Affiliated Members and Honorary Members within twenty-eight days of the meeting.
6 The quorum for a Sub-Committee meeting shall be one nominee each from ten member organisations.
7 Meetings of the Executive Board shall be called by the Chairman. Any decisions taken by the Executive Board shall be circulated in the form of a report circulated to all Member Organizations, Affiliate Members and Honorary Members within twenty eight days of the meeting. Formal minutes of Executive Board meetings do not have to be made.
8 The quorum for meetings of the Executive Board shall be three, including the Chairman.
9 Subject to the conditions stated, the Competitive Dance Executive Board shall have the authority to decide on Competitive Dance matters, the Dance Teachers Executive Board shall have the authority to decide on Social Dance matters, in a matter of importance and urgency where delay is considered likely to be detrimental to the best interests of the Council. Any such decision must comply with the following:
   a. Any decision must have the written support of at least two-thirds of the Executive Board elected members.
   b. Any decisions must be recorded in writing.
   c. Any decision must be included as an Agenda item of the next Sub-Committee meeting.
10 The Executive Boards be allowed to make proposals and/or recommendations for future Sub-Committee meetings

SCHEDULE 2a: TERMS OF AFFILIATION OF THE

INTERNATIONAL DANCE ORGANISATION

The International Dance Organisation is affiliated with the World Dance Council under the following terms of Affiliation.

1 The International Dance Organization (hereinafter “IDO”) with its titles, services and members, is an affiliated member of the World Dance Council (hereinafter “the Council")

2 The IDO is a non political, non profit organization that administrates World and Continental Championships for competitors that are members of an IDO member organization. The IDO competitors are not divided in Amateur or Professional divisions but compete against each other for IDO Championships titles.

The IDO will operate as an independent organisation in support of the Council and is self funding. The function of IDO shall be to consider and debate all matters relating to competition regulations, selection of adjudicators and the granting of all world titles of all dances listed in the appendix.

The responsibility for the control of established dances that have Council/IDO recognition, must be reviewed each 4th year.

The responsibility for the control of new dances that not yet have Council/IDO recognition, must be negotiated and agreed upon before the new dance is launched.

The Council will consider and debate all matters relating to competition Regulations selecting of judges and the Granting of World and Continental titles for “Amateur medallist” competitors that are members of Council member organizations, in dances that are included in the World Dance Programme.

1 A condition of affiliation is that IDO will not have the right to vote or move proposals, but shall have the right to speak at Council meetings.

2 The IDO will pay an annual Affiliation fee to the Council determined by the Council’s Annual General Meeting.

3 Affiliation entitles IDO to up to two representatives at meetings of the Council without the right to vote on any issue.

4 The right to become a member of IDO as a professional shall be granted exclusively to professionals who are qualified professionals recognised by the Council’s member organisation of that country.

5 The Council and the IDO will encourage member organizations of the Council to become members and integration among professionals at national level.

6 The Chairman (President) of IDO is an ex officio member of the Presidium with voting rights of one (1) vote of the Council Directors.

7 In the event that the IDO cease to exist, the rights of the IDO referred to in this agreement will automatically be transferred to the Council.

Bournemouth 15th January 2006

Donnie Burns MBE Nils-Håkan Carlzon

President WD&DSC Ltd President IDO

SCHEDULE 2b: TERMS OF AFFILIATION OF AFFILIATE MEMBERS Ballroom

Dancers Federation International: Terms of Affiliation

The Ballroom Dancers' Federation International is affiliated with the World Dance Council Ltd under the following terms of Affiliation.

1 The Ballroom Dancers Federation International (hereinafter "BDFI") with its titles, services and members, is an affiliated member of the World Dance Council (hereinafter "the Council")

2 The BDFI will become part of the structure in the World Dance Sport Committee (WDSC) of the Council in a similar way to the Competitors' Commission and will retain its status as an independent, self-contained unit; this independence to be reconsidered every 2 years in a meeting between the representatives of the DSEB and the BDFI. As a commission it will represent individuals and individual opinions within the WDSC of the Council.

3 BDFI finances will remain the property of the BDFI and will remain under the BDFI's control.

4 The BDFI will continue to be responsible for its own constitution and election of officers etc. One representative of the Council will be invited to attend and speak at the AGM and ICD meetings.

5 Subscription fees will be payable by the BDFI to the Council and be of the same amount as any other affiliate member-organisation, to be decided by the AGM of the Council.

6 The BDFI will be entitled to two representatives on the Dance Sport Executive Board (DSEB) with one vote. The BDFI will be entitled to send three (3) Delegates to all meeting of the World Dance Sport Committee (WDSC). The Delegates will be entitled to speak on all agenda items but not vote.

7 The BDFI will be entitled to send three delegates to the AGM of the Council and they will have the right to address the meeting.

8 There will be no restriction on who may be a member of the BDFI and this includes Amateur members.

9 The BDFI will promote and take responsibility in registering individual professionals in the Council in order to obtain competing or adjudicating registrations for them.

SCHEDULE 3:

ANTI-DOPING RULES World Dance Council (W.D.C.)

Anti-Doping Rules

Version 1.0

June 2011

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WDC ANTI-DOPING RULES

INTRODUCTION

Preface

At the WDC Annual General meeting held on 3rd June, WDC accepted the revised (2009) World Anti-Doping *Code* (the "*Code*"). These Anti-Doping Rules are adopted and implemented in conformance with WDC's responsibilities under the *Code*, and are in furtherance of WDC's continuing efforts to eradicate doping in the competitive disciplines of dancing in all its forms.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Competitors* and other *Persons* accept these rules as a condition of participation and shall be bound by them. These sport-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore, not intended to be subject to, or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the *Code* and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

Fundamental Rationale for the Code and WDC's Anti-Doping Rules

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

Scope

These Anti-Doping Rules shall apply to WDC, each *National Federation* of WDC, and each *Participant* in the activities of WDC or any of its *National Federation*s by virtue of the *Participant's* membership, accreditation, or participation in WDC, its *National Federations*, or their activities or *Events*.
[To be eligible for participation in WDC events, a competitor must have an WDC licence issued by his or her National Federation. The WDC licence will only be issued to competitors who have personally signed the Appendix 2 consent form, in the actual form approved by the WDC Executive. All forms from under-age applicants must be counter-signed by their legal guardians.

The National Federation must guarantee that all competitors registered for a WDC Licence accept the Rules of the WDC, including these WDC Anti-Doping Rules.]

It is the responsibility of each *National Federation* to ensure that all national-level *Testing* on the *National Federation's Competitors* complies with these Anti-Doping Rules. In some countries, the *National Federation* itself will be conducting the *Doping Control* described in these Anti-Doping Rules. In other countries, many of the *Doping Control* responsibilities of the *National Federation* have been delegated or assigned by statute or agreement to a *National Anti-Doping Organization*. In those countries, references in these Anti-Doping Rules to the *National Federation* shall apply, as appropriate, to the *National Anti-Doping Organization*.
These Anti-Doping Rules shall apply to all *Doping Controls* over which WDC and its *National Federations* have jurisdiction.

ARTICLE 1 DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of these Anti-Doping Rules.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Competitors and 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:

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

2.1 The presence of a *Prohibited Substance* or its Metabolites or Markers in a competitor*'s Sample*

2.1.1 It is each *Competitor's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Competitors* 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 *Competitor's* part be demonstrated in order to establish an anti-doping violation under Article 2.1.

[Comment to Article 2.1.1: For purposes of anti-doping violations involving the presence of a Prohibited Substance (or its Metabolites or Markers), these Anti-Doping Rules adopt the rule of strict liability which was found in the Olympic Movement Anti-Doping Code ("OMADC") and the vast majority of pre-Code anti-doping rules. Under the strict liability principle, a Competitor is responsible, and an anti-doping rule violation occurs, whenever a Prohibited Substance is found in a Competitor's Sample. The violation occurs whether or not the Competitor intentionally or unintentionally used a Prohibited Substance or was negligent or otherwise at fault. If the positive Sample came from an In-Competition test, then the results of that Competition are automatically invalidated (Article 9 (Automatic Disqualification of Individual Results)). However, the Competitor then has the possibility to avoid or reduce sanctions if the Competitor can demonstrate that he or she was not at fault or significant fault (Article 10.5 (Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances)) or in certain circumstances did not intend to enhance his or her sport performance (Article 10.4 (Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances)).

The strict liability rule for the finding of a Prohibited Substance in a competitor's Sample, with a possibility that sanctions may be modified based on specified

criteria, provides a reasonable balance between effective anti-doping enforcement for the benefit of all "clean" Competitors and fairness in the exceptional circumstance where a Prohibited Substance entered a competitor's system through No Fault or Negligence or No Significant Fault or Negligence on the Competitor's part. It is important to emphasize that while the determination of whether the anti-doping rule violation has occurred is based on strict liability, the imposition of a fixed period of Ineligibility is not automatic. The strict liability principle set forth in these Anti-Doping Rules has been consistently upheld in the decisions of CAS.]

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by either of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Competitor*'s A *Sample* where the *Competitor* waives analysis of the B *Sample* and the B *Sample* is not analyzed; or, where the *Competitor*'s B *Sample* is analyzed and the analysis of the *Competitor*'s B *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Competitor*'s A *Sample*.

[Comment to Article 2.1.2: The Anti-Doping Organization with results management responsibility may in its discretion choose to have the B Sample analyzed even if the Competitor does not request the analysis of the B Sample.]

2.1.3 Excepting those 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 a competitor*'s Sample* shall constitute an anti-doping rule violation.

2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List* or *International Standards* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

2.2 *Use* or *Attempted Use* by a competitor of a *Prohibited Substance* or a *Prohibited Method*

[Comment to Article 2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the Comment to Article 3.2 (Methods of Establishing Facts and Presumptions), unlike the proof required to establish an anti-doping rule violation under Article 2.1, Use or Attempted Use may also be established by other reliable means such as admissions by the Competitor, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a Prohibited Substance under Article 2.1. For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where the Anti-Doping Organization provides a satisfactory explanation for the lack of confirmation in the other Sample.]

2.2.1 It is each *Competitor*'s personal duty to ensure that no *Prohibited Substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Competitor*'s part be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

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

[Comment to Article 2.2.2: Demonstrating the "Attempted Use" of a Prohibited Substance requires proof of intent on the Competitor's part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the strict liability principle established for violations of Article 2.1 and violations of Article 2.2 in respect of Use of a Prohibited Substance or Prohibited Method.

A competitor's "Use" of a Prohibited Substance constitutes an anti-doping rule violation unless such substance is not prohibited Out-of-Competition and the Competitor's Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition is a violation of Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers) regardless of when that substance might have been administered.)]

2.3 Refusing or failing without compelling justification to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules, or otherwise evading *Sample* collection.

[Comment to Article 2.3: Failure or refusal to submit to Sample collection after notification was prohibited in almost all pre-Code anti-doping rules. This Article expands the typical pre-Code rule to include "otherwise evading Sample collection" as prohibited conduct. Thus, for example, it would be an anti-doping rule violation if it were established that a competitor was hiding from a Doping Control official to evade notification or Testing. A violation of "refusing or failing to submit to Sample collection" may be based on either intentional or negligent conduct of the Competitor, while "evading" Sample collection contemplates intentional conduct by the Competitor.]

2.4 Violation of applicable requirements regarding *Competitor* availability for *Out-of-Competition Testing*, including failure to file required whereabouts information and missed tests which are declared based on rules which comply with the *International Standard* for *Testing*. Any combination of three missed tests and/or filing failures within an eighteen-month period as determined by *Anti-*

Doping Organizations **with jurisdiction over the** ***Competitor*** **shall constitute an anti-doping rule violation.**

[Comment to Article 2.4: Separate whereabouts filing failures and missed tests declared under the rules of WDC or any other Anti-Doping Organization with authority to declare whereabouts filing failures and missed tests in accordance with the International Standard for Testing shall be combined in applying this Article. In appropriate circumstances, missed tests or filing failures may also constitute an anti-doping rule violation under Article 2.3 or Article 2.5.]

2.5 ***Tampering*** **or** ***Attempted Tampering*** **with any part of** ***Doping Control*****.**

[Comment to Article 2.5: This Article prohibits conduct which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods. For example, altering identification numbers on a Doping Control form during Testing, breaking the B Bottle at the time of B Sample analysis or providing fraudulent information to an Anti-Doping Organization.]

