



## **ANTI-DOPING RULES**

**2018**

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Version: 3 August 2018



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## INTRODUCTION

### Preface

At the IKF Council Meeting held on 1 November 2014 in Maia, POR, the IKF accepted the revised (2015) World Anti-Doping *Code* (the "*Code*"). These Anti-Doping Rules are adopted and implemented in conformance with the IKF's responsibilities under the *Code*, and are in furtherance of the IKF's continuing efforts to eradicate doping in the sport of korfball.

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

### Fundamental Rationale for the *Code* and the IKF'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, the pursuit of human excellence through the dedicated perfection of each person's individual talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport, including:

- 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 of these Anti-Doping Rules

These Anti-Doping Rules shall apply to the IKF and to each *National Organisation* of the IKF. They also apply to the following *Athletes*, *Athlete Support Personnel* and other *Persons*, each of whom is deemed, as a condition of his/her membership, accreditation and/or participation in the sport, to have agreed to be bound by these Anti-Doping Rules, and to have submitted to the authority of the IKF to enforce these Anti-Doping Rules and to the jurisdiction of the hearing panels specified in Article 8 and Article 13 to hear and determine cases and appeals brought under these Anti-Doping Rules:

- a. all *Athletes* and *Athlete Support Personnel* who are members of the IKF, or of any *National Federation*, or of any member or affiliate organisation of any *National Federation* (including any clubs, teams, associations or leagues);
- b. all *Athletes* and *Athlete Support Personnel* participating in such capacity in *Events*, *Competitions* and other activities organized, convened, authorized or recognized by the IKF, or any *National Federation*, or any member or affiliate organisation of any *National Federation* (including any clubs, teams, associations or leagues), wherever held;
- c. any other *Athlete* or *Athlete Support Personnel* or other *Person* who, by virtue of an accreditation, a licence or other contractual arrangement, or otherwise, is subject to the jurisdiction of the IKF, or of any *National Federation*, or of any member or affiliate organisation of any *National Federation* (including any clubs, teams, associations or leagues), for purposes of anti-doping; and

Within the overall pool of *Athletes* set out above who are bound by and required to comply with these Anti-Doping Rules, the following *Athletes* shall be considered to be *International-Level Athletes* for purposes of these Anti-Doping Rules, and therefore the specific provisions in these Anti-Doping Rules applicable to *International-Level Athletes* (as regards *Testing* but also as regards *TUEs*, whereabouts information, results management, and appeals) shall apply to such *Athletes*:

Any *Athletes* that are members of a team participating in an *International Event* organised by, or on behalf of, the IKF or any *International Event* organised by one of its National Organisations that has been given official IKF Patronage or Recognition.

To be eligible for participation in IKF *Events*, an *Athlete* must be part of a team that has been entered for the *Event* by a member National Organisation. All *Athletes* must have personally signed the Appendix 1 consent form, in the actual form approved by the IKF Executive Committee. All forms from under-age applicants must be counter-signed by their legal guardians.

The National Organisation must guarantee that all *Athletes* participating in their teams in an IKF *Event* accept the Rules of the IKF, including these IKF Anti-Doping Rules.



## 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 2.10 of these Anti-Doping Rules.

## ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

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

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

The following constitute anti-doping rule violations:

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

- 2.1.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.
- 2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or, where the *Athlete's B Sample* is split into two bottles and the analysis of the second bottle confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first bottle.
- 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 an *Athlete'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 an Athlete of a Prohibited Substance or a Prohibited Method**

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

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

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

Evading *Sample* collection, or without compelling justification refusing or failing to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules or other applicable anti-doping rules.

## **2.4 Whereabouts Failures**

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

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

Conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, intentionally interfering or attempting to interfere with a *Doping Control* official, providing fraudulent information to an *Anti-Doping Organisation*, or intimidating or attempting to intimidate a potential witness.

## **2.6 Possession of a Prohibited Substance or a Prohibited Method**

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

**2.6.2** *Possession* by an *Athlete Support Person In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Support Person Out-of-Competition* of any



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

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

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

**2.9 *Complicity***

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation or violation of Article 10.12.1 by another *Person*.

**2.10 *Prohibited Association***

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

**2.10.1** If subject to the authority of an *Anti-Doping Organisation*, is serving a period of *Ineligibility*; or

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

**2.10.3** Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

In order for this provision to apply, it is necessary that the *Athlete* or other *Person* has previously been advised in writing by an *Anti-Doping Organisation* with jurisdiction over the *Athlete* or other *Person*, or by *WADA*, of the *Athlete Support Person's* disqualifying status and the potential *Consequence* of prohibited association and that the *Athlete* or other *Person* can reasonably avoid the association. The *Anti-Doping Organisation* shall also use reasonable efforts to advise the *Athlete Support Person* who is the subject of the notice to the *Athlete* or





other *Person* that the *Athlete Support Person* may, within 15 days, come forward to the *Anti-Doping Organisation* to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her. (Notwithstanding Article 17, this Article applies even when the *Athlete Support Person's* disqualifying conduct occurred prior to the effective date provided in Article 20.7.)

The burden shall be on the *Athlete* or other *Person* to establish that any association with *Athlete Support Personnel* described in Article 2.10.1 or 2.10.2 is not in a professional or sport-related capacity.

*Anti-Doping Organisations* that are aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1, 2.10.2, or 2.10.3 shall submit that information to WADA.

## **ARTICLE 3 PROOF OF DOPING**

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

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

### **3.2 Methods of Establishing Facts and Presumptions**

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

**3.2.1** Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. CAS on its own initiative may also inform WADA of any such challenge. At WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of WADA's receipt of such notice, and WADA's receipt of the CAS file, WADA shall also have the right to intervene as a party, appear amicus curiae, or otherwise provide evidence in such proceeding.



- 3.2.2** WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the International Standard for Laboratories. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*. If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then the IKF shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.
- 3.2.3** Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or these Anti-Doping Rules which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such evidence or results. If the *Athlete* or other *Person* establishes a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or other anti-doping rule violation, then the IKF shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.
- 3.2.4** The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.
- 3.2.5** The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the IKF.

## **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* and is available on WADA's website at [www.wada-ama.org](http://www.wada-ama.org).



## **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 by WADA, without requiring any further action by the IKF or its *National Federations*. All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

### **4.2.2 Specified Substances**

For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. The category of *Specified Substances* shall not include *Prohibited Methods*.

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

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

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

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

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

4.4.2.1 Where the *Athlete* already has a *TUE* granted by his or her *National Anti-Doping Organisation* for the substance or method in question, that *TUE* is not



automatically valid for international-level *Competition*. However, the *Athlete* may apply to the IKF to recognize that *TUE*, in accordance with Article 7 of the International Standard for Therapeutic Use Exemptions. If that *TUE* meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the IKF shall recognize it for purposes of international-level *Competition* as well. If the IKF considers that the *TUE* does not meet those criteria and so refuses to recognize it, the IKF shall notify the *Athlete* and his or her *National Anti-Doping Organisation* promptly, with reasons. The *Athlete* and the *National Anti-Doping Organisation* shall have 21 days from such notification to refer the matter to WADA for review in accordance with Article 4.4.6. If the matter is referred to WADA for review, the *TUE* granted by the *National Anti-Doping Organisation* remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international-level *Competition*) pending WADA's decision. If the matter is not referred to WADA for review, the *TUE* becomes invalid for any purpose when the 21-day review deadline expires.

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

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

**4.4.4** An application to the IKF for grant or recognition of a *TUE* must be made as soon as the need arises and in any event (save in emergency or exceptional situations or where Article



4.3 of the International Standard for Therapeutic Use Exemptions applies) at least 30 days before the *Athlete's* next *Competition*. the IKF shall appoint a panel to consider applications for the grant or recognition of *TUEs* (the "TUE Committee"). The TUE Committee shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the International Standard for Therapeutic Use Exemptions [and the specific the IKF's protocols posted on its website]. Its decision shall be the final decision of the IKF, and shall be reported to *WADA* and other relevant *Anti-Doping Organisations*, including the *Athlete's National Anti-Doping Organisation*, through *ADAMS*, in accordance with the International Standard for Therapeutic Use Exemptions.

#### **4.4.5 Expiration, Cancellation, Withdrawal or Reversal of a TUE**

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

4.4.5.2 In such event, the *Athlete* shall not be subject to any *Consequences* based on his/her *Use* or *Possession* or *Administration* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the *TUE* prior to the effective date of expiry, cancellation, withdrawal or reversal of the *TUE*. The review pursuant to Article 7.2 of any subsequent *Adverse Analytical Finding* shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Prohibited Method* prior to that date, in which event no anti-doping rule violation shall be asserted.

#### **4.4.6 Reviews and Appeals of TUE Decisions**

4.4.6.1 *WADA* shall review any decision by the IKF not to recognize a *TUE* granted by the *National Anti-Doping Organisation* that is referred to *WADA* by the *Athlete* or the *Athlete's National Anti-Doping Organisation*. In addition, *WADA* shall review any decision by the IKF to grant a *TUE* that is referred to *WADA* by the *Athlete's National Anti-Doping Organisation*. *WADA* may review any other *TUE* decisions at any time, whether upon request by those affected or on its own initiative. If the *TUE* decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, *WADA* will not interfere with it. If the *TUE* decision does not meet those criteria, *WADA* will reverse it.



- 4.4.6.2 Any *TUE* decision by the IKF (or by a *National Anti-Doping Organisation* where it has agreed to consider the application on behalf of the IKF) that is not reviewed by *WADA*, or that is reviewed by *WADA* but is not reversed upon review, may be appealed by the *Athlete* and/or the *Athlete's National Anti-Doping Organisation* exclusively to *CAS*, in accordance with Article 13.
- 4.4.6.3 A decision by *WADA* to reverse a *TUE* decision may be appealed by the *Athlete*, the *National Anti-Doping Organisation* and/or the IKF exclusively to *CAS*, in accordance with Article 13.
- 4.4.6.4 A failure to take action within a reasonable time on a properly submitted application for grant or recognition of a *TUE* or for review of a *TUE* decision shall be considered a denial of the application.