2.6 ***Possession*** **of** ***Prohibited Substances*** **and** ***Methods***

2.6.1 *Possession* by a competitor *In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by a competitor *Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited *Out-of-Competition* unless the *Competitor* establishes that the *Possession* is pursuant to a therapeutic use exemption ("TUE") granted in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

2.6.2 *Possession* by a competitor *Support Personnel In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by a competitor *Support Personnel Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited *Out-of-Competition,* in connection with a competitor, *Competition* or training, unless the *Competitor Support Personnel* establishes that the *Possession* is pursuant to a TUE granted to a competitor in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

[Comment to Article 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician's prescription, e.g., buying Insulin for a diabetic child.]

[Comment to Article 2.6.2: Acceptable justification would include, for example, a team doctor carrying Prohibited Substances for dealing with acute and emergency situations.]

2.7 *Trafficking* or *Attempted Trafficking* in any *Prohibited Substance* or *Prohibited Method*.

2.8 Administration or *Attempted* administration to any *Competitor In-Competition* of any *Prohibited Method* or *Prohibited Substance*, or administration or *Attempted* administration to any *Competitor Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* that is prohibited *Out-of-Competition*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* anti-doping rule violation.

[Comment to Article 2: The Code does not make it an anti-doping rule violation for a competitor or other Person to work or associate with Competitor Support Personnel who are serving a period of Ineligibility. However, WDC may adopt its own specific policy which prohibit such conduct. [Please insert here specific rules to that effect if applicable]

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

WDC and its *National Federations* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether WDC or its *National Federation* has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *Competitor* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except as provided in Articles 10.4 and 10.6, where the *Competitor* must satisfy a higher burden of proof.

[Comment to Article 3.1: This standard of proof required to be met by WDC or its National Federation is comparable to the standard which is applied in most countries to cases involving professional misconduct. It has also been widely applied by courts and hearing panels in doping cases. See, for example, the CAS decision in N., J., Y., W. v. FINA, CAS 98/208, 22 December 1998.]

3.2 Methods of Establishing Facts and Presumptions

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

[Comment to Article 3.2: For example, WDC or its National Federation may establish an anti-doping rule violation under Article 2.2 (Use or Attempted Use of a

Prohibited Substance or Prohibited Method) based on the Competitor's admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Article 2.2, or conclusions drawn from the profile of a series of the Competitor's blood or urine Samples.]

3.2.1 *WADA*-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Competitor* 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 *Competitor* 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 WDC or its *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

[Comment to Article 3.2.1: The burden is on the Competitor or other Person to establish, by a balance of probability, a departure from the International Standard that could reasonably have caused the Adverse Analytical Finding. If the Competitor or other Person does so, the burden shifts to WDC or its National Federation to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]

3.2.2 Departures from any other *International Standard* for Laboratories or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Competitor* or other *Person* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or other anti-doping rule violation occurred, then WDC or its *National Federation* shall have the burden to establish that such a departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

3.2.3 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 *Competitor* or other *Person* to whom the decision pertained of those facts unless the *Competitor* or other *Person* establishes that the decision violated principles of natural justice.

3.2.4 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Competitor* or other *Person* who is asserted to have committed an anti-doping rule violation based on

the *Competitor's* or other *Person*'s refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions either from the hearing panel or from the *Anti-Doping Organization* asserting the anti-doping rule violation.

[Comment to Article 3.2.4: Drawing an adverse inference under these circumstances has been recognized in numerous CAS decisions.]

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

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

[Comment to Article 4.1: The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made. The Prohibited List in force is available on WADA's website at www.wada-ama.org.The Prohibited List is an integral part of the International Convention against Doping in Sport.

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

4.2.1 *Prohibited Substances* and *Prohibited Methods*

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication of the *Prohibited List* by *WADA* without requiring any further action by WDC or its *National Federations.* As described in Article 4.2 of the *Code*, WDC may request that *WADA* expand the *Prohibited List* for the competitive disciplines of dancing in all its forms. WDC may also request that *WADA* include additional substances or methods, which have the potential for abuse in the competitive disciplines of dancing in all its forms, in the monitoring program described in Article 4.5 of the *Code*. As provided in the *Code*, *WADA* shall make the final decision on such requests by WDC.

[Comment to Article 4.2.1: There will be one Prohibited List. The substances which are prohibited at all times would include masking agents and those substances which, when Used in training, may have long term performance enhancing effects such as anabolics. All substances and methods on the Prohibited List are prohibited

In-Competition. Out-of-Competition Use (Article 2.2) of a substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the substance or its Metabolites is reported for a Sample collected In-Competition (Article 2.1).

There will be only one document called the "Prohibited List." WADA may add additional substances or methods to the Prohibited List for particular sports (e.g. the inclusion of beta-blockers for shooting) but this will also be reflected on the single Prohibited List. A particular sport is not permitted to seek exemption from the basic list of Prohibited Substances (e.g. eliminating anabolics from the Prohibited List for ''mind sports"). The premise of this decision is that there are certain basic doping agents which anyone who chooses to call himself or herself a competitor should not take.]

4.2.2 Specified Substances

For purposes of the application of Article 10 (Sanctions on Individuals), all *Prohibited Substances* shall be "Specified Substances" except (a) substances in the classes of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. *Prohibited Methods* shall not be Specified Substances.

[Comment to Article 4.2.2: In drafting the Code there was considerable debate among stakeholders over the appropriate balance between inflexible sanctions which promote harmonization in the application of the rules and more flexible sanctions which better take into consideration the circumstances of each individual case. This balance continued to be discussed in various CAS decisions interpreting the Code. After three years experience with the Code, the strong consensus of stakeholders is that while the occurrence of an anti-doping rule violation under Articles 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers) and 2.2 (Use of a Prohibited Substance or Prohibited Method) should still be based on the principle of strict liability, the Code sanctions should be made more flexible where the Competitor or other Person can clearly demonstrate that he or she did not intend to enhance sport performance. The change to Article 4.2 and related changes to Article 10 provide this additional flexibility for violations involving many Prohibited Substances. The rules set forth in Article 10.5 (Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances) would remain the only basis for eliminating or reducing a sanction involving anabolic steroids and hormones, as well as the stimulants and the hormone antagonists and modulators so identified on the Prohibited List, or Prohibited Methods.]

4.3 Criteria for Including Substances and Methods on the *Prohibited List*

As provided in Article 4.3.3 of the *Code*, *WADA's* determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* is final and shall not be subject to challenge by a competitor 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.

[Comment to Article 4.3: The question of whether a substance meets the criteria in Article 4.3 (Criteria for Including Substances and Methods on the Prohibited List) in a particular case cannot be raised as a defense to an anti-doping rule violation. For example, it cannot be argued that the Prohibited Substance detected would not have been performance enhancing in that particular sport. Rather, doping occurs when a substance on the Prohibited List is found in a competitor's Sample. Similarly, it cannot be argued that a substance listed in the class of anabolic agents does not belong in that class.]

4.4 Therapeutic Use

4.4.1 *Competitors* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a TUE. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 2.1), *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (Article 2.2), *Possession* of *Prohibited Substances* or *Prohibited Methods* (Article 2.6) or Administration or *Attempted* Administration of a *Prohibited Substance* or *Prohibited Method* (Article 2.8) consistent with the provisions of an applicable TUE issued pursuant to the *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

4.4.2 *Competitors* included by WDC in its *Registered Testing Pool* and other *Competitors* participating in an *International Event* identified by WDC must obtain a TUE from or recognized by the WDC. The application for a TUE must be made as soon as possible (in the case of a competitor in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 30 days before the *Competitor's* participation in the *Event*. TUE granted by WDC shall be reported to the *Competitor's National Federation,* and to *WADA through ADAMS*.

4.4.3 *Competitors* who are not included by WDC in its *Registered Testing Pool* and/or who do not participate in an *International Event* identified by WDC must obtain a TUE from their *National Anti-Doping Organization* or other body designated by their *National Federation*, as required under the rules of the *National Anti-Doping Organization* or the *National Federation*. The application for a TUE must be made as soon as possible (in the case of a competitor in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later

than 30 days before the *Competitor's* participation in the *Event*. *National Federations* shall promptly report any such TUE to WDC, and *WADA through ADAMS*.

4.4.4 WDC shall appoint a panel to consider requests for TUE's (the "TUE Panel") in accordance with the *International Standard* for Therapeutic Use Exemptions. The TUE Panel member(s) shall promptly evaluate the request in accordance with the *International Standard* for Therapeutic Use Exemptions and render a decision on such request, which shall be the final decision of WDC.

4.4.5 *WADA*, on its own initiative, may review at any time the granting of a *TUE* to any *International-Level Competitor* or competitor entered in a international event for which a TUE pursuant to the International Federation's rules is required or national-level *Competitor* who is included in his or her *National Anti-Doping Organization or National Federation*'s *Registered Testing Pool*. Further, upon any request of any such *Competitor* who has been denied a *TUE*, *WADA* may review such denial. If *WADA* determines that such granting or denial of a TUE did not comply with the *International Standard* for Therapeutic Use Exemptions, *WADA* may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 13.

ARTICLE 5 *TESTING*

5.1 Authority to *Test*

All *Competitors* under the jurisdiction of a *National Federation* shall be subject to *Testing* by WDC, the *Competitor's National Federation*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Competitors* under the jurisdiction of a *National Federation*, including *Competitors* serving a period of ineligibility or a *Provisional Suspension*, shall be subject to *Testing* at any time or place, with or without advance notice, *In-Competition* or *Out-of-Competition* by WDC, *WADA,* the *Competitor's National Federation*, the *National Anti-Doping Organization* of any country where the *Competitor* is present or of which the *Competitor* is national, resident, licence-holder or member of a sport organization, the IOC in connection with the Olympic Games, the IPC in connection with Paralympic Games, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate.

All *Competitor*s must comply with any request for *Testing* by any *Anti-Doping Organization* with *Testing* jurisdiction.

5.2 Test Distribution Plan

In coordination with other *Anti-Doping Organization*s conducting *Testing* on the same *Competitor*s, and consistent with the *International Standard* for *Testing,* WDC and its *National Federations* shall:

5.2.1 Plan and conduct an effective number of *In-Competition* and *Out-of-Competition* tests on *Competitor*s over whom they have jurisdiction, including but not limited to *Competitor*s in their respective *Registered Testing Pools*.

5.2.2 Except in exceptional circumstances all *Out-of-Competition Testing* shall be *No Advance Notice*.

5.2.3 Make *Target Testing* a priority.

5.2.4 Conduct *Testing* on *Competitor*s serving a period of *Ineligibility* or a *Provisional Suspension.*

[Comment to Article 5.2.3: Target Testing is specified because random Testing, or even weighted random Testing, does not ensure that all of the appropriate Competitors will be tested (e.g., world-class Competitors, Competitors whose performances have dramatically improved over a short period of time, Competitors whose coaches have had other Competitors test positive, etc.). Obviously, Target Testing must not be used for any purposes other than legitimate Doping Control. These anti-doping rules make it clear that Competitors have no right to expect that they will be tested only on a random basis. Similarly, they do not impose any reasonable suspicion or probable cause requirement for Target Testing]

5.3 Standards for *Testing*

Testing conducted by WDC and its *National Federations* shall be in substantial conformity with the *International Standard* for *Testing* in force at the time of *Testing*.

5.3.1 Blood (or other non-urine) *Samples* may be used to detect *Prohibited Substances* or *Prohibited Methods*, for screening procedure purposes, or for longitudinal hematological profiling ("the passport").

5.4 Coordination of *Testing*

5.4.1 *Event Testing*

The collection of *Sample*s for *Doping Control* shall take place at both *International Event*s and *National Event*s. However, except as otherwise provided below, only a single organization should be responsible for initiating and directing *Testing* during the *Event Period*. At *International Event*s, the collection of *Doping Control Sample*s shall be initiated and directed by the international organization which is the ruling body for the *Event* (e.g., the International Olympic Committee for the Olympic Games, WDC for a World Championship, and Pan-American Sports Organisation for the Pan American Games). At *National Event*s, the collection of *Doping Control Sample*s shall be initiated and directed by the designated *National Anti-Doping Organization* or *National Federation* of that country.

5.4.1.1 If WDC or its *National Federations* nevertheless desires to conduct additional *Testing* of *Competitor*s at an *Event* for which they are not responsible for initiating and directing *Testing* during the *Event Period*, WDC or its *National Federations* shall first confer with the ruling body of the *Event* to obtain permission to conduct, and to coordinate, any additional *Testing.* If WDC or its *National Federations* are not satisfied with the response from the ruling body of the *Event*, WDC or its *National Federations* may ask *WADA* for permission to conduct additional *Testing* and to determine how to coordinate such additional *Testing*.

[Comment to Article 5.4.1.1: The Anti-Doping Organization "initiating and directing Testing" may, if it chooses, enter into agreements with other organizations to which it delegates responsibility for Sample collection or other aspects of the Doping Control process.]

5.4.2 *Out-of-Competition Testing*

Out-of-Competition Testing shall be initiated and directed by both international and national organizations. *Out-of-Competition Testing* may be initiated and directed by: (a) *WADA*; (b) the International Olympic Committee or International Paralympic Committee in connection with the Olympic Games or Paralympic Games; (c) WDC or the *Competitor*'s *National Federation*; or (d) any other *Anti-Doping Organization* that has *Testing* jurisdiction over the *Competitor* as provided in Article 5.1 (Authority to Test). *Out-of-Competition Testing* shall be coordinated through *ADAMS* where reasonably feasible in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing* of individual *Competitor*s.

[Comment to Article 5.4.2: Additional authority to conduct Testing may be authorized by means of bilateral or multilateral agreements among Signatories and governments.]

5.4.3 *Report*

WDC and *National Federations* shall promptly report completed tests through the *WADA* clearinghouse in accordance with article 14.5 to avoid unnecessary duplication in *Testing*.

5.5 *Competitor* Whereabouts Requirements

5.5.1 WDC shall identify a *Registered Testing Pool* of those *Competitors* who are required to comply with the whereabouts requirements of the *International Standard* for *Testing*, and shall publish the criteria for *Competitors* to be included in this *Registered*

Testing Pool as well as a list of the *Competitors* meeting those criteria for the period in question. WDC shall review and update as necessary its criteria for including *Competitors* in its *Registered Testing Pool*, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. Each *Competitor* in the *Registered Testing Pool* (a) shall advise WDC of his/her whereabouts on a quarterly basis, in the manner set out in Article 11.3 of the *International Standard* for *Testing*; (b) shall update that information as necessary, in accordance with Article 11.4.2 of the *International Standard* for *Testing*, so that it remains accurate and complete at all times; and (c) shall make him/herself available for Testing at such whereabouts, in accordance with Article 11.4 of the *International Standard* for *Testing*.

[*Comment to Article 5.5.1: The purpose of the WDC Registered Testing Pool is to identify top-level International Competitors who the WDC requires to provide whereabouts information to facilitate Out-of-Competition Testing by WDC and other Anti-Doping Organizations with jurisdiction over the Competitors. WDC will identify such Competitors in accordance with the requirements of Articles 4 and 11.2 of the International Standard for Testing.*

Examples for the criteria which could be used separately or in combination include:

▪
[All medalists] [team members of Team medalists] from the previous [one][two] [world championships][continental championships][Olympic Games] [top 10][top 20] competitors in each discipline or [top 50] in World Ranking or World Cup.
▪
Any competitor whose performance (time or distance) is better than or equal to the fiftiest best performances in the preceding competition year.
▪
[All competitors who are members of the [top 8] teams in the Team Ranking]

Every National Federation shall report to WDC [the performances, names and addresses of all Competitors whose performances fall within the Registered Testing Pool criteria established by WDC].]

5.5.2 A competitor*'s* failure to advise WDC of his/her whereabouts shall be deemed a filing failure for purposes of Article 2.4 where the conditions of Article 11.3.5 of the *International Standard* for *Testing* are met.

5.5.3 A competitor*'s* failure to be available for *Testing* at his/her declared whereabouts shall be deemed a missed test for purposes of Article 2.4 where the conditions of Article 11.4.3 of the *International Standard* for *Testing* are met.

5.5.4 Each *National Federation* shall also assist its *National Anti-Doping Organization* in establishing a national level *Registered Testing*

Pool of top level national *Competitors* to whom the whereabouts requirements of the *International Standard* for *Testing* shall also apply. Where those *Competitors* are also in the WDC's *Registered Testing Pool*, the WDC and the *National Anti-Doping Organization* will agree (with the assistance of *WADA* if required) on which of them will take responsibility for receiving whereabouts filings from the *Competitor* and sharing it with the other (and with other *Anti-Doping Organizations*) in accordance with Article 5.5.5.

5.5.5 Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with *WADA* and other *Anti-Doping Organizations* having jurisdiction to test a competitor in accordance with Articles 11.7.1(d) and 11.7.3(d) of the *International Standard* for *Testing*, including the strict condition that it be used only for *Doping Control* purposes.

5.6 Retirement and Return to Competition

5.6.1 A competitor who has been identified by WDC for inclusion in WDC's *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the *International Standard* for *Testing* unless and until the *Competitor* gives written notice to WDC that he or she has retired or until he or she no longer satisfies the criteria for inclusion in WDC's *Registered Testing Pool* and has been so informed by WDC.

5.6.2 A competitor who has given notice of retirement to WDC may not resume competing unless he or she notifies WDC at least six months before he or she expects to return to competition and makes him/herself available for unannounced *Out-of-Competition Testing*, including (if requested) complying with the whereabouts requirements of the *International Standard* for *Testing*, at any time during the period before actual return to competition.

5.6.3 *National Federations/National Anti-Doping Organizations* may establish similar requirements for retirement and returning to competition for *Competitors* in the national *Registered Testing Pool*.

5.7 Selection of *Competitors* to be *Tested*

5.7.1 At *International Events*, WDC shall determine the number of finishing placement tests, random tests and target tests to be performed.

WDC shall target a certain number of competitors not necessarily linked to final placements in order to maximize the diversity of competitors tested or based on information provided by the WADA Clearinghouse on previous tests.

5.7.2 At *National Events*, each *National Federation* shall determine the number of Competitors selected for *Testing* in each *Competition* and the procedures for selecting the *Competitors* for *Testing*.

5.7.3 In addition to the selection procedures set forth in Articles 5.7.1 and 5.7.2 above, WDC at *International Events*, and the *National Federation* at *National Events*, may also select *Competitors* or teams for *Target Testing* so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.

5.7.4 *Competitors* shall be selected for *Out-of-Competition Testing* by the WDC and by *National Federations* through a process that substantially complies with the *International Standard* for *Testing* in force at the time of selection.

5.8 WDC and the organizing committees for WDC *Events*, as well as the *National Federations* and the organizing committees for *National Federation Events,* shall provide access to independent observers at *Events* in accordance with the *Independent Observers Program*.

5.9 A competitor who is not regular member of WDC or one of its *National Federations* will not be permitted to compete unless he or she is available for *Sample* collection and where applicable, he/she provides accurate and up-to-date whereabouts information as part of the WDC's a National Federation's *Registered Testing Pool* at least [three months] [two months] [one month] before he or she expects to compete.

ARTICLE 6 ANALYSIS OF *SAMPLES*

Doping Control Samples collected under these Anti-Doping Rules shall be analyzed in accordance with the following principles:

6.1 Use of Approved Laboratories

For purposes of Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*), WDC or its *National Federations* shall send *Samples* for analysis only to *WADA*-accredited laboratories or as otherwise approved by *WADA*. The choice of the *WADA*-accredited laboratory (or other laboratory or method approved by *WADA*) used for the *Sample* analysis shall be determined exclusively by WDC or its *National Federations*.

[Comment to Article 6.1: Violations of Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers) may be established only by Sample analysis performed by a WADA-approved laboratory or another laboratory specifically authorized by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

6.2 Purpose of Collection and Analysis of *Samples*

Samples shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by *WADA* pursuant to the Monitoring Program described in Article 4.5 of the *Code* or to assist WDC or its *National Federations* in profiling relevant parameters in a competitor's urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

[Comment to Article 6.2: For example, relevant profile information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 2.2 (Use or Attempted Use of a Prohibited Substance), or both.]

6.3 Research on *Samples*

No *Sample* may be used for any purpose other than as described in Article 6.2 without the *Competitor's* written consent. *Samples* used (with the Competitor's consent) for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular *Competitor*.

6.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyze *Doping Control Samples* and report results in conformity with the *International Standard* for Laboratories.

6.5 Retesting *Samples*

A *Sample* may be reanalyzed for the purposes described in Article 6.2 at any time exclusively at the direction of the *Anti-Doping Organization* that collected the *Sample* or *WADA*. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *International Standard* for Laboratories.

[Comment to Article 6.5: Although this Article is new, Anti-Doping Organizations have always had the authority to reanalyze Samples. The International Standard for Laboratories or a new technical document which is made a part of the International Standard will harmonize the protocol for such retesting.]

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests Initiated by WDC

Results management for tests initiated by WDC (including tests performed by *WADA* pursuant to agreement with WDC) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to WDC in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in confidentiality and in conformity with *ADAMS*, a database management tool developed by

WADA. *ADAMS* is consistent with data privacy statutes and norms applicable to *WADA* and other organizations using it.

7.1.2 Upon receipt of an A *Sample Adverse Analytical Finding*, WDC shall conduct an initial review to determine whether: (a) an applicable *TUE* has been granted or will be granted as provided in the *International Standard* for Therapeutic Use Exemptions, or (b) there is any apparent departure from the *International Standard* for *Testing* or *International Standard* for Laboratories that caused the *Adverse Analytical Finding*.

> [**7.1.2.1** [NOTE: this provision is an example of a possible WDC internal structure] The WDC Executive shall appoint a Doping Review Panel consisting of a Chair and [8][4][2] other members with experience in anti-doping. Each panel member shall serve a term of four years. In each case the Chair of the panel shall appoint 1 or more members of the panel (which may include the Chair) to conduct the review discussed in Articles 7.1.2 and 7.1.8 and to review any other potential violations of these Anti-Doping Rules as may be requested by WDC.]

7.1.3

If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable *TUE* or entitlement to a *TUE* as provided in the *International Standard* for Therapeutic Use Exemptions, or departure that caused the *Adverse Analytical Finding*, WDC shall promptly notify the Competitor, in the manner set out in Article 19, of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated; (c) the *Competitor*'s right to promptly request the analysis of the B *Sample* or, failing such request, that the B *Sample* analysis may be deemed waived; (d) the scheduled date, time and place for the B *Sample* analysis if the *Competitor* or WDC chooses to request an analysis of the B *Sample*; (e) the opportunity for the *Competitor* and/or the *Competitor*'s representative to attend the B *Sample* opening and analysis within the time period specified in the *International Standard* for Laboratories if such analysis is requested; and (f) the *Competitor*'s right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the *International Standard* for Laboratories. WDC shall also notify the *Competitor*'s *National Anti-Doping Organization* and *WADA*. If WDC decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Competitor*, the *Competitor*'s *National Anti-Doping Organization* and *WADA*.

7.1.4 Where requested by the *Competitor* or WDC, arrangements shall be made for *Testing* the B *Sample* within the time period specified in the *International Standard* for *Laboratories*. A competitor may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. WDC may nonetheless elect to proceed with the B *Sample* analysis.

7.1.5 The *Competitor* and/or his representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard* for Laboratories. Also a representative of the *Competitor*'s *National Federation* as well as a representative of WDC shall be allowed to be present.

7.1.6 If the B *Sample* proves negative, then (unless WDC takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Competitor*, his *National Federation*, and WDC shall be so informed.

7.1.7 If a *Prohibited Substance* or the *Use* of a *Prohibited Method* is identified, the findings shall be reported to the *Competitor*, his *National Federation*, WDC, and to *WADA*.

7.1.8 WDC shall conduct any follow-up investigation into a possible anti-doping rule violation not covered by Articles 7.1.1 to 7.1.8. At such time as WDC is satisfied that an anti-doping rule violation has occurred, it shall promptly give the *Competitor* or other *Person* subject to sanction notice, in the manner set out in Article 19, of the anti-doping rule violated, and the basis of the violation. WDC shall also notify the *Competitor*'s *National Anti-Doping Organization* and *WADA*.

7.2 Review of Atypical Findings

7.2.1 As provided in the *International Standards*, in some circumstances laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously as *Atypical Findings* subject to further investigation.