## ARTICLE 5 **TESTING AND INVESTIGATIONS**

### 5.1 **Purpose of *Testing* and Investigations**

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

**5.1.1** *Testing* shall be undertaken to obtain analytical evidence as to the *Athlete's* compliance (or non-compliance) with the strict *Code* prohibition on the presence/*Use* of a *Prohibited Substance* or *Prohibited Method*. Test distribution planning, *Testing*, post-*Testing* activity and all related activities conducted by the IKF shall be in conformity with the International Standard for Testing and Investigations. the IKF shall determine the number of finishing placement tests, random tests and target tests to be performed, in accordance with the criteria established by the International Standard for Testing and Investigations. All provisions of the International Standard for Testing and Investigations shall apply automatically in respect of all such *Testing*.

**5.1.2** Investigations shall be undertaken:

5.1.2.1 in relation to *Atypical Findings*, *Atypical Passport Findings* and *Adverse Passport Findings*, in accordance with Articles 7.4 and 7.5 respectively, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Article 2.1 and/or Article 2.2; and



5.1.2.2 in relation to other indications of potential anti-doping rule violations, in accordance with Articles 7.6 and 7.7, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Articles 2.2 to 2.10.

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

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

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

**5.2.2** The IKF may require any *Athlete* over whom it has *Testing* authority (including any *Athlete* serving a period of *Ineligibility*) to provide a *Sample* at any time and at any place.

**5.2.3** WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.8 of the *Code*.

**5.2.4** If the IKF delegates or contracts any part of *Testing* to a *National Anti-Doping Organisation* (directly or through a *National Federation*), that *National Anti-Doping Organisation* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *National Anti-Doping Organisation's* expense. If additional *Samples* are collected or additional types of analysis are performed, the IKF shall be notified.

## **5.3 *Event Testing***

**5.3.1** Except as provided in Article 5.3 of the *Code*, only a single organisation should be responsible for initiating and directing *Testing* at *Event Venues* during an *Event Period*. At *International Events*, the collection of *Samples* shall be initiated and directed by the IKF (or any other international organisation which is the ruling body for the *Event*). At the request of the IKF (or any other international organisation which is the ruling body for an *Event*), any *Testing* during the *Event Period* outside of the *Event Venues* shall be coordinated with the IKF (or the relevant ruling body of the *Event*).

**5.3.2** If an *Anti-Doping Organisation* which would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at an *Event* desires to conduct *Testing* of *Athletes* at the *Event Venues* during the *Event Period*, the *Anti-Doping Organisation* shall





first confer with the IKF (or any other international organisation which is the ruling body of the *Event*) to obtain permission to conduct and coordinate such *Testing*. If the *Anti-Doping Organisation* is not satisfied with the response from the IKF (or any other international organisation which is the ruling body of the *Event*), the *Anti-Doping Organisation* may ask WADA for permission to conduct *Testing* and to determine how to coordinate such *Testing*, in accordance with the procedures set out in the International Standard for Testing and Investigations. WADA shall not grant approval for such *Testing* before consulting with and informing the IKF (or any other international organisation which is the ruling body for the *Event*). WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct *Testing*, such tests shall be considered *Out-of-Competition* tests. Results management for any such test shall be the responsibility of the *Anti-Doping Organisation* initiating the test unless provided otherwise in the rules of the ruling body of the *Event*.

#### **5.4 Test Distribution Planning**

Consistent with the International Standard for Testing and Investigations, and in coordination with other *Anti-Doping Organisations* conducting *Testing* on the same *Athletes*, the IKF shall develop and implement an effective, intelligent and proportionate test distribution plan that prioritizes appropriately between disciplines, categories of *Athletes*, types of *Testing*, types of *Samples* collected, and types of *Sample* analysis, all in compliance with the requirements of the International Standard for Testing and Investigations. the IKF shall provide WADA upon request with a copy of its current test distribution plan.

#### **5.5 Coordination of Testing**

Where reasonably feasible, *Testing* shall be coordinated through ADAMS or another system approved by WADA in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.

#### **5.6 Athlete Whereabouts Information**

**5.6.1** The IKF shall identify a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations, and shall make available through ADAMS, a list which identifies those *Athletes* included in its *Registered Testing Pool* either by name or by clearly defined, specific criteria. the IKF shall coordinate with *National Anti-Doping Organisations* the identification of such *Athletes* and the collection of their whereabouts information. the IKF shall review and update as necessary its criteria for including *Athletes* 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. *Athletes* shall be notified before they are included in a *Registered Testing Pool* and when they are removed from that pool.





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

- 5.6.2 For purposes of Article 2.4, an *Athlete's* failure to comply with the requirements of the International Standard for Testing and Investigations shall be deemed a filing failure or a missed test (as defined in the International Standard for Testing and Investigations) where the conditions set forth in the International Standard for Testing and Investigations for declaring a filing failure or missed test are met.
- 5.6.3 An *Athlete* in the IKF's *Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations unless and until (a) the *Athlete* gives written notice to the IKF that he/she has retired or (b) the IKF has informed him or her that he/she no longer satisfies the criteria for inclusion in the IKF's *Registered Testing Pool*.
- 5.6.4 Whereabouts information relating to an *Athlete* shall be shared (through ADAMS) with WADA and other *Anti-Doping Organisations* having authority to test that *Athlete*, shall be maintained in strict confidence at all times, shall be used exclusively for the purposes set out in Article 5.6 of the *Code*, and shall be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.

## 5.7 Retired *Athletes* Returning to *Competition*

- 5.7.1 An *Athlete* in the IKF's *Registered Testing Pool* who has given notice of retirement to the IKF may not resume competing in *International Events* or *National Events* until he/she has given the IKF written notice of his/her intent to resume competing and has made him/herself available for *Testing* for a period of six months before returning to *Competition*, including (if requested) complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations. WADA, in consultation with the IKF and the *Athlete's National Anti-Doping Organisation*, may grant an exemption to the six-month written notice rule where the strict application of that rule would be manifestly unfair to an *Athlete*. This decision may be appealed under Article 13. Any competitive results obtained in violation of this Article 5.7.1 shall be *Disqualified*.
- 5.7.2 If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* shall not resume competing in *International Events* or *National Events* until the *Athlete* has given six months prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six months) to



the IKF and to his/her *National Anti-Doping Organisation* of his/her intent to resume competing and has made him/herself available for *Testing* for that notice period, including (if requested) complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations.

#### **5.8 Independent Observer Program**

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

### **ARTICLE 6 ANALYSIS OF SAMPLES**

*Samples* shall be analyzed in accordance with the following principles:

#### **6.1 Use of Accredited and Approved Laboratories**

For purposes of Article 2.1, *Samples* shall be analyzed only in laboratories accredited or otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the *Sample* analysis shall be determined exclusively by the IKF.

#### **6.2 Purpose of Analysis of Samples**

**6.2.1** *Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* 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 the IKF in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purpose. *Samples* may be collected and stored for future analysis.

**6.2.2** The IKF shall ask laboratories to analyze *Samples* in conformity with Article 6.4 of the *Code* and Article 4.7 of the International Standard for Testing and Investigations.

#### **6.3 Research on Samples**

No *Sample* may be used for research without the *Athlete's* written consent. *Samples* used for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

## 6.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyze *Samples* and report results in conformity with the International Standard for Laboratories. To ensure effective *Testing*, the Technical Document referenced at Article 5.4.1 of the *Code* will establish risk assessment-based *Sample* analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze *Samples* in conformity with those menus, except as follows:

- 6.4.1 The IKF may request that laboratories analyze its *Samples* using more extensive menus than those described in the Technical Document.
- 6.4.2 The IKF may request that laboratories analyze its *Samples* using less extensive menus than those described in the Technical Document only if it has satisfied WADA that, because of the particular circumstances of its sport, as set out in its test distribution plan, less extensive analysis would be appropriate.
- 6.4.3 As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the *Sample* analysis menu described in the Technical Document or specified by the *Testing* authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

## 6.5 Further Analysis of *Samples*

Any *Sample* may be stored and subsequently subjected to further analysis for the purposes set out in Article 6.2: (a) by WADA at any time; and/or (b) by the IKF at any time before both the A and B *Sample* analytical results (or A *Sample* result where B *Sample* analysis has been waived or will not be performed) have been communicated by the IKF to the *Athlete* as the asserted basis for an Article 2.1 anti-doping rule violation. Such further analysis of *Samples* shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

## ARTICLE 7 RESULTS MANAGEMENT

### 7.1 Responsibility for Conducting Results Management

- 7.1.1 The circumstances in which the IKF shall take responsibility for conducting results management in respect of anti-doping rule violations involving *Athletes* and other *Persons* under its jurisdiction shall be determined by reference to and in accordance with Article 7 of the *Code*.



**7.1.2** The IKF Executive shall appoint a Doping Review Panel consisting of a Chair and two other members, preferably with experience in anti-doping. These persons shall normally be members of the IKF Disciplinary Committee. When a potential violation is referred to the Doping Review Panel by the IKF, the Chair of the Doping Review Panel shall appoint one or more members of the Panel (which may include the Chair) to conduct the review discussed in this Article 7.

## **7.2 Review of Adverse Analytical Findings From Tests Initiated by the IKF**

Results management in respect of the results of tests initiated by the IKF (including tests performed by WADA pursuant to agreement with the IKF) shall proceed as follows:

**7.2.1** The results from all analyses must be sent to the IKF in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted confidentially and in conformity with *ADAMS*.

**7.2.2** Upon receipt of an *Adverse Analytical Finding*, the IKF shall conduct a 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 and Investigations or International Standard for Laboratories that caused the *Adverse Analytical Finding*.

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

## **7.3 Notification After Review Regarding Adverse Analytical Findings**

**7.3.1** If the review of an *Adverse Analytical Finding* under Article 7.2.2 does not reveal an applicable *TUE* or entitlement to a *TUE* as provided in the International Standard for Therapeutic Use Exemptions, or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, the IKF shall promptly notify the *Athlete*, and simultaneously the *Athlete's National Anti-Doping Organisation* and WADA, in the manner set out in Article 14.1, of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated; (c) the *Athlete'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 *Athlete* or the IKF chooses to request an analysis of the *B Sample*; (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis in accordance with the International Standard for



Laboratories if such analysis is requested; and (f) the *Athlete'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. If the IKF decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*, the *Athlete's National Anti-Doping Organisation* and WADA.

**7.3.2** Where requested by the *Athlete* or the IKF, arrangements shall be made to analyze the B *Sample* in accordance with the International Standard for Laboratories. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. the IKF may nonetheless elect to proceed with the B *Sample* analysis.

**7.3.3** The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample*. Also, a representative of the IKF as well as a representative of the *Athlete's National Federation* shall be allowed to be present.

**7.3.4** If the B *Sample* analysis does not confirm the A *Sample* analysis, then (unless the IKF takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Athlete*, the *Athlete's National Anti-Doping Organisation* and WADA shall be so informed.

**7.3.5** If the B *Sample* analysis confirms the A *Sample* analysis, the findings shall be reported to the *Athlete*, the *Athlete's National Anti-Doping Organisation* and to WADA.

#### **7.4 Review of Atypical Findings**

**7.4.1** As provided in the International Standard for Laboratories, in some circumstances laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously, as *Atypical Findings*, i.e., as findings that are subject to further investigation.

**7.4.2** Upon receipt of an *Atypical Finding*, the IKF shall conduct a 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 and Investigations or International Standard for Laboratories that caused the *Atypical Finding*.

**7.4.3** If the review of an *Atypical Finding* under Article 7.4.2 reveals an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, the *Athlete's National Anti-Doping Organisation* and WADA shall be so informed.



**7.4.4** If that review does not reveal an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the IKF shall conduct the required investigation or cause it to be conducted. After the investigation is completed, either the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*, in accordance with Article 7.3.1, or else the *Athlete*, the *Athlete's National Anti-Doping Organisation* and WADA shall be notified that the *Atypical Finding* will not be brought forward as an *Adverse Analytical Finding*.

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

7.4.5.1 If the IKF determines the *B Sample* should be analyzed prior to the conclusion of its investigation, it may conduct the *B Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.3.1(d)-(f).

7.4.5.2 If the IKF is asked (a) by a *Major Event Organisation* shortly before one of its *International Events*, or (b) by a sport organisation responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *Major Event Organisation* or sport organisation has a pending *Atypical Finding*, the IKF shall so advise the *Major Event Organisation* or sports organisation after first providing notice of the *Atypical Finding* to the *Athlete*.

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

Review of *Atypical Passport Findings* and *Adverse Passport Findings* shall take place as provided in the International Standard for Testing and Investigations and International Standard for Laboratories. At such time as the IKF is satisfied that an anti-doping rule violation has occurred, it shall promptly give the *Athlete* (and simultaneously the *Athlete's National Anti-Doping Organisation* and WADA) notice of the anti-doping rule violation asserted and the basis of that assertion.

## **7.6 Review of Whereabouts Failures**

The IKF shall review potential filing failures and missed tests, as defined in the International Standard for Testing and Investigations, in respect of *Athletes* who file their whereabouts information with the IKF, in accordance with Annex I to the International Standard for Testing and Investigations. At such time as the IKF is satisfied that an Article 2.4 anti-doping rule violation has occurred, it shall promptly give the *Athlete* (and simultaneously the *Athlete's National Anti-Doping Organisation* and WADA) notice that it is asserting a violation of Article 2.4 and the basis of that assertion.

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

The IKF shall conduct any follow-up investigation required into a possible anti-doping rule violation not covered by Articles 7.2- 7.6. At such time as the IKF is satisfied that an anti-doping rule violation has occurred, it shall promptly give the *Athlete* or other *Person* (and simultaneously the *Athlete's* or other *Person's National Anti-Doping Organisation* and WADA) notice of the anti-doping rule violation asserted and the basis of that assertion.

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

Before giving an *Athlete* or other *Person* notice of an asserted anti-doping rule violation as provided above, the IKF shall refer to ADAMS and contact WADA and other relevant *Anti-Doping Organisations* to determine whether any prior anti-doping rule violation exists.

## **7.9 Provisional Suspensions**

**7.9.1 Mandatory Provisional Suspension:** If analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, or for a *Prohibited Method*, and a review in accordance with Article 7.2.2 does not reveal an applicable *TUE* or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, a *Provisional Suspension* shall be imposed upon or promptly after the notification described in Articles 7.2, 7.3 or 7.5.

**7.9.2 Optional Provisional Suspension:** In case of an *Adverse Analytical Finding* for a *Specified Substance*, or in the case of any other anti-doping rule violations not covered by Article 7.9.1, the IKF may impose a *Provisional Suspension* on the *Athlete* or other *Person* against whom the anti-doping rule violation is asserted at any time after the review and notification described in Articles 7.2–7.7 and prior to the final hearing as described in Article 8.

**7.9.3** Where a *Provisional Suspension* is imposed pursuant to Article 7.9.1 or Article 7.9.2, the *Athlete* or other *Person* shall be given either: (a) an opportunity for a *Provisional Hearing* either before or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited final hearing in accordance with Article 8 on a timely basis after imposition of the *Provisional Suspension*. Furthermore, the *Athlete* or other *Person* has a right to appeal from the *Provisional Suspension* in accordance with Article 13.2 (save as set out in Article 7.9.3.1).

7.9.3.1 The *Provisional Suspension* may be lifted if the *Athlete* demonstrates to the hearing panel that the violation is likely to have involved a *Contaminated Product*. A hearing panel's decision not to lift a mandatory *Provisional Suspension* on





account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

7.9.3.2 The Provisional Suspension shall be imposed (or shall not be lifted) unless the *Athlete* or other *Person* establishes that: (a) the assertion of an anti-doping rule violation has no reasonable prospect of being upheld, e.g., because of a patent flaw in the case against the *Athlete* or other *Person*; or (b) the *Athlete* or other *Person* has a strong arguable case that he/she bears *No Fault or Negligence* for the anti-doping rule violation(s) asserted, so that any period of *Ineligibility* that might otherwise be imposed for such a violation is likely to be completely eliminated by application of Article 10.4; or (c) some other facts exist that make it clearly unfair, in all of the circumstances, to impose a *Provisional Suspension* prior to a final hearing in accordance with Article 8. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the *Provisional Suspension* would prevent the *Athlete* or other *Person* participating in a particular *Competition* or *Event* shall not qualify as exceptional circumstances for these purposes.

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

**7.9.5** In all cases where an *Athlete* or other *Person* has been notified of an anti-doping rule violation but a *Provisional Suspension* has not been imposed on him or her, the *Athlete* or other *Person* shall be offered the opportunity to accept a *Provisional Suspension* voluntarily pending the resolution of the matter.

## **7.10 Resolution Without a Hearing**

**7.10.1** An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may admit that violation at any time, waive a hearing, and accept the *Consequences* that are mandated by these Anti-Doping Rules or (where some discretion as to *Consequences* exists under these Anti-Doping Rules) that have been offered by the IKF.

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





IKF asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the *Consequences* that are mandated by these Anti-Doping Rules or (where some discretion as to *Consequences* exists under these Anti-Doping Rules) that have been offered by the IKF.

**7.10.3** In cases where Article 7.10.1 or Article 7.10.2 applies, a hearing before a hearing panel shall not be required. Instead the IKF shall promptly issue a written decision confirming the commission of the anti-doping rule violation and the *Consequences* imposed as a result, and setting out the full reasons for any period of *Ineligibility* imposed, including (if applicable) a justification for why the maximum potential period of *Ineligibility* was not imposed. the IKF shall send copies of that decision to other *Anti-Doping Organisations* with a right to appeal under Article 13.2.3, and shall *Publicly Disclose* that decision in accordance with Article 14.3.2.

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

In all cases where the IKF has asserted the commission of an anti-doping rule violation, withdrawn the assertion of an anti-doping rule violation, imposed a *Provisional Suspension*, or agreed with an *Athlete* or other *Person* on the imposition of *Consequences* without a hearing, the IKF shall give notice thereof in accordance with Article 14.2.1 to other *Anti-Doping Organisations* with a right to appeal under Article 13.2.3.

#### **7.12 Retirement from Sport**

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

### **ARTICLE 8 RIGHT TO A FAIR HEARING**

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

**8.1.1** When the IKF sends a notice to an *Athlete* or other *Person* asserting an anti-doping rule violation, and the *Athlete* or other *Person* does not waive a hearing in accordance with Article 7.10.1 or Article 7.10.2, then the case shall be referred to the IKF Doping Hearing Panel for hearing and adjudication.