7.2.2 Upon receipt of an A *Sample Atypical Finding*, WDC shall conduct an initial review to determine whether: (a) an applicable *TUE* has been granted, or (b) there is any apparent departure from the *International Standard* for *Testing* or *International Standard* for Laboratories that caused the *Atypical Finding.*

7.2.3 If the initial review of an *Atypical Finding* under Article 7.2.2 reveals an applicable TUE or departure from the *International Standard* for *Testing* or the *International Standard* for Laboratories that caused the *Atypical Finding*, the entire test shall be considered negative and the *Competitor*, the *Competitor*'s *National Anti-Doping Organization*, and *WADA* shall be so informed.

7.2.4 If that initial review does not reveal an applicable *TUE* or departure that caused the *Atypical Finding*, WDC shall conduct the required investigation. After the investigation is completed, the *Competitor, WADA* and the *Competitor*'s *National Anti-Doping Organization* shall be notified whether or not the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*. The *Competitor* shall be notified as provided in Article 7.1.3.

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

(a) If WDC determines the B *Sample* should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the B *Sample* analysis after notifying the *Competitor*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.1.3(b) to (f).

(b) If WDC receives a request, either from a *Major Event Organization* shortly before one of its *International Events* or a request from a sport organization responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Competitor* identified on a list provided by the *Major Event Organization* or sport organization has a pending *Atypical Finding*, WDC shall so identify any such *Competitor* after first providing notice of the *Atypical Finding* to the *Competitor.*

7.3 Results Management for *Tests* Initiated During Other *International Events*

Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a Major Event Organization, shall be managed, as far as sanctions beyond Disqualification from the Event or the results of the Event, by WDC.

7.4 Results Management for *Tests* initiated by *National Federations*

Results management conducted by *National Federations* shall be consistent with the general principles for effective and fair results management which are underlined in the detailed provisions set forth in this Article 7. *Adverse Analytical findings*, *Atypical Findings* and other asserted violations of anti-doping rules shall be reported by *National Federations* in accordance with the principles outlined in this Article 7 to the *Competitor*'s *National Anti-Doping Organization,* WDC and *WADA* no later than the completion of the *National Federation's* results management process. Any apparent anti-doping rule violation by a competitor who is a member of that *National Federation* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *National Federation, National Anti-Doping Organization* or national law. Apparent anti-doping rule violations by *Competitors* who are members of another *National Federation* shall be referred to the WDC for hearing.

7.5 Results Management for Whereabouts Violations

7.5.1 Results management in respect of an apparent *Filing Failure* by a competitor in WDC's *Registered Testing Pool* shall be conducted by WDC in accordance with Article 11.6.2 of the *International Standard* for *Testing* (unless it has been agreed in accordance with Article 5.5.4 that

the *National Federation* or *National Anti-Doping Organization* shall take such responsibility).

7.5.2 Results management in respect of an apparent Missed Test by a competitor in WDC's *Registered Testing Pool* as a result of an attempt to test the *Competitor* by or on behalf of WDC shall be conducted by WDC in accordance with Article 11.6.3 of the *International Standard* for Testing. Results management in respect of an apparent Missed Test by such *Competitor* as a result of an attempt to test the *Competitor* by or on behalf of another *Anti-Doping Organization* shall be conducted by that other *Anti-Doping Organization* in accordance with Article 11.7.6(c) of the *International Standard* for *Testing*.

7.5.3 Where, in any eighteen-month period, a competitor in WDC's *Registered Testing Pool* is declared to have three Filing Failures, or three Missed Tests, or any combination of Filing Failures or Missed Tests adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other *Anti-Doping Organization*, WDC shall bring them forward as an apparent anti-doping rule violation.

7.6 *Provisional Suspensions*

7.6.1 If analysis of an A *Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a Specified Substance, and a review in accordance with Article 7.1.2 does not reveal an applicable TUE or departure from the *International Standard* for *Testing* or the *International Standard* for Laboratories that caused the *Adverse Analytical Finding*, a *Provisional Suspension* shall be imposed promptly after the review and notification described in Article 7.1.

7.6.2 In any case not covered by Article 7.6.1 where WDC decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, a *Provisional Suspension* may be imposed after the review and notification described in Article 7.1, but prior to the analysis of the *Competitor*'s B *Sample* or the final hearing as described in Article 8 (Right to a Fair Hearing).

7.6.3 However, a *Provisional Suspension* may not be imposed, whether pursuant to Article 7.6.1 or Article 7.6.2, unless the *Competitor* or other *Person*is given either (a) an opportunity for a *Provisional Hearing* either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 (Right to a Fair Hearing) on a timely basis after imposition of a *Provisional Suspension. National Federations* shall impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.6.

7.6.4 If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and a subsequent B *Sample* analysis (if requested by the *Competitor* or *Anti-Doping Organization*) does not

confirm the A *Sample* analysis, then the *Competitor* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 of the *Code* (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers)*. In circumstances where the *Competitor* (or the *Competitor's* team as may be provided in these anti-doping rules) has been removed from a *Competition* based on a violation of Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, if, without otherwise affecting the *Competition*, it is still possible for the *Competitor* or team to be reinserted, the *Competitor* or team may continue to take part in the *Competition*.

[Comment to Article 7.6: Before a Provisional Suspension can be unilaterally imposed by an Anti-Doping Organization, the internal review specified in the Code must first be completed. In addition, a Signatory imposing a Provisional Suspension is required to give the Competitor an opportunity for a Provisional Hearing either before or promptly after the imposition of the Provisional Suspension, or an expedited final hearing under Article 8 promptly after imposition of the Provisional Suspension. The Competitor has a right to appeal under Article 13.2.

In the rare circumstance where the B Sample analysis does not confirm the A Sample finding, the Competitor who had been provisionally suspended will be allowed, where circumstances permit, to participate in subsequent Competitions during the Event. Similarly, depending upon the relevant rules of the International Federation in a Team Sport, if the team is still in Competition, the Competitor may be able to take part in future Competitions.

Competitors shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed as provided in Article 10.9.3.]

7.7 Retirement from Sport

If a competitor or other *Person* retires while a results management process is underway, WDC or its *National Federations* conducting the results management process retains jurisdiction to complete its results management process. If a competitor or other *Person* retires before any results management process has begun and WDC or its *National Federations* would have had results management jurisdiction over the *Competitor* or other *Person* at the time the *Competitor* or other *Person* committed an anti-doping rule violation, WDC or its *National Federations* have jurisdiction to conduct results management.

[Comment to Article 7.7: Conduct by a competitor or other Person before the Competitor or other Person was subject to the jurisdiction of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Competitor or other Person membership in a sports organization.]

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings following WDC's result management

8.1.1 When it appears, following the Results Management process performed by WDC in accordance with Article 7, that these Anti-Doping Rules have been violated then the case shall be assigned to the WDC Doping Hearing Panel, the WDC Disciplinary Committee for adjudication.

8.1.2 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7. Hearings held in connection with *Events* may be conducted on an expedited basis. If the *Competitor* has been imposed a *Provisional Suspension* as per Article 7.6, the *Competitor* has the right to request that the hearing be conducted on an expedited basis.

[Comment to Article 8.1.2: For example, a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Competitor's eligibility to participate in the Event or during an Event where the resolution of the case will affect the validity of the Competitor's results or continued participation in the Event.]

8.1.3 The *National Federation* of the *Competitor* or other *Person* alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.

8.1.4 WDC shall keep WADA fully apprised as to the status of pending cases and the result of all hearings.

8.1.5 A competitor or other *Person* may forego a hearing by acknowledging the Anti-Doping Rule violation and accepting *Consequences* consistent with Articles 9 and 10 as proposed by WDC. The right to a hearing may be waived either expressly or by the *Competitor*'s or other *Person*'s failure to challenge WDC's assertion that an anti-doping rule violation has occurred within 6 months. Where no hearing occurs, WDC shall submit to the *Persons* described in Article 13.2.3 a reasoned decision explaining the action taken.

8.1.6 Decisions of the WDC Doping Hearing Panel, the WDC Disciplinary Committee may be appealed to the Court of Arbitration for Sport as provided in Article 13.

8.2 Hearings following National Federations result management

8.2.1 When it appears, following the Results Management process performed by National Federations in accordance with Article 7, that these Anti-Doping Rules have been violated in connection, the

Competitor or other *Person* involved shall be brought before a disciplinary panel of the *Competitor* or other *Person's National Federation* or *National Anti-Doping Organization* in accordance with the rules of the *National Federation* or the *National Anti-Doping Organization* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what *Consequences* should be imposed.

8.2.2 Hearings pursuant to this Article 8.2 shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with *Events* may be conducted by an expedited process. If the *Competitor* has been imposed a *Provisional Suspension* as per Article 7.6, the *Competitor* has the right to request that the hearing be conducted on an expedited basis. If the completion of the hearing is delayed beyond three months, WDC may elect to bring the case directly before the WDC Doping Hearing Panel, the WDC Disciplinary Board at the responsibility and at the expense of the *National Federation*.

8.2.3 *National Federations* shall keep WDC and *WADA* fully apprised as to the status of pending cases and the results of all hearings.

8.2.4 WDC and *WADA* shall have the right to attend hearings as an observer.

8.2.5 The *Competitor* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *National Federation*. The right to a hearing may be waived either expressly or by the *Competitor*'s or other *Person*'s failure to challenge the *National Federation*'s assertion that an anti-doping rule violation has occurred within 6 months. Where no hearing occurs, the *National Federation* shall submit to the *Persons* described in Article 13.2.3 a reasoned decision explaining the action taken.

8.2.6 Decisions by *National Federations* or *National Anti-Doping Organizations*, whether as the result of a hearing or the *Competitor* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.

8.3 Principles for a Fair Hearing

All hearings pursuant to either Article 8.1 or 8.2 shall respect the following principles:

- a timely hearing;
- fair and impartial hearing panel;

- the right to be represented by counsel at the *Person*'s own expense;
- the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);
- the *Person*'s right to an interpreter at the hearing, with the hearing panel to determine the identity, and responsibility for the cost of the interpreter; and
- a timely, written, reasoned decision, specifically including an explanation of the reason(s) for any period of *Ineligibility*.]

ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS

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

[Comment to Article 9: When a competitor wins a gold medal with a Prohibited Substance in his or her system, that is unfair to the other Competitors in that Competition regardless of whether the gold medalist was at fault in any way. Only a "clean" Competitor should be allowed to benefit from his or her competitive results.
For Team Sports, see Article 11 (Consequences to Teams).

ARTICLE 10 SANCTIONS ON INDIVIDUALS

10.1 *Disqualification* of Results in *Event* During which an *Anti-Doping Rule* Violation Occurs

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

[Comment to Article 10.1: Whereas Article 9 (Automatic Disqualification of Individual Results) Disqualifies the result in a single Competition in which the

Competitor tested positive, this Article may lead to Disqualification of all results in all races during the Event. Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the severity of the Competitor's anti-doping rule violation and whether the Competitor tested negative in the other Competitions.]

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

10.2 *Ineligibility* for Presence, *Use* or *Attempted Use*, or *Possession* of *Prohibited Substances* and *Prohibited Methods*

The period of *Ineligibility* imposed for a violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use* or *Attempted Use* of *Prohibited Substance* or *Prohibited Method*) or Article 2.6 (*Possession* of *Prohibited Substances* and *Prohibited Methods*) shall be as follows, unless the conditions for eliminating or reducing the period of *Ineligibility*, as provided in Articles 10.4 and 10.5, or the conditions for increasing the period of *Ineligibility*, as provided in Article 10.6, are met:

First violation: Two (2) years' *Ineligibility*.

[Comment to Article 10.2: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Competitors are professionals making a sizable income from the sport and in others the Competitors are true amateurs; in those sports where a competitor's career is short (e.g., artistic gymnastics) a two year Disqualification has a much more significant effect on the Competitor than in sports where careers are traditionally much longer (e.g., equestrian and shooting); in Individual Sports, the Competitor is better able to maintain competitive skills through solitary practice during Disqualification than in other sports where practice as part of a team is more important. A primary argument in favor of harmonization is that it is simply not right that two Competitors from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting organizations to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between IFs and National Anti-Doping Organizations.]

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

The period of *Ineligibility* for violations of these Anti-Doping Rules other than as provided in Article 10.2 shall be as follows:

10.3.1 For violations of Article 2.3 (Refusing or Failing to Submit to *Sample* collection) or Article 2.5 (*Tampering* with *Doping Control*), the *Ineligibility* period shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in Article 10.6, are met.