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

## **8.2 Decisions**

- 8.2.1** At the end of the hearing, or on a timely basis thereafter, the IKF Doping Hearing Panel shall issue a written decision that includes the full reasons for the decision and for any period of *Ineligibility* imposed, including (if applicable) a justification for why the greatest potential *Consequences* were not imposed.
- 8.2.2** Decisions of the IKF Doping Hearing Panel may be appealed to the IKF Appeals Committee in accordance with the IKF Statutes or to the CAS as provided in Article 13. Copies of the decision shall be provided to the *Athlete* or other *Person* and to other *Anti-Doping Organisations* with a right to appeal under Article 13.2.3.
- 8.2.3** If no appeal is brought against the decision, then (a) if the decision is that an anti-doping rule violation was committed, the decision shall be *Publicly Disclosed* as provided in Article 14.3.2; but (b) if the decision is that no anti-doping rule violation was committed, then the decision shall only be *Publicly Disclosed* with the consent of the *Athlete* or other *Person* who is the subject of the decision. the IKF shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.

The principles contained at Article 14.3.6 shall be applied in cases involving a *Minor*.

## **8.3 Single Hearing Before CAS**

Cases asserting anti-doping rule violations may be heard directly at CAS, with no requirement for a prior hearing, with the consent of the *Athlete*, the IKF, WADA, and any other *Anti-Doping Organisation* that would have had a right to appeal a first instance hearing decision to CAS.



## ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

[Comment: An individual result in korfball is an award of a prize that is independent of the match results, e.g. top scorer, most valuable player etc].

Since Korfball is a team sport, an anti-doping rule violation by an individual athlete in connection with an *In-Competition* test shall automatically lead to *Disqualification* of any award obtained in that *Competition*, with all resulting *Consequences*, including forfeiture of any medals and prizes.

## ARTICLE 10 SANCTIONS ON INDIVIDUALS

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

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

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

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

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

The period of *Ineligibility* for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6:

**10.2.1** The period of *Ineligibility* shall be four years where:

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

10.2.1.2 The anti-doping rule violation involves a *Specified Substance* and the IKF can establish that the anti-doping rule violation was intentional.

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

**10.2.3** As used in Articles 10.2 and 10.3, the term “intentional” is meant to identify those *Athletes* who cheat. The term therefore requires that the *Athlete* or other *Person* engaged in conduct which he or she knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall be rebuttably presumed to be not intentional if the substance is a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered intentional if the substance is not a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.

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

The period of *Ineligibility* for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Articles 10.5 or 10.6 are applicable:

**10.3.1** For violations of Article 2.3 or Article 2.5, the period of *Ineligibility* shall be four years unless, in the case of failing to submit to *Sample* collection, the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional (as defined in Article 10.2.3), in which case the period of *Ineligibility* shall be two years.

**10.3.2** For violations of Article 2.4, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of one year, depending on the *Athlete's* degree of *Fault*. The flexibility between two years and one year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.

**10.3.3** For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Minor* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

**10.3.4** For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.



**10.3.5** For violations of Article 2.10, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of one year, depending on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.

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

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

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

**10.5.1** Reduction of Sanctions for *Specified Substances* or *Contaminated Products* for Violations of Article 2.1, 2.2 or 2.6.

10.5.1.1 *Specified Substances*

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

10.5.1.2 *Contaminated Products*

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

**10.5.2** Application of *No Significant Fault or Negligence* beyond the Application of Article 10.5.1

If an *Athlete* or other *Person* establishes in an individual case where Article 10.5.1 is not applicable that he or she bears *No Significant Fault or Negligence*, then, subject to further reduction or elimination as provided in Article 10.6, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight years.

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

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

10.6.1.1 The IKF 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 in which it has results management authority where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organisation*, criminal authority or professional disciplinary body which results in: (i) the *Anti-Doping Organisation* discovering or bringing forward an anti-doping rule violation by another *Person*, or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to the IKF. After a final appellate decision under Article 13 or the expiration of time to appeal, the IKF may only suspend a part of the otherwise applicable period of *Ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. 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 years. If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of the period of *Ineligibility* was based, the IKF shall reinstate the original period of *Ineligibility*. If the IKF decides to reinstate a suspended period of *Ineligibility* or decides not to reinstate a suspended period of *Ineligibility*, that decision may be appealed by any *Person* entitled to appeal under Article 13.

10.6.1.2 To further encourage *Athletes* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organisations*, at the request of the IKF or at the request of the *Athlete* or other *Person* who has (or has been asserted to have) committed an anti-doping rule violation, WADA may agree at any stage of the results management process, including after a final appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of *Ineligibility* and other *Consequences*. In exceptional circumstances, WADA may agree to suspensions of the period of *Ineligibility* and other *Consequences* for *Substantial Assistance* greater than those otherwise provided in this Article, or even no period of *Ineligibility*, and/or no return of



prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of sanction, as otherwise provided in this Article. Notwithstanding Article 13, WADA's decisions in the context of this Article may not be appealed by any other *Anti-Doping Organisation*.

10.6.1.3 If the IKF suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organisations* with a right to appeal under Article 13.2.3 as provided in Article 14.2. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize the IKF to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

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

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

#### **10.6.3 Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or Article 10.3.1**

An *Athlete* or other *Person* potentially subject to a four-year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing *Sample Collection* or *Tampering with Sample Collection*), by promptly admitting the asserted anti-doping rule violation after being confronted by the IKF, and also upon the approval and at the discretion of both WADA and the IKF, may receive a reduction in the period of *Ineligibility* down to a minimum of two years, depending on the seriousness of the violation and the *Athlete* or other *Person's* degree of *Fault*.

#### **10.6.4 Application of Multiple Grounds for Reduction of a Sanction**

Where an *Athlete* or other *Person* establishes entitlement to reduction in sanction under more than one provision of Article 10.4, 10.5 or 10.6, before applying any reduction or suspension under Article 10.6, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4, and 10.5. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility*





under Article 10.6, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

## **10.7 Multiple Violations**

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

- (a) six months;
- (b) one-half of the period of *Ineligibility* imposed for the first anti-doping rule violation without taking into account any reduction under Article 10.6; or
- (c) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of *Ineligibility* established above may then be further reduced by the application of Article 10.6.

**10.7.2** A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4 or 10.5, or involves a violation of Article 2.4. In these particular cases, the period of *Ineligibility* shall be from eight years to lifetime *Ineligibility*.

**10.7.3** An anti-doping rule violation for which an *Athlete* or other *Person* has established *No Fault or Negligence* shall not be considered a prior violation for purposes of this Article.

### **10.7.4 Additional Rules for Certain Potential Multiple Violations**

10.7.4.1 For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if the IKF can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7, or after the IKF made reasonable efforts to give notice of the first anti-doping rule violation. If the IKF 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.

10.7.4.2 If, after the imposition of a sanction for a first anti-doping rule violation, the IKF discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then the





IKF shall impose an additional sanction based on the sanction that could have been imposed if the two violations had 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.

#### **10.7.5 Multiple Anti-Doping Rule Violations during Ten-Year Period**

For purposes of Article 10.7, each anti-doping rule violation must take place within the same ten-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, all other competitive results of the *Athlete* obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

#### **10.9 Allocation of CAS Cost Awards and Forfeited Prize Money**

The priority for repayment of CAS cost awards and forfeited prize money shall be: first, payment of costs awarded by CAS; and second, reimbursement of the expenses of the IKF.

#### **10.10 Financial Consequences**

Where an *Athlete* or other *Person* commits an anti-doping rule violation, the IKF may, in its discretion and subject to the principle of proportionality, elect to a) recover from the *Athlete* or other *Person* costs associated with the anti-doping rule violation, regardless of the period of *Ineligibility* imposed and/or b) fine the *Athlete* or other *Person* in an amount up to 100 units of account, only in cases where the maximum period of *Ineligibility* otherwise applicable has already been imposed.

The imposition of a financial sanction or the the IKF's recovery of costs shall not be considered a basis for reducing the *Ineligibility* or other sanction which would otherwise be applicable under these Anti-Doping Rules or the *Code*.

## **10.11 Commencement of *Ineligibility* Period**

Except as provided below, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed.

### **10.11.1 Delays Not Attributable to the *Athlete* or other *Person***

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

### **10.11.2 Timely Admission**

Where the *Athlete* or other *Person* promptly (which, in all events, for an *Athlete* means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the IKF, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This Article shall not apply where the period of *Ineligibility* has already been reduced under Article 10.6.3.

### **10.11.3 Credit for *Provisional Suspension* or Period of *Ineligibility* Served**

10.11.3.1 If a *Provisional Suspension* is imposed and respected by the *Athlete* or other *Person*, then the *Athlete* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Athlete* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.

10.11.3.2 If an *Athlete* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from the IKF and thereafter respects the *Provisional Suspension*, the *Athlete* or other *Person* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately



be imposed. A copy of the *Athlete* or other *Person's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.

10.11.3.3 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension* regardless of whether the *Athlete* elected not to compete or was suspended by his or her team.

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

## 10.12 Status During *Ineligibility*

### 10.12.1 Prohibition Against Participation During *Ineligibility*

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

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

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.



#### **10.12.2** Return to Training

As an exception to Article 10.12.1, an *Athlete* may return to train with a team or to use the facilities of a club or other member organisation of the IKF's member organisation during the shorter of: (1) the last two months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.

#### **10.12.3** Violation of the Prohibition of Participation During *Ineligibility*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.12.1, the results of such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length up to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility* may be adjusted based on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the IKF. This decision may be appealed under Article 13.

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

#### **10.12.4** Withholding of Financial Support during *Ineligibility*

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.4 or 10.5, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by the IKF and its *National Federations*.

### **10.13** Automatic Publication of Sanction

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

## **ARTICLE 11** CONSEQUENCES TO TEAMS

### **11.1** Testing of Team Sports

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

### **11.2** Consequences for Team Sports



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

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

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

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

**12.1** The IKF 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 the IKF for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *National Federation*.

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

**12.3.1** Four or more violations of these Anti-Doping Rules (other than violations involving Article 2.4) are committed by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period in testing conducted by the IKF or *Anti-Doping Organisations* other than the *National Federation* or its *National Anti-Doping Organisation*. In such event the IKF may in its discretion elect to: (a) ban all officials from that *National Federation* for participation in any the IKF activities for a period of up to two years and/or (b) fine the *National Federation* in an amount up to 100 units of account. (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) are committed in addition to the violations described in Article 12.3.1 by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period in *Testing* conducted by the IKF or *Anti-Doping Organisations* other than the *National Federation* or its *National Anti-Doping Organisation*, then the IKF may suspend that *National Federation's* membership for a period of up to 4 years.



**12.3.2** More than one *Athlete* or other *Person* from a *National Federation* commits an *Anti-Doping Rule* violation during an *International Event*. In such event the IKF may fine that *National Federation* in an amount up to 100 units of account.

**12.3.3** A *National Federation* has failed to make diligent efforts to keep the IF informed about an *Athlete's* whereabouts after receiving a request for that information from the IKF. In such event the IKF may fine the *National Federation* in an amount up to 100 units of account per *Athlete* in addition to all of the IKF costs incurred in *Testing* that *National Federation's Athletes*.

## **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 13.7 or as otherwise provided in these Anti-Doping Rules, the *Code* or the *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in the *Anti-Doping Organisation's* rules must be exhausted, provided that such review respects the principles set forth in Article 13.2.2 below (except as provided in Article 13.1.3).

#### **13.1.1 Scope of Review Not Limited**

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.

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

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

#### **13.1.3 WADA Not Required to Exhaust Internal Remedies**

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



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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six months notice requirement for a retired *Athlete* to return to *Competition* under Article 5.7.1; a decision by WADA assigning results management under Article 7.1 of the *Code*; a decision by the IKF 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 7.7; a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing*; the IKF's failure to comply with Article 7.9; a decision that the IKF lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, a period of *Ineligibility* or to reinstate, or not reinstate, a suspended period of *Ineligibility* under Article 10.6.1; a decision under Article 10.12.3; and a decision by the IKF not to recognize another *Anti-Doping Organisation's* decision under Article 15, may be appealed exclusively as provided in Articles 13.2 – 13.7.

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

In cases arising from participation in an *International Event* or in cases involving *International-Level Athletes*, the decision may be first appealed to the IKF Appeals Committee as per the IKF Statutes. The decision by the IKF Appeals Committee may be appealed to CAS.

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

In cases where Article 13.2.1 is not applicable, the decision may be appealed to a national-level appeal body, being an independent and impartial body established in accordance with rules adopted by the *National Anti-Doping Organisation* having jurisdiction over the *Athlete* or other *Person*. The rules for such appeal shall respect the following principles: a timely hearing; a fair and impartial hearing panel; the right to be represented by counsel at the *Person's* own expense; and a timely, written, reasoned decision. If the *National Anti-Doping Organisation* 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 the IKF Appeals Committee and to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was



rendered; (c) the IKF; (d) the *National Anti-Doping Organisation* 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 appeal body shall be as provided in the *National Anti-Doping Organisation's* rules but, at a minimum, shall include the following parties: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the IKF; (d) the *National Anti-Doping Organisation* of the *Person's* country of residence; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA. For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and the IKF shall also have the right to appeal to CAS with respect to the decision of the national-level appeal body. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the *Anti-Doping Organisation* 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 *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

#### **13.2.4 Cross Appeals and other Subsequent Appeals Allowed**

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

### **13.3 Failure to Render a Timely Decision by the IKF and its *National Organisations***

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





#### **13.4 Appeals Relating to TUEs**

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

#### **13.5 Notification of Appeal Decisions**

Any *Anti-Doping Organisation* that is a party to an appeal shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organisations* that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.2.

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

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

#### **13.7 Time for Filing Appeals**

##### **13.7.1 Appeals to CAS**

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

- a) Within fifteen days from notice of the decision, such party/ies shall have the right to request a copy of the case file from the body that issued the decision;
- b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to the IKF Appeals Committee and to *CAS*.

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

- a) Twenty-one days after the last day on which any other party in the case could have appealed; or
- b) Twenty-one days after *WADA*'s receipt of the complete file relating to the decision.



### **13.7.2 Appeals Under Article 13.2.2**

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

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

- (a) Twenty-one days after the last day on which any other party in the case could have appealed, or
- (b) Twenty-one days after WADA's receipt of the complete file relating to the decision.

## **ARTICLE 14 CONFIDENTIALITY AND REPORTING**

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

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

Notice to *Athletes* or other *Persons* of anti-doping rule violations asserted against them shall occur as provided under Articles 7 and 14 of these Anti-Doping Rules. Notice to an *Athlete* 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 of Anti-Doping Rule Violations to *National Anti-Doping Organisations* and WADA**

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

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

Notification of an anti-doping rule violation under Article 2.1 shall include: the *Athlete's* name, country, sport and discipline within the sport, the *Athlete's* competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory, and other information as required by the International Standard for Testing and Investigations.



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

#### **14.1.4** Status Reports

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

#### **14.1.5** Confidentiality

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

**14.1.6** The IKF shall ensure that information concerning *Adverse Analytical Findings, Atypical Findings*, and other asserted anti-doping rule violations remains confidential until such information is *Publicly Disclosed* in accordance with Article 14.3, and shall include provisions in any contract entered into between The IKF and any of its employees (whether permanent or otherwise), contractors, agents and consultants, for the protection of such confidential information as well as for the investigation and disciplining of improper and/or unauthorised disclosure of such confidential information.

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

**14.2.1** Anti-doping rule violation decisions rendered pursuant to Article 7.11, 8.2, 10.4, 10.5, 10.6, 10.12.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the greatest possible *Consequences* were not imposed. Where the decision is not in English or French, the IKF shall provide a short English or French summary of the decision and the supporting reasons.

**14.2.2** An *Anti-Doping Organisation* having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

### **14.3** *Public Disclosure*

**14.3.1** The identity of any *Athlete* or other *Person* who is asserted by the IKF to have committed an anti-doping rule violation may be *Publicly Disclosed* by the IKF only after notice has been



provided to the *Athlete* or other *Person* in accordance with Article 7.3, 7.4, 7.5, 7.6 or 7.7 and simultaneously to WADA and the *National Anti-Doping Organisation* of the *Athlete* or other *Person* in accordance with Article 14.1.2.

- 14.3.2** No later than twenty days after it has been determined in a final appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, the IKF must *Publicly Report* the disposition of the matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any), and the *Consequences* imposed. The IKF must also *Publicly Report* within twenty days the results of final appeal decisions concerning anti-doping rule violations, including the information described above.
- 14.3.3** In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be *Publicly Disclosed* only with the consent of the *Athlete* or other *Person* who is the subject of the decision. The IKF shall use reasonable efforts to obtain such consent. If consent is obtained, the IKF shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 14.3.4** Publication shall be accomplished at a minimum by placing the required information on the IKF's website or publishing it through other means and leaving the information up for the longer of one month or the duration of any period of *Ineligibility*.
- 14.3.5** Neither the IKF, nor its *National Federations*, nor any official of either body, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted, or their representatives.
- 14.3.6** The mandatory *Public Reporting* required in Article 14.3.2 shall not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*. Any optional *Public Reporting* in a case involving a *Minor* shall be proportionate to the facts and circumstances of the case.

#### **14.4 Statistical Reporting**

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



#### **14.5 Doping Control Information Clearinghouse**

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

#### **14.6 Data Privacy**

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

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

### **ARTICLE 15 APPLICATION AND RECOGNITION OF DECISIONS**

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

**15.2** The IKF and its *National Federations* shall recognize the measures taken by other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

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



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

- 16.1** All *National Federations* and their members shall comply with these Anti-Doping Rules. All *National Federations* and other members shall include in their regulations the provisions necessary to ensure that The IKF may enforce these Anti-Doping Rules directly as against *Athletes* under their anti-doping jurisdiction (including *National-Level Athletes*). These Anti-Doping Rules shall also be incorporated either directly or by reference into each *National Federation's* rules so that the *National Federation* may enforce them itself directly as against *Athletes* under its anti-doping jurisdiction (including *National-Level Athletes*).
- 16.2** All *National Federations* shall establish rules requiring all *Athletes* and each *Athlete Support Personnel* who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in a *Competition* or activity authorized or organized by a *National Federation* or one of its member organisations to agree to be bound by these Anti-Doping Rules and to submit to the results management authority of the *Anti-Doping Organisation* responsible under the *Code* as a condition of such participation.
- 16.2.1** If an IKF National Organisation does not have its own specific anti-doping regulations, the IKF Anti-Doping Policy and the IKF Anti-Doping Rules will automatically apply in that National Organisation and all its affiliated members.
- 16.3** All *National Federations* shall report any information suggesting or relating to an anti-doping rule violation to The IKF and to their *National Anti-Doping Organisations*, and shall cooperate with investigations conducted by any *Anti-Doping Organisation* with authority to conduct the investigation.
- 16.4** All *National Federations* shall have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* under the jurisdiction of The IKF or the *National Federation*.
- 16.5** All *National Federations* shall be required to conduct anti-doping education in coordination with their *National Anti-Doping Organisations*.

## **ARTICLE 17 STATUTE OF LIMITATIONS**

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



## **ARTICLE 18 THE IKF COMPLIANCE REPORTS TO WADA**

The IKF will report to *WADA* on the IKF 's compliance with the *Code* in accordance with Article 23.5.2 of the *Code*.

## **ARTICLE 19 EDUCATION**

The IKF shall plan, implement, evaluate and monitor information, education and prevention programs for doping-free sport on at least the issues listed at Article 18.2 of the *Code*, and shall support active participation by *Athletes* and *Athlete Support Personnel* in such programs.