10.3.2 For violations of Article 2.7 (*Trafficking*) or Article 2.8 (Administration or *Attempted* Administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* unless the conditions provided in Article 10.5 are met. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Competitor Support Personnel* for violations other than Specified Substances referenced in Article 4.2.2 shall result in lifetime *Ineligibility* for *Competitor Support Personnel*. In addition, significant violations of Articles 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

[Comment to Article 10.3.2: Those who are involved in doping Competitors or covering up doping should be subject to sanctions which are more severe than the Competitors who test positive. Since the authority of sport organizations is generally limited to Ineligibility for credentials, membership and other sport benefits, reporting Competitor Support Personnel to competent authorities is an important step in the deterrence of doping.]

10.3.3 For violations of Article 2.4 (Whereabouts Filing Failures and/ or Missed Tests), the period of *Ineligibility* shall be at a minimum one (1) year and at a maximum two (2) years based on the *Competitor*'s degree of fault.

[Comment to Article 10.3.3: The sanction under Article 10.3.3 shall be two years where all three filing failures or missed tests are inexcusable. Otherwise, the sanction shall be assessed in the range of two years to one year, based on the circumstances of the case.]

10.4 Elimination or Reduction of the Period of *Ineligibility* for Specified Substances under Specific Circumstances

Where a competitor or other *Person* can establish how a Specified Substance entered his or her body or came into his or her *Possession* and that such Specified Substance was not intended to enhance the *Competitor*'s sport

performance or mask the *Use* of a performance-enhancing substance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) years of *Ineligibility*.

To justify any elimination or reduction, the *Competitor* or other *Person* must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or mask the *Use* of a performance enhancing substance. The *Competitor*'s or other *Person*'s degree of fault shall be the criterion considered in assessing any reduction of the period of *Ineligibility*.

[Comment to Article 10.4: Specified Substances as now defined in Article 4.2.2 are not necessarily less serious agents for purposes of sports doping than other Prohibited Substances (for example, a stimulant that is listed as a Specified Substance could be very effective to a competitor in competition); for that reason, a competitor who does not meet the criteria under this Article would receive a two-year period of Ineligibility and could receive up to a four-year period of Ineligibility under Article 10.6. However, there is a greater likelihood that Specified Substances, as opposed to other Prohibited Substances, could be susceptible to a credible, non-doping explanation.

This Article applies only in those cases where the hearing panel is comfortably satisfied by the objective circumstances of the case that the Competitor in taking or Possessing a Prohibited Substance did not intend to enhance his or her sport performance. Examples of the type of objective circumstances which in combination might lead a hearing panel to be comfortably satisfied of no performance-enhancing intent would include: the fact that the nature of the Specified Substance or the timing of its ingestion would not have been beneficial to the Competitor; the Competitor's open Use or disclosure of his or her Use of the Specified Substance; and a contemporaneous medical records file substantiating the non-sport-related prescription for the Specified Substance. Generally, the greater the potential performance-enhancing benefit, the higher the burden on the Competitor to prove lack of an intent to enhance sport performance.

While the absence of intent to enhance sport performance must be established to the comfortable satisfaction of the hearing panel, the Competitor may establish how the Specified Substance entered the body by a balance of probability.

In assessing the Competitor's or other Person's degree of fault, the circumstances considered must be specific and relevant to explain the Competitor's or other Person's departure from the expected standard of behavior. Thus, for example, the fact that a competitor would lose the opportunity to earn large sums of money during a period of Ineligibility or the fact that the Competitor only has a short time left in his or her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of Ineligibility under this Article. It is anticipated that the period of Ineligibility will be eliminated entirely in only the most exceptional cases.]

10.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances

10.5.1 *No Fault or Negligence*

If a competitor establishes in an individual case that he or she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in a competitor*'s Sample* in violation of Article 2.1 (Presence of *Prohibited Substance*), the *Competitor* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.7.

10.5.2 *No Significant Fault or Negligence*

If a competitor or other *Person* establishes in an individual case that he or she bears *No Significant Fault or Negligence,* then the otherwise applicable period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight (8) years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in a competitor*'s Sample* in violation of Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*), the *Competitor* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

[Comment to Articles 10.5.1 and 10.5.2: WDC's Anti-Doping Rules provide for the possible reduction or elimination of the period of Ineligibility in the unique circumstance where the Competitor can establish that he or she had No Fault or Negligence, or No Significant Fault or Negligence, in connection with the violation. This approach is consistent with basic principles of human rights and provides a balance between those Anti-Doping Organizations that argue for a much narrower exception, or none at all, and those that would reduce a two year suspension based on a range of other factors even when the Competitor was admittedly at fault. These Articles apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. Article 10.5.2 may be applied to any anti-doping rule violation even though it will be especially difficult to meet the criteria for a reduction for those anti-doping rule violations where knowledge is an element of the violation.

Articles 10.5.1 and 10.5.2 are meant to have an impact only in cases where the circumstances are truly exceptional and not in the vast majority of cases.

To illustrate the operation of Article 10.5.1, an example where No Fault or Negligence would result in the total elimination of a sanction is where a competitor could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, a sanction could not be completely eliminated on the basis of No Fault or Negligence in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Competitors are responsible for what they ingest (Article 2.1.1) and have been warned against the possibility of supplement contamination); (b) the administration of a Prohibited Substance by the Competitor's personal physician or trainer without disclosure to the Competitor (Competitors are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Competitor's food or drink by a spouse, coach or other Person within the Competitor's circle of associates (Competitors are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction based on No Significant Fault or Negligence. (For example, reduction may well be appropriate in illustration (a) if the Competitor clearly establishes that the cause of the positive test was contamination in a common multiple vitamin purchased from a source with no connection to Prohibited Substances and the Competitor exercised care in not taking other nutritional supplements.)

For purposes of assessing the Competitor's or other Person's fault under Articles 10.5.1 and 10.5.2, the evidence considered must be specific and relevant to explain the Competitor's or other Person's departure from the expected standard of behavior. Thus, for example the fact that a competitor would lose the opportunity to earn large sums of money during a period of Ineligibility or the fact that the Competitor only has a short time left in his or her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of Ineligibility under this Article.

While Minors are not given special treatment per se in determining the applicable sanction, certainly youth and lack of experience are relevant factors to be assessed in determining the Competitor's or other Person's fault under Article 10.5.2, as well as Articles 10.3.3, 10.4 and 10.5.1.

Article 10.5.2 should not be applied in cases where Articles 10.3.3 or 10.4 apply, as those Articles already take into consideration the Competitor or other Person's degree of fault for purposes of establishing the applicable period of Ineligibility.]

10.5.3 *Substantial Assistance* in Discovering or Establishing Anti-Doping Rule Violations

WDC or its *National Federations* may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an individual case where the *Competitor* or other *Person* has provided *Substantial Assistance* to an

Anti-Doping Organization, criminal authority or professional disciplinary body which results in the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another *Person*. After a final appellate decision under Article 13 or the expiration of time to appeal, WDC may only suspend a part of the otherwise applicable period of *Ineligibility* with the approval of *WADA*. After a final appellate decision under Article 13 or the expiration of time to appeal, *National Federations* may only suspend a part of the otherwise applicable period of *Ineligibility* with the approval of WDC and *WADA*. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Competitor* or other *Person* and the significance of the *Substantial Assistance* provided by the *Competitor* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. If WDC or its *National Federations* suspend any part of the otherwise applicable period of *Ineligibility* under this Article, they shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If WDC or its *National Federations* subsequently reinstate any part of the suspended period of *Ineligibility* because the *Competitor* or other *Person* has failed to provide the *Substantial Assistance* which was anticipated, the *Competitor* or other *Person* may appeal the reinstatement pursuant to Article 13.2.

[Comment to Article 10.5.3: The cooperation of Competitors, Competitor Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.

Factors to be considered in assessing the importance of the Substantial Assistance would include, for example, the number of individuals implicated, the status of those individuals in the sport, whether a scheme involving Trafficking under Article 2.7 or administration under Article 2.8 is involved and whether the violation involved a substance or method which is not readily detectible in Testing. The maximum suspension of the Ineligibility period shall only be applied in very exceptional cases. An additional factor to be considered in connection with the seriousness of the anti-doping rule violation is any performance-enhancing benefit which the Person providing Substantial Assistance may be likely to still enjoy. As a general matter, the earlier in the results management process the Substantial Assistance is provided, the greater the percentage of the otherwise applicable period of Ineligibility may be suspended.

If the Competitor or other Person who is asserted to have committed an anti-doping rule violation claims entitlement to a suspended period of Ineligibility under this Article in connection with the Competitor or other Person's waiver of a hearing

under Article 8.3 (Waiver of Hearing), WDC or its National Federations shall determine whether a suspension of a portion of the period of Ineligibility is appropriate under this Article. If the Competitor or other Person claims entitlement to a suspended period of Ineligibility before the conclusion of a hearing under Article 8 on the anti-doping rule violation, the hearing panel shall determine whether a suspension of a portion of the otherwise applicable period of Ineligibility is appropriate under this Article at the same time the hearing panel decides whether the Competitor or other Person has committed an anti-doping rule violation. If a portion of the period of Ineligibility is suspended, the decision shall explain the basis for concluding the information provided was credible and was important to discovering or proving the anti-doping rule violation or other offense. If the Competitor or other Person claims entitlement to a suspended period of Ineligibility after a final decision finding an anti-doping rule violation has been rendered and is not subject to appeal under Article 13, but the Competitor or other Person is still serving the period of Ineligibility, the Competitor or other Person may apply to WDC or its National Federations to consider a suspension in the period of Ineligibility under this Article. Any such suspension of the otherwise applicable period of Ineligibility shall require the approval of WADA (and WDC if the suspension of the otherwise applicable period of Ineligibility is decided by a National Federation). If any condition upon which the suspension of a period of Ineligibility is based is not fulfilled, WDC or its National Federations shall reinstate the period of Ineligibility which would otherwise be applicable. Decisions rendered by WDC or its National Federations under this Article may be appealed pursuant to Article 13.2.

This is the only circumstance under these Anti-Doping Rules where the suspension of an otherwise applicable period of Ineligibility is authorized.]

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

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

[Comment to Article 10.5.4: This Article is intended to apply when a competitor or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Competitor or other Person believes he or she is about to be caught.]

10.5.5 Where a competitor or Other *Person* Establishes Entitlement to Reduction in Sanction under More than One Provision of this Article

Before applying any reduction or suspension under Articles 10.5.2, 10.5.3 or 10.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.6. If the *Competitor* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 10.5.2, 10.5.3 or 10.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

[Comment to Article 10.5.5: The appropriate sanction is determined in a sequence of four steps. First, the hearing panel determines which of the basic sanctions (Article 10.2, Article 10.3, Article 10.4 or Article 10.6) applies to the particular anti-doping rule violation. In a second step, the hearing panel establishes whether there is a basis for suspension, elimination or reduction of the sanction (Articles 10.5.1 through 10.5.4). Note, however, not all grounds for suspension, elimination or reduction may be combined with the provisions on basic sanctions. For example, Article 10.5.2 does not apply in cases involving Articles 10.3.3 or 10.4, since the hearing panel, under Articles 10.3.3 and 10.4, will already have determined the period of Ineligibility based on the Competitor's or other Person's degree of fault. In a third step, the hearing panel determines under Article 10.5.5 whether the Competitor or other Person is entitled to elimination, reduction or suspension under more than one provision of Article 10.5. Finally, the hearing panel decides on the commencement of the period of Ineligibility under Article 10.9. The following four examples demonstrate the proper sequence of analysis:

Example 1.

Facts: An Adverse Analytical Finding involves the presence of an anabolic steroid; the Competitor promptly admits the anti-doping rule violation as asserted; the Competitor establishes No Significant Fault (Article 10.5.2); and the Competitor provides Substantial Assistance (Article 10.5.3).

Application of Article 10:

1. The basic sanction would be two years under Article 10.2. (Aggravating Circumstances (Article 10.6) would not be considered because the Competitor promptly admitted the violation. Article 10.4 would not apply because a steroid is not a Specified Substance.)

2. Based on No Significant Fault alone, the sanction could be reduced up to one-half of the two years. Based on Substantial Assistance alone, the sanction could be reduced up to three-quarters of the two years.

3. Under Article 10.5.5, in considering the possible reduction for No Significant Fault and Substantial Assistance together, the most the sanction could be reduced

is up to three-quarters of the two years. Thus, the minimum sanction would be a six-month period of Ineligibility.