## **ARTICLE 20 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES**

- 20.1** These Anti-Doping Rules may be amended from time to time by the IKF .
- 20.2** These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 20.3** 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.
- 20.4** The *Code* and the *International Standards* shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.
- 20.5** 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*. The Introduction shall be considered an integral part of these Anti-Doping Rules.
- 20.6** The comments annotating various provisions of the *Code* are incorporated by reference in Appendix 3 into these Anti-Doping Rules, shall be treated as if set out in full herein, and shall be used to interpret these Anti-Doping Rules.
- 20.7** These Anti-Doping Rules have come into full force and effect on 1 January 2015 (the "Effective Date"). They shall not apply retroactively to matters pending before the Effective Date; provided, however, that:
  - 20.7.1** Anti-doping rule violations taking place prior to the Effective Date count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 for violations taking place after the Effective Date.



- 20.7.2** The retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.7.5 and the statute of limitations set forth in Article 17 are procedural rules and should be applied retroactively; provided, however, that Article 17 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date. Otherwise, with respect to any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case.
- 20.7.3** Any Article 2.4 whereabouts failure (whether a Filing Failure or a Missed Test, as those terms are defined in the International Standard for Testing and Investigations) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the International Standard for Testing and Investigation, but it shall be deemed to have expired 12 months after it occurred.
- 20.7.4** With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to the *Anti-Doping Organisation* which had results management responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these Anti-Doping Rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 13.2. These Anti-Doping Rules shall have no application to any case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.
- 20.7.5** For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.7.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of *Ineligibility* which would have been assessed for that first violation had these Anti-Doping Rules been applicable, shall be applied.

## **ARTICLE 21 INTERPRETATION OF THE CODE**

- 21.1** The official text of the *Code* shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.





- 21.2** The comments annotating various provisions of the *Code* shall be used to interpret the *Code*.
- 21.3** The *Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.
- 21.4** The headings used for the various Parts and Articles of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.
- 21.5** The *Code* shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 for subsequent post-*Code* violations.
- 21.6** The Purpose, Scope and Organisation of the World Anti-Doping Program and the *Code* and Appendix 1, Definitions, and Appendix 2, Examples of the Application of Article 10, shall be considered integral parts of the *Code*.

## **ARTICLE 22 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS**

### **22.1 Roles and Responsibilities of Athletes**

- 22.1.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 22.1.2** To be available for *Sample* collection at all times.
- 22.1.3** To take responsibility, in the context of anti-doping, for what they ingest and *Use*.
- 22.1.4** To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules.
- 22.1.5** To disclose to their *National Anti-Doping Organisation* and to The IKF any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten years.
- 22.1.6** To cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations.
- 22.1.7** Failure by any *Athlete* to cooperate in full with *Anti-Doping Organisations* investigating anti-doping rule violations may result in a charge of misconduct under the IKF's disciplinary procedures.



## **22.2 Roles and Responsibilities of *Athlete Support Personnel***

- 22.2.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 22.2.2** To cooperate with the *Athlete Testing* program.
- 22.2.3** To use his or her influence on *Athlete* values and behavior to foster anti-doping attitudes.
- 22.2.4** To disclose to his or her *National Anti-Doping Organisation* and to the IKF any decision by a non-*Signatory* finding that he or she committed an anti-doping rule violation within the previous ten years.
- 22.2.5** To cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations.
- 22.2.6** Failure by any *Athlete Support Personnel* to cooperate in full with *Anti-Doping Organisations* investigating anti-doping rule violations may result in a charge of misconduct under the IKF's disciplinary procedures.
- 22.2.7** *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.
- 22.2.8** *Use* or *Possession* of a *Prohibited Substance* or *Prohibited Method* by an *Athlete Support Personnel* without valid justification may result in a charge of misconduct under the IKF's disciplinary procedures.

Approved by the IKF Council August 2018



## APPENDIX 1

### APPENDIX 1 DEFINITIONS

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

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

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

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

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

**Athlete**: Any *Person* who competes in sport at the international level (as defined by each International Federation), or the national level (as defined by each *National Anti-Doping Organisation*). An *Anti-Doping Organisation* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of "Athlete." In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organisation* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organisation* has authority who competes below the international or national level, then the *Consequences* set forth in the *Code* (except Article 14.3.2) must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organisation accepting the *Code* is an *Athlete*.



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*Athlete Biological Passport*: The program and methods of gathering and collating data as described in the International Standard for Testing and Investigations and International Standard for Laboratories.

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

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

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

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

*CAS*: The Court of Arbitration for Sport.

*Code*: The World Anti-Doping Code.

*Competition*: A friendly match, IKF match, international club match, international inter-league match or international match as defined in the IKF Competition Regulations.

For the purposes of the IKF Anti-Doping Rules, *Competition* will also refer to a series of matches played with additional separate rules or regulations, in which each participating team plays one or more matches.

*Consequences of Anti-Doping Rule Violations (“Consequences”)*: An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.12.1; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) *Public Disclosure or Public Reporting* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams may also be subject to *Consequences* as provided in Article 11 of the *Code*.



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

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

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

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

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

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

*Fault*: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Minor*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in his 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 Article 10.5.1 or 10.5.2.

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

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

[*Comment: An International Federation or ruling body for an Event may establish an "In-Competition" period that is different than the Event Period.*]

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



## APPENDIX 1

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

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

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

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

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

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

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

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

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

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

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

*National Federation*: A national or regional entity which is a member of, or is recognized by the IKF, as the entity governing Korfball in that nation or region (referred to in the IKF Statutes and other Regulations as "National Organisation").



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

**National Olympic Committee:** The organisation 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 Fault or Negligence:** The *Athlete* or other *Person's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method* or otherwise violated an anti-doping rule. Except in the case of a *Minor*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

**No Significant Fault or Negligence:** The *Athlete* or other *Person'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. Except in the case of a *Minor*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

[*Comment: For Cannabinoids, an Athlete may establish No Significant Fault or Negligence by clearly demonstrating that the context of the Use was unrelated to sport performance.*]

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

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

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

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

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





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

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

*Provisional Hearing*: For purposes of Article 7.9, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

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

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

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

*Registered Testing Pool*: The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organisations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organisation's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.6 of the *Code* and the International Standard for Testing and Investigations.

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

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

*Specified Substance*: See Article 4.2.2.

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

*Substantial Assistance*: For purposes of Article 10.6.1, 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 Organisation* 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.





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*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.

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

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

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

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

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

*UNESCO Convention*: The International Convention against Doping in Sport adopted by the 33<sup>rd</sup> 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.

[*Comment: Defined terms shall include their plural and possessive forms, as well as those terms used as other parts of speech*].



## APPENDIX 2

### APPENDIX 2 EXAMPLES OF THE APPLICATION OF ARTICLE 10

#### EXAMPLE 1.

Facts: An *Adverse Analytical Finding* results from the presence of an anabolic steroid in an *In-Competition* test (Article 2.1); the *Athlete* promptly admits the anti-doping rule violation; the *Athlete* establishes *No Significant Fault or Negligence*; and the *Athlete* provides *Substantial Assistance*.

Application of Consequences:

1. The starting point would be Article 10.2. Because the *Athlete* is deemed to have *No Significant Fault* that would be sufficient corroborating evidence (Articles 10.2.1.1 and 10.2.3) that the anti-doping rule violation was not intentional, the period of *Ineligibility* would thus be two years, not four years (Article 10.2.2).
2. In a second step, the panel would analyze whether the *Fault*-related reductions (Articles 10.4 and 10.5) apply. Based on *No Significant Fault or Negligence* (Article 10.5.2) since the anabolic steroid is not a *Specified Substance*, the applicable range of sanctions would be reduced to a range of two years to one year (minimum one-half of the two year sanction). The panel would then determine the applicable period of *Ineligibility* within this range based on the *Athlete's* degree of *Fault*. (Assume for purposes of illustration in this example that the panel would otherwise impose a period of *Ineligibility* of 16 months.)
3. In a third step, the panel would assess the possibility for suspension or reduction under Article 10.6 (reductions not related to *Fault*). In this case, only Article 10.6.1 (*Substantial Assistance*) applies. (Article 10.6.3, Prompt Admission, is not applicable because the period of *Ineligibility* is already below the two-year minimum set forth in Article 10.6.3.) Based on *Substantial Assistance*, the period of *Ineligibility* could be suspended by three-quarters of 16 months.\* The minimum period of *Ineligibility* would thus be four months. (Assume for purposes of illustration in this example that the panel suspends ten months and the period of *Ineligibility* would thus be six months.)
4. Under Article 10.11, the period of *Ineligibility*, in principle, starts on the date of the final hearing decision. However, because the *Athlete* 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 *Athlete* would have to serve at least one-half of the *Ineligibility* period (i.e., three months) after the date of the hearing decision (Article 10.11.2).
5. Since the *Adverse Analytical Finding* was committed in a *Competition*, the panel would have to automatically *Disqualify* the result obtained in that *Competition* (Article 9).
6. According to Article 10.8, all results obtained by the *Athlete* subsequent to the date of the *Sample* collection until the start of the period of *Ineligibility* would also be *Disqualified* unless fairness requires otherwise.



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7. The information referred to in Article 14.3.2 must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Article 10.13).

8. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Article 10.12.1). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organisation of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Article 10.12.2). Thus, the *Athlete* would be allowed to return to training one and one-half months before the end of the period of *Ineligibility*.

### EXAMPLE 2.

Facts: An *Adverse Analytical Finding* results from the presence of a stimulant which is a *Specified Substance* in an *In-Competition* test (Article 2.1); the *Anti-Doping Organisation* is able to establish that the *Athlete* committed the anti-doping rule violation intentionally; the *Athlete* is not able to establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance; the *Athlete* does not promptly admit the anti-doping rule violation as alleged; the *Athlete* does provide *Substantial Assistance*.