4. Under Article 10.9.2, because the Competitor promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any event the Competitor would have to serve at least one-half of the Ineligibility period (minimum three months) after the date of the hearing decision.

Example 2.

Facts: An Adverse Analytical Finding involves the presence of an anabolic steroid; aggravating circumstances exist and the Competitor is unable to establish that he did not knowingly commit the anti-doping rule violation; the Competitor does not promptly admit the anti-doping rule violation as alleged; but the Competitor does provide important Substantial Assistance (Article 10.5.3).

Application of Article 10:

1. The basic sanction would be between two and four years Ineligibility as provided in Article 10.6.

2. Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the maximum four years.

3. Article 10.5.5 does not apply.

4. Under Article 10.9.2, the period of Ineligibility would start on the date of the hearing decision.

Example 3.

Facts: An Adverse Analytical Finding involves the presence of a Specified Substance; the Competitor establishes how the Specified Substance entered his body and that he had no intent to enhance his sport performance; the Competitor establishes that he had very little fault; and the Competitor provides important Substantial Assistance (Article 10.5.3).

Application of Article 10:

1. Because the Adverse Analytical Finding involved a Specified Substance and the Competitor has satisfied the other conditions of Article 10.4, the basic sanction would fall in the range between a reprimand and two years Ineligibility. The hearing panel would assess the Competitor's fault in imposing a sanction within that range. (Assume for illustration in this example that the panel would otherwise impose a period of Ineligibility of eight months.)

2. Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the eight months. (No less than two months.) [No Significant Fault

(Article 10.2) would not be applicable because the Competitor's degree of fault was already taken into consideration in establishing the eight-month period of Ineligibility in step 1.]

3. Article 10.5.5 does not apply.

4. Under Article 10.9.2, because the Competitor promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any event, the Competitor would have to serve at least half of the Ineligibility period after the date of the hearing decision. (Minimum one month.)

Example 4.

Facts: A competitor who has never had an Adverse Analytical Finding or been confronted with an anti-doping rule violation spontaneously admits that he intentionally used multiple Prohibited Substances to enhance his performance. The Competitor also provides Substantial Assistance (Article 10.5.3).

Application of Article 10:

1. While the intentional Use of multiple Prohibited Substances to enhance performance would normally warrant consideration of aggravating circumstances (Article 10.6), the Competitor's spontaneous admission means that Article 10.6 would not apply. The fact that the Competitor's Use of Prohibited Substances was intended to enhance performance would also eliminate the application of Article 10.4 regardless of whether the Prohibited Substances Used were Specified Substances. Thus, Article 10.2 would be applicable and the basic period of Ineligibility imposed would be two years.

2. Based on the Competitor's spontaneous admissions (Article 10.5.4) alone, the period of Ineligibility could be reduced up to one-half of the two years. Based on the Competitor's Substantial Assistance (Article 10.5.3) alone, the period of Ineligibility could be reduced up to three-quarters of the two years.

3. Under Article 10.5.5, in considering the spontaneous admission and Substantial Assistance together, the most the sanction could be reduced would be up to three-quarters of the two years. (The minimum period of Ineligibility would be six months.)

4. If Article 10.5.4 was considered by the hearing panel in arriving at the minimum six month period of Ineligibility at step 3, the period of Ineligibility would start on the date the hearing panel imposed the sanction. If, however, the hearing panel did not consider the application of Article 10.5.4 in reducing the period of Ineligibility in step 3, then under Article 10.9.2, the commencement of the period of Ineligibility could be started as early as the date the anti-doping rule violation was committed, provided that at least half of that period (minimum of three months) would have to be served after the date of the hearing decision.]

10.6 Aggravating Circumstances Which May Increase the Period of Ineligibility

If WDC or its *National Federations* establishes in an individual case involving an anti-doping rule violation other than violations under Articles 2.7 (*Trafficking* or *Attempted Trafficking*) and 2.8 (Administration or *Attempted* Administration) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four (4) years unless the *Competitor* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly commit the anti-doping rule violation.

A competitor or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by WDC or its *National Federations*.

[Comment to Article 10.6: Examples of aggravating circumstances which may justify the imposition of a period of Ineligibility greater than the standard sanction are: the Competitor or other Person committed the anti-doping rule violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit anti-doping rule violations; the Competitor or other Person Used or Possessed multiple Prohibited Substances or Prohibited Methods or Used or Possessed a Prohibited Substance or Prohibited Method on multiple occasions; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of Ineligibility; the Competitor or Person engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an anti-doping rule violation.

For the avoidance of doubt, the examples of aggravating circumstances described in this Comment to Article 10.6 are not exclusive and other aggravating factors may also justify the imposition of a longer period of Ineligibility. Violations under Articles 2.7 (Trafficking or Attempted Trafficking) and 2.8 (Administration or Attempted Administration) are not included in the application of Article 10.6 because the sanctions for these violations (from four years to lifetime Ineligibility) already build in sufficient discretion to allow consideration of any aggravating circumstance.]

10.7 Multiple Violations

10.7.1 Second Anti-Doping Rule Violation

For a competitor*'s* or other *Person*'s first anti-doping rule violation, the period of *Ineligibility* is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction or suspension under Articles 10.4 or 10.5, or to an increase under Article 10.6). For a second anti-doping rule violation

the period of Ineligibility shall be within the range set forth in the table below.

Second Violation / First Violation	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	life	life	life	life

Definitions for purposes of the second anti-doping rule violation table:

RS (Reduced sanction for Specified Substance under Article 10.4): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.4 because it involved a Specified Substance and the other conditions under Article 10.4 were met.

FFMT (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Article 10.3.3 (Filing Failures and/or Missed Tests).

NSF (Reduced sanction for *No Significant Fault* or *Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.5.2 because *No Significant Fault* or *Negligence* under Article 10.5.2 was proved by the *Competitor*.

St (Standard sanction under Articles 10.2 or 10.3.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two (2) years under Articles 10.2 or 10.3.1.

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.6 because the *Anti-Doping Organization* established the conditions set forth under Article 10.6.

TRA (*Trafficking* or *Attempted Trafficking* and administration or *Attempted* administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.3.2.

[Comment to Article 10.7.1: The table is applied by locating the Competitor's or other Person's first anti-doping rule violation in the left-hand column and then moving across the table to the right to the column representing the second violation. By way of example, assume a competitor receives the standard period of Ineligibility for a first violation under Article 10.2 and then commits a second violation for which he receives a reduced sanction for a Specified Substance under

Article 10.4. The table is used to determine the period of Ineligibility for the second violation. The table is applied to this example by starting in the left-hand column and going down to the fourth row which is "St" for standard sanction, then moving across the table to the first column which is "RS" for reduced sanction for a Specified Substance, thus resulting in a 2-4 year range for the period of Ineligibility for the second violation. The Competitor's or other Person's degree of fault shall be the criterion considered in assessing a period of Ineligibility within the applicable range.]

[Comment to Article 10.7.1 RS Definition: See Article 25.4 with respect to application of Article 10.7.1 to pre-Code anti-doping rule violations.]

10.7.2 Application of Articles 10.5.3 and 10.5.4 to Second Anti-Doping Rule Violation

Where a competitor or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 10.5.3 or Article 10.5.4, the hearing panel shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

10.7.3 Third Anti-Doping Rule Violation

A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4 or involves a violation of Article 2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of *Ineligibility* shall be from eight (8) years to life ban.

10.7.4 Additional Rules for Certain Potential Multiple Violations

- For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if WDC (or its *National Federation*) can establish that the *Competitor* or other *Person* committed the second anti-doping rule violation after the *Competitor* or other *Person* received notice pursuant to Article 7 (Results Management), or after WDC (or its *National Federation*) made reasonable efforts to give notice, of the first anti-doping rule violation; if WDC (or its *National Federation*) cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more

severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (Article 10.6).

● If, after the resolution of a first anti-doping rule violation, WDC (*or its National Federations*) discovers facts involving an anti-doping rule violation by the *Competitor* or other *Person* which occurred prior to notification regarding the first violation, then WDC (*or its National Federations*) shall impose an additional sanction 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 Article 10.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the *Competitor* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when WDC (*or its National Federations*) discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

[Comment to Article 10.7.4: In a hypothetical situation, a competitor commits an anti-doping rule violation on January 1, 2008 which WDC (or its National Federations) does not discover until December 1, 2008. In the meantime, the Competitor commits another anti-doping rule violation on March 1, 2008 and the Competitor is notified of this violation by WDC (or its National Federations) on March 30, 2008 and a hearing panel rules on June 30, 2008 that the Competitor committed the March 1, 2008 anti-doping rule violation. The later-discovered violation which occurred on January 1, 2008 will provide the basis for aggravating circumstances because the Competitor did not voluntarily admit the violation in a timely basis after the Competitor received notification of the later violation on March 30, 2008.]

10.7.5 Multiple Anti-Doping Rule Violations during an Eight-Year Period

For purposes of Article 10.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

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

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires

otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

10.8.1 As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the *Competitor* must first repay all prize money forfeited under this Article.

10.8.2 Allocation of Forfeited Prize Money.
Forfeited prize money shall be reallocated to other *Competitors*.

[Comment to Article 10.8.2: Nothing in these Anti-Doping Rules precludes clea competitors or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such Person.]

10.9 Commencement of *Ineligibility* Period

Except as provided below, the period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* imposed.

10.9.1 Delays Not Attributable to the *Competitor* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Competitor* or other *Person*, the *WDC* or *Anti-Doping Organization* imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

10.9.2 Timely Admission

Where the *Competitor* promptly (which, in all events, means before the *Competitor* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by WDC *or its National Federations*, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Competitor* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Competitor* 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.

[Comment to Article 10.9.2: This Article shall not apply where the period of Ineligibility already has been reduced under Article 10.5.4 (Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence).]

10.9.3 If a *Provisional Suspension* is imposed and respected by the *Competitor*, then the *Competitor* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

10.9.4 If a competitor voluntarily accepts a *Provisional Suspension* in writing from WDC *or its National Federations* and thereafter refrains from competing, the *Competitor* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Competitor*'s voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 14.1.

[Comment to Article 10.9.4: A competitor's voluntary acceptance of a Provisional Suspension is not an admission by the Competitor and shall not be used in any way as to draw an adverse inference against the Competitor.]

10.9.5 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 *Competitor* elected not to compete or was suspended by his or her team.

[Comment to Article 10.9: The text of Article 10.9 has been revised to make clear that delays not attributable to the Competitor, timely admission by the Competitor and Provisional Suspension are the only justifications for starting the period of Ineligibility earlier than the date of the hearing decision. This amendment corrects inconsistent interpretation and application of the previous text.]

10.10 Status During *Ineligibility*

10.10.1 Prohibition against Participation during *Ineligibility*

No *Competitor* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in a *Competition* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by WDC or any *National Federation* or a club or other member organization of WDC or any *National Federation*, or in *Competitions* authorized or organized by any professional league or any international or national level *Event* organization.

A competitor or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport events in a sport other than the sport in which the *Competitor* or other *Person* committed the anti-doping rule violation, but only so long as the local sport event is not at a level that could otherwise qualify such *Competitor* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*.

A competitor or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

[Comment to Article 10.10.1: For example, an ineligible Competitor cannot participate in a training camp, exhibition or practice organized by his or her National Federation or a club which is a member of that National Federation. Further, an ineligible Competitor may not compete in a non-Signatory professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory International Event organization or a non-Signatory national-level event organization without triggering the consequences set forth in Article 10.10.2. Sanctions in one sport will also be recognized by other sports (see Article 15 Mutual Recognition).]

10.10.2 Violation of the Prohibition of Participation during *Ineligibility*

Where a competitor or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.10.1, the results of such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation. The new period of *Ineligibility* may be reduced under Article 10.5.2 if the *Competitor* or other *Person* establishes he or she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether a competitor or other *Person* has violated the prohibition against participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by WDC *or its National Federations*.

[Comment to Article 10.10.2: If a competitor or other Person is alleged to have violated the prohibition against participation during a period of Ineligibility, WDC or its National Federations shall determine whether the Competitor or other Person violated the prohibition and, if so, whether the Competitor or other Person has established grounds for a reduction in the restarted period of Ineligibility under Article 10.5.2. Decisions rendered by WDC or its National Federations under this Article may be appealed pursuant to Article 13.2.