### Application of Consequences:

1. The starting point would be Article 10.2. Because the *Anti-Doping Organisation* can establish that the anti-doping rule violation was committed intentionally and the *Athlete* is unable to establish that the substance was permitted *Out-of-Competition* and the *Use* was unrelated to the *Athlete's* sport performance (Article 10.2.3), the period of *Ineligibility* would be four years (Article 10.2.1.2).

2. Because the violation was intentional, there is no room for a reduction based on *Fault* (no application of Articles 10.4 and 10.5). Based on *Substantial Assistance*, the sanction could be suspended by up to three-quarters of the four years.\* The minimum period of *Ineligibility* would thus be one year.

3. Under Article 10.11, the period of *Ineligibility* would start on the date of the final hearing decision.

4. Since the *Adverse Analytical Finding* was committed in a *Competition*, the panel would automatically *Disqualify* the result obtained in the *Competition*.

5. According to Article 10.8, all results obtained by the *Athlete* subsequent to the date of *Sample* collection until the start of the period of *Ineligibility* would also be *Disqualified* unless fairness requires otherwise.

6. The information referred to in Article 14.3.2 must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Article 10.13).

7. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Article 10.12.1).



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However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organisation of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Article 10.12.2). Thus, the *Athlete* would be allowed to return to training two months before the end of the period of *Ineligibility*.

### EXAMPLE 3.

Facts: An *Adverse Analytical Finding* results from the presence of an anabolic steroid in an *Out-of-Competition* test (Article 2.1); the *Athlete* establishes *No Significant Fault or Negligence*; the *Athlete* also establishes that the *Adverse Analytical Finding* was caused by a *Contaminated Product*.

#### Application of Consequences:

1. The starting point would be Article 10.2. Because the *Athlete* can establish through corroborating evidence that he did not commit the anti-doping rule violation intentionally, i.e., he had *No Significant Fault* in *Using a Contaminated Product* (Articles 10.2.1.1 and 10.2.3), the period of *Ineligibility* would be two years (Articles 10.2.2).
2. In a second step, the panel would analyze the *Fault*-related possibilities for reductions (Articles 10.4 and 10.5). Since the *Athlete* can establish that the anti-doping rule violation was caused by a *Contaminated Product* and that he acted with *No Significant Fault or Negligence* based on Article 10.5.1.2, the applicable range for the period of *Ineligibility* would be reduced to a range of two years to a reprimand. The panel would determine the period of *Ineligibility* within this range, based on the *Athlete's* degree of *Fault*. (Assume for purposes of illustration in this example that the panel would otherwise impose a period of *Ineligibility* of four months.)
3. According to Article 10.8, all results obtained by the *Athlete* subsequent to the date of *Sample* collection until the start of the period of *Ineligibility* would be *Disqualified* unless fairness requires otherwise.
4. The information referred to in Article 14.3.2 must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Article 10.13).
5. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Article 10.12.1). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organisation of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Article 10.12.2). Thus, the *Athlete* would be allowed to return to training one month before the end of the period of *Ineligibility*.

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### EXAMPLE 4.

Facts: An *Athlete* who has never had an *Adverse Analytical Finding* or been confronted with an anti-doping rule violation spontaneously admits that she *Used* an anabolic steroid to enhance her performance. The *Athlete* also provides *Substantial Assistance*.

#### Application of Consequences:

1. Since the violation was intentional, Article 10.2.1 would be applicable and the basic period of *Ineligibility* imposed would be four years.
2. There is no room for *Fault*-related reductions of the period of *Ineligibility* (no application of Articles 10.4 and 10.5).
3. Based on the *Athlete's* spontaneous admission (Article 10.6.2) alone, the period of *Ineligibility* could be reduced by up to one-half of the four years. Based on the *Athlete's Substantial Assistance* (Article 10.6.1) alone, the period of *Ineligibility* could be suspended up to three-quarters of the four years.\* Under Article 10.6.4, in considering the spontaneous admission and *Substantial Assistance* together, the most the sanction could be reduced or suspended would be up to three-quarters of the four years. The minimum period of *Ineligibility* would be one year.
4. The period of *Ineligibility*, in principle, starts on the day of the final hearing decision (Article 10.11). If the spontaneous admission is factored into the reduction of the period of *Ineligibility*, an early start of the period of *Ineligibility* under Article 10.11.2 would not be permitted. The provision seeks to prevent an *Athlete* from benefitting twice from the same set of circumstances. However, if the period of *Ineligibility* was suspended solely on the basis of *Substantial Assistance*, Article 10.11.2 may still be applied, and the period of *Ineligibility* started as early as the *Athlete's* last *Use* of the anabolic steroid.
5. According to Article 10.8, all results obtained by the *Athlete* subsequent to the date of the anti-doping rule violation until the start of the period of *Ineligibility* would be *Disqualified* unless fairness requires otherwise.
6. The information referred to in Article 14.3.2 must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Article 10.13).
7. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Article 10.12.1). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organisation of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Article 10.12.2). Thus, the *Athlete* would be allowed to return to training two months before the end of the period of *Ineligibility*.



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### EXAMPLE 5.

#### Facts:

An *Athlete Support Person* helps to circumvent a period of *Ineligibility* imposed on an *Athlete* by entering him into a *Competition* under a false name. The *Athlete Support Person* comes forward with this anti-doping rule violation (Article 2.9) spontaneously before being notified of an anti-doping rule violation by an *Anti-Doping Organisation*.

#### Application of Consequences:

1. According to Article 10.3.4, the period of *Ineligibility* would be from two up to four years, depending on the seriousness of the violation. (Assume for purposes of illustration in this example that the panel would otherwise impose a period of *Ineligibility* of three years.)
2. There is no room for *Fault*-related reductions since intent is an element of the anti-doping rule violation in Article 2.9 (see comment to Article 10.5.2).
3. According to Article 10.6.2, provided that the admission is the only reliable evidence, the period of *Ineligibility* may be reduced down to one-half. (Assume for purposes of illustration in this example that the panel would impose a period of *Ineligibility* of 18 months.)
4. The information referred to in Article 14.3.2 must be *Publicly Disclosed* unless the *Athlete Support Person* is a *Minor*, since this is a mandatory part of each sanction (Article 10.13).

### EXAMPLE 6.

Facts: An *Athlete* was sanctioned for a first anti-doping rule violation with a period of *Ineligibility* of 14 months, of which four months were suspended because of *Substantial Assistance*. Now, the *Athlete* commits a second anti-doping rule violation resulting from the presence of a stimulant which is not a *Specified Substance* in an *In-Competition* test (Article 2.1); the *Athlete* establishes *No Significant Fault or Negligence*; and the *Athlete* provided *Substantial Assistance*. If this were a first violation, the panel would sanction the *Athlete* with a period of *Ineligibility* of 16 months and suspend six months for *Substantial Assistance*.

#### Application of Consequences:

1. Article 10.7 is applicable to the second anti-doping rule violation because Article 10.7.4.1 and Article 10.7.5 apply.
2. Under Article 10.7.1, the period of *Ineligibility* would be the greater of:
  - (a) six months;



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- (b) one-half of the period of *Ineligibility* imposed for the first anti-doping rule violation without taking into account any reduction under Article 10.6 (in this example, that would equal one-half of 14 months, which is seven months); or
- (c) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.6 (in this example, that would equal two times 16 months, which is 32 months).

Thus, the period of *Ineligibility* for the second violation would be the greater of (a), (b) and (c), which is a period of *Ineligibility* of 32 months.

3. In a next step, the panel would assess the possibility for suspension or reduction under Article 10.6 (non-*Fault*-related reductions). In the case of the second violation, only Article 10.6.1 (*Substantial Assistance*) applies. Based on *Substantial Assistance*, the period of *Ineligibility* could be suspended by three-quarters of 32 months.\* The minimum period of *Ineligibility* would thus be eight months. (Assume for purposes of illustration in this example that the panel suspends eight months of the period of *Ineligibility* for *Substantial Assistance*, thus reducing the period of *Ineligibility* imposed to two years.)

4. Since the *Adverse Analytical Finding* was committed in a *Competition*, the panel would automatically *Disqualify* the result obtained in the *Competition*.

5. According to Article 10.8, all results obtained by the *Athlete* subsequent to the date of *Sample* collection until the start of the period of *Ineligibility* would also be *Disqualified* unless fairness requires otherwise.

6. The information referred to in Article 14.3.2 must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Article 10.13).

7. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Article 10.12.1). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organisation of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Article 10.12.2). Thus, the *Athlete* would be allowed to return to training two months before the end of the period of *Ineligibility*

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\* Upon the approval of WADA in exceptional circumstances, the maximum suspension of the period of *Ineligibility* for *Substantial Assistance* may be greater than three-quarters, and reporting and publication may be delayed.