Where a competitor Support Personnel or other Person substantially assists a competitor in violating the prohibition against participation during Ineligibility, WDC or its National Federations may appropriately impose sanctions under its own disciplinary rules for such assistance.]

10.10.3 Withholding of Financial Support during *Ineligibility*

In addition, for any anti-doping rule violation not involving a reduced sanction for *Specified Substances* as described in Article 10.4, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by WDC and its *National Federations*.

10.11 Reinstatement *Testing*

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, a competitor must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by WDC, the applicable *National Federation*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must, if requested, provide current and accurate whereabouts information. If a competitor subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Competitor* shall not be eligible for reinstatement until the *Competitor* has notified WDC and the applicable *National Federation* and has been subject to *Out-of-Competition Testing* for a period of time longer than the period set forth in Article 5.6. During such remaining period of *Ineligibility*, a minimum of 2 tests must be conducted on the *Competitor* with at least three months between each test. The *National Federation* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to WDC. In addition, immediately prior to the end of the period of *Ineligibility*, a competitor must undergo *Testing* by WDC *or its National Federations* for the *Prohibited Substance*s and *Methods* that are prohibited in *Out-of-Competition Testing*. Once the period of a competitor's *Ineligibility* has expired, and the *Competitor* has fulfilled the conditions of reinstatement, then the *Competitor* will become automatically re-eligible and no application by the *Competitor* or by the *Competitor's National Federation* will then be necessary.

[10. 12 Imposition of Financial Sanctions

WDC may , at the order of the Presidium of the WDC, impose financial sanctions to recover costs incurred from Competitors guilty of violations of the Anti-Doping Code by the WDC Disciplinary Board from the competitor.

[Comment to Article 10.12: For example, if a hearing panel were to find in a case that the cumulative effect of the sanction applicable under these anti-doping rules and a financial sanction provided in this Article 10.12 would result in too harsh a consequence, then the financial sanction, not the other sanctions of these anti-doping rules (e.g., Ineligibility and loss of results), would give way.]

ARTICLE 11 *CONSEQUENCES* TO TEAMS

[NOTE: This Article may be entirely inapplicable for some IFs that have no *Competitions* where *Competitors* compete together as a team. For those IFs, this Article should simply read "Article 11 intentionally left blank." Alternative 1 below addresses *Team Sports* as defined by the *Code*, i.e. a sport in which the substitution of players is permitted during a *Competition (e.g. football, Ice Hockey)*. For *Team Sports* article 11 is mandatory. Alternative 2 below addresses the situation in sports where *Competitors* may also compete in teams, without being defined as *Team Sports* by the *Definitions* (e.g., track relay events, tennis doubles and rowing events except for singles). There may be other team situations which are not addressed in this model. Furthermore, some WDC will need to include both alternatives in their rules.]

[**Alternative 1:**
11.1 *Testing* of *Team Sports*.

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

11.2 *Consequences* for *Team Sports*.

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

11.3 *Event* Ruling Body May Establish Stricter *Consequences* for *Team Sports*.

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

[Comment to Article 11.3: For example, the International Olympic Committee could establish rules which would require Disqualification of a team from the Games of the Olympiad based on a lesser number of anti-doping rule violations during the period of the Games of the Olympiad.]]

[**Alternative 2: 11.1 *Testing* of teams**

Where one member of a team (outside of *Team Sports*) has been notified of an anti-doping rule violation under Article 7 in connection with an *Event*, the ruling body for the *Event* shall conduct appropriate *Target Testing* of all members of the team during the *Event Period*.

11.2 *Consequences* for teams.

11.2.1 An anti-doping rule violation committed by a member of a team in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* by the team with all resulting consequences for the team and its members, including forfeiture of any medals, points and prizes.

11.2.2 An anti-doping rule violation committed by a member of a team occurring during or in connection with an *Event* may lead to *Disqualification* of all of the results obtained by the team in that *Event* with all consequences for the team and its members, including forfeiture of all medals, points and prizes, except as provided in Article 11.2.3.

11.2.3 If the *Competitor* member of a team, who committed an anti-doping rule violation occurring during or in connection with an *Event,* establishes that he or she bears *No Fault or Negligence* for the violation, the results of the team in the other *Competition* shall not be *Disqualified* unless the results of the team in *Competition* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Competitor's* anti-doping rule violation.

11.3 *Event* Ruling Body May Establish Stricter *Consequences* for teams.

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

ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST *NATIONAL FEDERATIONS*

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

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

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

12.3.1 Four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by *Competitors* or other *Persons* affiliated with a *National Federation* within

a 12-month period in testing conducted by WDC or Anti-Doping Organizations other than the *National Federation* or its *National Anti-Doping Organization*. [In such event the WDC may in its discretion elect to: (a) ban all officials from that *National Federation* for participation in any WDC activities for a period of up to two years and/or (b) fine the *National Federation* in an amount up to £10000 Pounds Sterling. (For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)

12.3.1.1 If four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed in addition to the violations described in Article 12.3.1 by *Competitors* or other *Persons* affiliated with a *National Federation* within a 12-month period in testing conducted by WDC or Anti-Doping Organizations other than the *National Federation* or its *National Anti-Doping Organization,* then the WDC may suspend that *National Federation's* membership for a period of up to 4 years.

12.3.2 More than one *Competitor* or other *Person* from a *National Federation* commits an *Anti-Doping Rule* violation during an *International Event.* [In such event WDC may fine that *National Federation* in an amount up to up to £10000 Pounds Sterling.]

12.3.3 A *National Federation* has failed to make diligent efforts to keep WDC informed about a competitor*'s* whereabouts after receiving a request for that information from WDC. [In such event WDC may fine the National Federation in an amount up to £1000 Pounds Sterling per *Competitor* in addition to all of WDC costs incurred in *Testing* that *National Federation's Competitors*.]

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 13.2 through 13.4 or as otherwise provided in these Anti-Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in these rules or in the rules of the *Anti-Doping Organization* conducting the hearing process as per article 8 must be exhausted (except as provided in Article 13.1.1).

13.1.1 *WADA* Not Required to Exhaust Internal Remedies

Where *WADA* has a right to appeal under Article 13 and no other party has appealed a final decision within the WDC or its *National Federation*'s process, *WADA* may appeal such decision directly to *CAS* without having

to exhaust other remedies in the WDC or its *National Federation*'s process.

[Comment to Article 13.1.1: Where a decision has been rendered before the final stage of WDC or its National Federation's process (for example, a first hearing) and no party elects to appeal that decision to the next level of WDC or its National Federation's process (e.g., the Managing Board), then WADA may bypass the remaining steps in WDC or its National Federation's internal process and appeal directly to CAS.]

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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Article 10.10.2 (Violation of the Prohibition of Participation during *Ineligibility*); a decision that the WDC or its *National Federation* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision by an *Anti-Doping Organization* 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 Article 7.4; and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or in violation of Article 7.5 may be appealed exclusively as provided in this Article 13.2.

13.2.1 Appeals Involving *International-Level Competitors*

In cases arising from participation in an *International Event* or in cases involving *International-Level Competitors*, the decision may be appealed exclusively to CAS in accordance with the provisions applicable before such court.

[Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

13.2.2 Appeals Involving National-Level *Competitors*

<u>Alternative 1</u> :

In cases involving *national-level Competitors* as defined by each *National Anti-Doping Organization* who do not have a right to appeal under Article 13.2.1, the decision may be appealed to an independent and impartial body in accordance with rules established by the *National Anti-Doping Organization*. If the *National Anti-Doping Organization* has not established such a body, the decision may be

appealed to CAS in accordance with the provisions applicable before such court.

13.2.3 *Persons* Entitled to Appeal

In cases under Article 13.2.1, the following parties shall have the right to appeal to *CAS*: (a) the *Competitor* 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) WDC; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) *WADA*.

In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *National Anti-Doping Organization*'s rules but, at a minimum, shall include the following parties: (a) the *Competitor* 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) WDC; (d) the *National Anti-Doping Organization* of the *Person*'s country of residence; and (e) *WADA*. For cases under Article 13.2.2, *WADA* and the International Federation shall also have the right to appeal to *CAS* with respect to the decision of the national-level reviewing body. Any party filing an appeal shall be entitled to assistance from *CAS* to obtain all relevant information from the *Anti-Doping Organization* whose decision is being appealed and the information shall be provided if *CAS* so directs.

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

13.3 Failure to Render a Timely Decision by WDC and its *National Federations*

Where, in a particular case, WDC or its *National Federations* fail 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 WDC or its *National Federations* had rendered a decision finding no anti-doping rule violation. If the *CAS* hearing panel determines that an anti-doping rule violation was committed and that *WADA* acted reasonably in electing to appeal directly to *CAS*, then *WADA*'s costs and

attorneys fees in prosecuting the appeal shall be reimbursed to *WADA* by WDC or its *National Federations*.

[Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and results management process, it is not feasible to establish a fixed time period for WDC or its National Federations to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with WDC or its National Federations and give WDC or its National Federations an opportunity to explain why it has not yet rendered a decision. Nothing in this Article prohibits WDC or its National Federations from also having rules which authorize it to assume jurisdiction for matters in which the results management performed by one of its National Federations has been inappropriately delayed.]

13.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Decisions by *WADA* reversing the grant or denial of a TUE may be appealed exclusively to CAS by the *Competitor* or the *Anti-Doping Organization* whose decision was reversed. Decisions by Anti-Doping Organizations other than WADA denying *TUE*'s, which are not reversed by *WADA*, may be appealed by *International-Level Competitors* to CAS and by other *Competitors* to the national level reviewing body described in Article 13.2.2. If the national level reviewing body reverses the decision to deny a *TUE*, that decision may be appealed to *CAS* by *WADA*.

When WDC, *National Anti-Doping Organizations* or other bodies designated by *National Federations* fail to take action on a properly submitted TUE application within a reasonable time, their failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

13.5 Appeal from Decisions Pursuant to Article 12

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

13.6 Time for Filing Appeals

The time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;

b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

The above notwithstanding, the filing deadline for an appeal or intervention filed by *WADA* shall be the later of:
(a) Twenty-one (21) days after the last day on which any other party in the case could have appealed, or
(b) Twenty-one (21) days after *WADA*'s receipt of the complete file relating to the decision.

ARTICLE 14 REPORTING AND RECOGNITION,

14.1 Notice, Confidentiality and Reporting

14.1.1 Notice to *Competitor*s and Other *Person*s.

Notice to *Competitors* or other *Persons* shall occur as provided under Article 7. Notice to a competitor or other *Person* who is a member of a *National Federation* may be accomplished by delivery of the notice to the *National Federation*.

14.1.2 Notice to *National Anti-Doping Organizations,* WDC and *WADA*.

Notice to *National Anti-Doping Organizations,* WDC and *WADA* shall occur as provided under Article 7.

14.1.3 Content of Notification.

Notification to the *Competitor*'s *National Anti-Doping Organization*, *WDC* and *WADA* according to Article 7 shall include: the *Competitor*'s name, country, sport and discipline within the sport, the *Competitor*'s competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory.

14.1.4 Status Reports.

The same *Person*s and *Anti-Doping Organization*s shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 7 (Results Management), 8 (Right to a Fair Hearing) or 13 (Appeals) and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.1.5 Confidentiality.

The recipient organizations shall not disclose this information beyond those *Person*s with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee*, *National Federation*, and team

in a *Team Sport*) until the *Anti-Doping Organization* with results management responsibility has made public disclosure or has failed to make public disclosure as required in Article 14.2 below.

[Comment to Article 14.1.5: Each Anti-Doping Organization shall provide, in its own anti-doping rules, procedures for the protection of confidential information and for investigating and disciplining improper disclosure of confidential information by any employee or agent of the Anti-Doping Organization.]

14.2 Public Disclosure.

14.2.1 The identity of any *Competitor* or other *Person* who is asserted by WDC or its *National Federations* to have committed an anti-doping rule violation, may be *publicly disclose*d by WDC or its *National Federations* only after notice has been provided to the *Competitor* or other *Person* in accordance with Articles 7.1, 7.2 or 7.4, and to the applicable *Anti-Doping Organization*s in accordance with Article 14.1.2.

14.2.2 No later than twenty (20) days after it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, WDC or its *National Federations* must publicly report the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the *Competitor* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved and the *Consequences* imposed. WDC or its *National Federations* must also publicly report within twenty (20) days appeal decisions concerning anti-doping rule violations. WDC or its *National Federations* shall also, within the time period for publication, send all hearing and appeal decisions to *WADA*.

14.2.3 In any case where it is determined, after a hearing or appeal, that the *Competitor* or other *Person* did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the *Competitor* or other *Person* who is the subject of the decision. WDC and its *National Federations* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the *Competitor* or other *Person* may approve.

14.2.4 For purposes of Article 14.2, publication shall be accomplished at a minimum by placing the required information on the WDC or its *National Federations*' Web site and leaving the information up for at least one (1) year.

14.2.5 Neither WDC, nor its National Federation, or official of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Competitor*, other *Person* or their representatives.

14.3 *Competitor* Whereabouts Information.

As further provided in the *International Standard* for *Testing*, *Competitor*s who have been identified by WDC or its *National Federations* for inclusion in a *Registered Testing Pool* shall provide accurate, current location information. WDC and *National Anti-Doping Organization*s shall coordinate the identification of *Competitor*s and the collecting of current location information and shall submit these to *WADA*. This information will be accessible, through *ADAMS* where reasonably feasible, to other *Anti-Doping Organization*s having jurisdiction to test the *Competitor*. This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *Testing*; and shall be destroyed after it is no longer relevant for these purposes.

14.4 Statistical Reporting.

WDC or its *National Federations* shall, at least annually, publish publicly a general statistical report of their *Doping Control* activities with a copy provided to *WADA*. WDC or its *National Federations* may also publish reports showing the name of each *Competitor* tested and the date of each *Testing*.

14.5 *Doping Control* Information Clearinghouse.

WADA shall act as a central clearinghouse for *Doping Control Testing* data and results for *International-Level Competitor*s and national-level *Competitor*s who have been included in their *National Anti-Doping Organization*'s *Registered Testing Pool*. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in *Testing* by the various *Anti-Doping Organization*s, WDC or its *National Federations* shall report all *In-Competition* and *Out-of-Competition* tests on such *Competitor*s to the *WADA* clearinghouse as soon as possible after such tests have been conducted. This information will be made accessible to the *Competitor*, the *Competitor*'s National Federation, *National Olympic Committee* or National Paralympic Committee, *National Anti-Doping Organization*, WDC, and the International Olympic Committee or International Paralympic Committee.

To enable it to serve as a clearinghouse for *Doping Control Testing* data, *WADA* has developed a database management tool, *ADAMS*, that reflects emerging data privacy principles.. Private information regarding a competitor*, Competitor Support Personnel,* or others involved in anti-doping activities shall be maintained by *WADA,* which is supervised by Canadian privacy authorities, in strict confidence and in accordance with the *International Standard* for the protection of privacy.

14.6 Data Privacy.

When performing obligations under these rules, WDC or its *National Federations* may collect, store, process or disclose personal information relating to *Competitor*s and third parties. WDC or its *National Federations*

shall ensure that they comply with applicable data protection and privacy laws with respect to their handling of such information, as well as the *International Standard* for the protection of privacy that *WADA* shall adopt to ensure *Competitor*s and non-competitors are fully informed of and, where necessary, agree to the handling of their personal information in connection with anti-doping activities arising under the *Code and these anti-doping rules*.

ARTICLE 15 MUTUAL RECOGNITION

15.1 Subject to the right to appeal provided in Article 13, *Testing*, TUE's and hearing results or other final adjudications of any *National Federation* or *Signatory* which are consistent with the *Code* and are within the *National Federation* or *Signatory's* authority, shall be recognized and respected by WDC and all *National Federations*.

[Comment to Article 15.1: There has in the past been some confusion in the interpretation of this Article with regard to therapeutic use exemptions. Unless provided otherwise by the rules of an International Federation or an agreement with an International Federation, National Anti-Doping Organizations do not have "authority" to grant therapeutic use exemptions to International-Level Competitors.]

15.2 WDC and its *National Federations* shall recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

[Comment to Article 15.2: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, WDC or its National Federation shall attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found a competitor to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in his body but the period of Ineligibility applied is shorter than the period provided for in the Code, then WDC or its National Federation should recognize the finding of an anti-doping rule violation and they should conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in these Anti-Doping Rules should be imposed.]

15.3 Subject to the right to appeal provided in Article 13, any decision of WDC regarding a violation of these Anti-Doping Rules shall be recognized by all *National Federation*s, which shall take all necessary action to render such decision effective.

ARTICLE 16 INCORPORATION OF WDC ANTI-DOPING RULES

All *National Federation*s shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each *National Federations* Rules. All *National Federation*s shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules.

ARTICLE 17 STATUTE OF LIMITATIONS

No action may be commenced against a competitor or other *Person* for an anti-doping rule violation contained in these Anti-Doping Rules unless such action is commenced within eight (8) years from the date the violation is asserted to have occurred.

ARTICLE 18 WDC COMPLIANCE REPORTS TO *WADA*

The WDC will report to *WADA* on the WDC's compliance with the *Code* every second year and shall explain reasons for any noncompliance.

ARTICLE 19 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

19.1 These Anti-Doping Rules may be amended from time to time by *WDC*.

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

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

19.4 The INTRODUCTION, the APPENDIX I, DEFINITIONS and the *International Standards* issued by WADA shall be considered integral parts of these Anti-Doping Rules.

19.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*.

19.6 The comments annotating various provisions of the *Code* and these Anti-Doping Rules should be used to interpret these Anti-Doping Rules.

19.7 These Anti-Doping Rules have come into full force and effect on 1st January 2012. They shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:

19.7.1 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 under the circumstances of the case.

19.7.2 Any Article 2.4 whereabouts violation (whether a filing failure or a missed test) declared by WDC under rules in force prior to the Effective Date that has not expired prior to the Effective Date and that would qualify as a whereabouts violation under Article 11 of the *International Standard* for *Testing* shall be carried forward and may be relied upon, prior to expiry, in accordance with the *International Standards* for *Testing.*

19.7.3 With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Competitor* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Competitor* or other *Person* may apply to the *Anti-Doping Organization* which had results management responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these anti-doping rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 13.2. These anti-doping rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.

19.7.4 Subject always to Article 10.7.5, anti-doping rule violations committed under rules in force prior to the Effective Date shall be taken into account as prior offences for purposes of determining sanctions under Article 10.7. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a Specified Substance under these Anti-Doping Rules, for which a period of *Ineligibility* of less than two years was imposed, such violation shall be considered a Reduced Sanction violation for purposes of Article 10.7.1.

ARTICLE 20: ADDITIONAL ROLES AND RESPONSIBILITIES OF *COMPETITORS* AND OTHER *PERSONS*

20.1 Roles and Responsibilities of *Competitors.*

20.1.1 To be knowledgeable of and comply with these anti-doping rules

20.1.2 To be available for *Sample* collection.

20.1.3 To take responsibility, in the context of anti-doping, for what they ingest and use.

20.1.4 To inform medical personnel of their obligation not to *Use Prohibited Substance*s and *Prohibited Method*s and to take responsibility to make sure that any medical treatment received does not violate these anti-doping rules.

20.2 Roles and Responsibilities of *Competitor Support Personnel*

20.2.1 To be knowledgeable of and comply with these anti-doping rules.

20.2.2 To cooperate with the *Competitor Testing* program.

20.2.3 To use their influence on *Competitor* values and behavior to foster anti-doping attitudes.

APPENDIX 1 - DEFINITIONS

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

Adverse Analytical Finding. A report from a laboratory or other *WADA*-approved *Testing* entity 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*.

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

Competitor. Any *Person* who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each *National Anti-Doping Organization*, including but not limited to those *Persons* in its *Registered Testing Pool*), and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organization accepting the *Code*. All provisions of the *Code*, including, for example, *Testing*, and TUE's must be applied to international and national-level competitors. Some *National Anti-Doping Organizations* may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. *National Anti-Doping Organizations* are not required, however, to apply all aspects of the *Code* to such *Persons*. Specific national rules may be established for Doping Control for non-international-level or non-national-level competitors without being in conflict with the *Code*. Thus, a country could elect to test recreational-level competitors but not require TUE's or whereabouts information. In the same manner, a *Major Event Organization* holding an *Event* only for masters-level competitors could elect to test the competitors but not require advance TUE or whereabouts information. For purposes of Article 2.8 (Administration or *Attempted* Administration) and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is a competitor.

[Comment to Competitor: This definition makes it clear that all international and national-caliber competitors are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the IFs and National Anti-Doping Organizations, respectively. At the national level, anti-doping rules adopted pursuant to the Code shall apply, at a minimum, to all persons on national teams and all persons qualified to compete in

any national championship in any sport. That does not mean, however, that all such Competitors must be included in a National Anti-Doping Organization's Registered Testing Pool. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping program beyond national-caliber competitors to competitors at lower levels of competition. Competitors at all levels of competition should receive the benefit of anti-doping information and education.]

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

Attempt. Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *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 laboratory or other *WADA*-approved entity which requires further investigation as provided by the *International Standard* for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

CAS. The Court of Arbitration for Sport.

Code. The World Anti-Doping *Code*.

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

Consequences of Anti-Doping Rule Violations. A competitor's or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Competitor's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Competitor* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.10; and (c) *Provisional Suspension* means the *Competitor* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

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, TUE's, results management and hearings.

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

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

In-Competition. Unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, "*In-Competition*" means the period commencing twelve hours before a *Competition* in which the *Competitor* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

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

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

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

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

International-Level Competitor. *Competitors* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

International Standard. A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.

Major Event Organizations. The continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

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

Metabolite. Any substance produced by a biotransformation process.

Minor. A natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organization. The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional *Anti-Doping Organization* for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event. A sport *Event* involving international or national-level *Competitors* that is not an *International Event*.

National Federation. A national or regional entity which is a member of or is recognized by WDC as the entity governing the WDC's sport in that nation or region.

National Olympic Committee. The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Advance Notice. A *Doping Control* which takes place with no advance warning to the *Competitor* and where the *Competitor* is continuously chaperoned from the moment of notification through *Sample* provision.

No Fault or Negligence. The *Competitor's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method.*

No Significant Fault or Negligence. The *Competitor's* establishing that his or her 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.

Out-of-Competition. Any *Doping Control* which is not *In-Competition*.

Participant. Any *Competitor* or *Competitor Support Personnel*.

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

Possession. The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the person has exclusive control 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 P*ossession* 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 an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.

[Comment: Under this definition, steroids found in a competitor's car would constitute a violation unless the Competitor establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Competitor did not have exclusive control over the car, the Competitor knew about the steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of a competitor and spouse, the Anti-Doping Organization must establish that the Competitor knew the steroids were in the cabinet and that the Competitor intended to exercise control over the steroids.]

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

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

Prohibited Substance. Any substance so described on the *Prohibited List*.

Provisional Hearing. For purposes of Article 7.6, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Competitor* with notice and an opportunity to be heard in either written or oral form.

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

Publicly Disclose or Publicly Report. To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 14.

Registered Testing Pool. The pool of top level *Competitors* established separately by each International Federation and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that

International Federation's or National Anti-Doping Organization's test distribution plan.

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

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples *violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]*

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

Specified Substances. As defined in Article 4.2.2.

Substantial Assistance. For purposes of Article 10.5.3, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate 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 an *Anti-Doping Organization* 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 prevent normal procedures from occurring; or providing fraudulent information to an *Anti-Doping Organization*.

Target Testing. Selection of *Competitors* for *Testing* where specific *Competitors* or groups of *Competitors* are selected on a non-random basis for *Testing* at a specified time.

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

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 a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by a competitor, *Competitor Support Personnel* or any other *Person*

subject to the jurisdiction of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes.

TUE. As defined in Article 2.6.1.

TUE Panel. As defined in Article 4.4.4.

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

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

WADA. The World Anti-Doping Agency.

APPENDIX 2 - Confirmation

I, as a member of [National Federation] and/or a participant in a [National Federation or WDC] authorized or recognized event, hereby declare as follows:

1. I confirm that I shall comply with and be bound by all of the provisions of the [WDC] Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all International Standards as issued by the World Anti-Doping Agency and permanently published on its website.

2. I acknowledge that [National Federations, WDC and National Anti-Doping Organisations] have jurisdiction to impose sanctions as provided in the WDC Anti-Doping Rules.

3. I have read and understand the present declaration.

_____ _____

Date Print Name (Last Name, First Name)

_____ _____

Date of Birth Signature (or, if a minor, signature of
(Day/Month/Year) legal guardian)