## APPENDIX 3

### APPENDIX 3

#### COMMENTS APPLICABLE TO VARIOUS ARTICLES

*Comment to Article 2.1.1: An anti-doping rule violation is committed under this Article without regard to an Athlete's Fault. This rule has been referred to in various CAS decisions as "Strict Liability". An Athlete's Fault is taken into consideration in determining the Consequences of this anti-doping rule violation under Article 10. This principle has consistently been upheld by CAS.*

*Comment to Article 2.1.2: The Anti-Doping Organisation with results management responsibility may, at its discretion, choose to have the B Sample analyzed even if the Athlete does not request the analysis of the B Sample.*

*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, 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 Athlete, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the Athlete Biological Passport, 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 Organisation provides a satisfactory explanation for the lack of confirmation in the other Sample.*

*Comment to Article 2.2.2: Demonstrating the "Attempted Use" of a Prohibited Substance or a Prohibited Method requires proof of intent on the Athlete'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.*

*An Athlete's "Use" of a Prohibited Substance constitutes an anti-doping rule violation unless such substance is not prohibited Out-of-Competition and the Athlete'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 regardless of when that substance might have been administered).*

*Comment to Article 2.3: For example, it would be an anti-doping rule violation of "evading Sample collection" if it were established that an Athlete was deliberately avoiding a Doping Control official to evade notification or Testing. A violation of "failing to submit to Sample collection" may be based on either intentional or negligent conduct of the Athlete, while "evading" or "refusing" Sample collection contemplates intentional conduct by the Athlete.*

*Comment to Article 2.5: For example, this Article would prohibit altering identification numbers on a Doping Control form during Testing, breaking the B bottle at the time of B Sample analysis, or altering a Sample by the addition of a*





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*foreign substance. Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organisations.*

*Comment to Articles 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.*

*Comment to Article 2.10: Athletes and other Persons must not work with coaches, trainers, physicians or other Athlete Support Personnel who are Ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the Athlete Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation.*

*Comment to Article 3.1: This standard of proof required to be met by the IKF is comparable to the standard which is applied in most countries to cases involving professional misconduct.*

*Comment to Article 3.2: For example, the IKF may establish an anti-doping rule violation under Article 2.2 based on the Athlete'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 Athlete's blood or urine Samples, such as data from the Athlete Biological Passport.*

*Comment to Article 3.2.2: The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person does so, the burden shifts to the IKF to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.*

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

*Comment to Article 4.2.2: The Specified Substances identified in Article 4.2.2 should not in any way be considered less important or less dangerous than other doping substances. Rather, they are simply substances which are more likely to have been consumed by an Athlete for a purpose other than the enhancement of sport performance.*

*Comment to Article 4.4.2.1: Further to Articles 5.6 and 7.1(a) of the International Standard for Therapeutic Use Exemptions, the IKF may publish notice on its website [www.ikf.org](http://www.ikf.org) that it will automatically recognize TUE decisions (or categories of such decisions, e.g., as to particular substances or methods) made by National Anti-*



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*Doping Organisations. If an Athlete's TUE falls into a category of automatically recognized TUEs, then he/she does not need to apply to the IKF for recognition of that TUE.*

*If the IKF refuses to recognize a TUE granted by a National Anti-Doping Organisation only because medical records or other information are missing that are needed to demonstrate satisfaction of the criteria in the International Standard for Therapeutic Use Exemptions, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to the IKF.*

*Comment to Article 4.4.2: The IKF may agree with a National Anti-Doping Organisation that the National Anti-Doping Organisation will consider TUE applications on behalf of the IKF.*

*Comment to Article 4.4.4: The submission of false or misleadingly incomplete information in support of a TUE application (including but not limited to the failure to advise of the unsuccessful outcome of a prior application to another Anti-Doping Organisation for such a TUE) may result in a charge of Tampering or Attempted Tampering under Article 2.5.*

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

*Comment to Article 4.4.6.2: In such cases, the decision being appealed is the IKF's TUE decision, not WADA's decision not to review the TUE decision or (having reviewed it) not to reverse the TUE decision. However, the deadline to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given notice of the appeal so that it may participate if it sees fit.*

*Comment to Article 5.2.2: Unless the Athlete has identified a 60-minute time-slot for Testing between the hours of 11pm and 6am, or has otherwise consented to Testing during that period, the IKF will not test an Athlete during that period unless it has a serious and specific suspicion that the Athlete may be engaged in doping. A challenge to whether the IKF had sufficient suspicion for Testing in that period shall not be a defense to an anti-doping rule violation based on such test or attempted test.*

*Comment to Article 6.1: Violations of Article 2.1 may be established only by Sample analysis performed by a laboratory accredited or otherwise approved by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.*

*Comment to Article 6.2.1: 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, or both.*

*Comment to Article 6.4: The objective of this Article is to extend the principle of "intelligent Testing" to the Sample analysis menu so as to most effectively and efficiently detect doping. It is recognized that the resources available to fight doping are limited and that increasing the Sample analysis menu may, in some sports and countries, reduce the number of Samples which can be analyzed.*



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*Comment to Article 7.9: Athletes and other Persons shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed. See Articles 10.11.3.1 and 10.11.3.2.*

*Comment to Article 7.12: Conduct by an Athlete or other Person before the Athlete or other Person was subject to the jurisdiction of any Anti-Doping Organisation would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Athlete or other Person membership in a sports organisation.*

*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 Athlete's eligibility to participate in the Event, or during an Event where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.*

*Comment to Article 8.3: Where all of the parties identified in this Article are satisfied that their interests will be adequately protected in a single hearing, there is no need to incur the extra expense of two hearings. An Anti-Doping Organisation that wants to participate in the CAS hearing as a party or as an observer may condition its approval of a single hearing on being granted that right.*

*Comment to Article 9: For Team Sports, any awards received by individual players will be Disqualified. However, Disqualification of the team will be as provided in Article 11. In sports which are not Team Sports but where awards are given to teams, Disqualification or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the International Federation.*

*Comment to Article 10.1: Whereas Article 9 Disqualifies the result in a single Competition in which the Athlete tested positive this Article may lead to Disqualification of all results in all matches during the Event.*

*Comment to Article 10.3.3: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organisations is generally limited to Ineligibility for accreditation, membership and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.*

*Comment to Article 10.3.5: Where the "other Person" referenced in Article 2.10 is an entity and not an individual, that entity may be disciplined as provided in Article 12.*

*Comment to Article 10.4: This Article and Article 10.5.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example where an Athlete could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, No Fault or Negligence would not apply in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes 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 Athlete's personal physician or trainer without disclosure to the Athlete (Athletes 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 Athlete's food or*



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*drink by a spouse, coach or other Person within the Athlete's circle of associates (Athletes 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 under Article 10.5 based on No Significant Fault or Negligence.*

*Comment to Article 10.5.1.2: In assessing that Athlete's degree of Fault, it would, for example, be favorable for the Athlete if the Athlete had declared the product which was subsequently determined to be contaminated on his or her Doping Control form.*

*Comment to Article 10.5.2: Article 10.5.2 may be applied to any anti-doping rule violation except those Articles where intent is an element of the anti-doping rule violation (e.g., Article 2.5, 2.7, 2.8 or 2.9) or an element of a particular sanction (e.g., Article 10.2.1) or a range of Ineligibility is already provided in an Article based on the Athlete or other Person's degree of Fault.*

*Comment to Article 10.6.1: The cooperation of Athletes, Athlete 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. This is the only circumstance under the Code where the suspension of an otherwise applicable period of Ineligibility is authorized.*

*Comment to Article 10.6.2: This Article is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organisation 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 Athlete or other Person believes he or she is about to be caught. The amount by which Ineligibility is reduced should be based on the likelihood that the Athlete or other Person would have been caught had he/she not come forward voluntarily.*

*Comment to Article 10.6.4: The appropriate sanction is determined in a sequence of four steps. First, the hearing panel determines which of the basic sanctions (Articles 10.2, 10.3, 10.4, or 10.5) apply to the particular anti-doping rule violation. Second, if the basic sanction provides for a range of sanctions, the hearing panel must determine the applicable sanction within that range according to the Athlete or other Person's degree of Fault. In a third step, the hearing panel establishes whether there is a basis for elimination, suspension, or reduction of the sanction (Article 10.6). Finally, the hearing panel decides on the commencement of the period of Ineligibility under Article 10.11. Several examples of how Article 10 is to be applied are found in Appendix 2.*

*Comment to Article 10.8: Nothing in these Anti-Doping Rules precludes clean Athletes 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.*

*Comment to Article 10.11.1: In cases of anti-doping rule violations other than under Article 2.1, the time required for an Anti-Doping Organisation to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the Athlete or other Person has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used.*



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*Comment to Article 10.11.3.2: An Athlete's voluntary acceptance of a Provisional Suspension is not an admission by the Athlete and shall not be used in any way as to draw an adverse inference against the Athlete.*

*Comment to Article 10.11: Article 10.11 makes clear that delays not attributable to the Athlete, timely admission by the Athlete and Provisional Suspension are the only justifications for starting the period of Ineligibility earlier than the date of the final hearing decision.*

*Comment to Article 10.12.1: For example, subject to Article 10.12.2 below, an Ineligible Athlete 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 or which is funded by a governmental agency. Further, an Ineligible Athlete 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 organisation or a non-Signatory national-level event organisation without triggering the Consequences set forth in Article 10.12.3. The term "activity" also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organisation described in this Article. Ineligibility imposed in one sport shall also be recognized by other sports (see Article 15.1, Mutual Recognition).*

*Comment to Article 10.12.2: In many Team Sports and some individual sports (e.g., ski jumping and gymnastics), an Athlete cannot effectively train on his/her own so as to be ready to compete at the end of the Athlete's period of Ineligibility. During the training period described in this Article, an Ineligible Athlete may not compete or engage in any activity described in Article 10.12.1 other than training.*

*Comment to Article 10: 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 Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete's career is short, a standard period of Ineligibility has a much more significant effect on the Athlete than in sports where careers are traditionally much longer. A primary argument in favor of harmonization is that it is simply not right that two Athletes 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 organisations to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between International Federations and National Anti-Doping Organisations.*

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

*Comment to Article 13.1.2: CAS proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.*



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*Comment to Article 13.1.3: Where a decision has been rendered before the final stage of the IKF's process (for example, a first hearing) and no party elects to appeal that decision to the next level of the IKF's process (e.g., the Managing Board), then WADA may bypass the remaining steps in the IKF's internal process and appeal directly to CAS.]*

*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.*

*Comment to Article 13.2.4: This provision is necessary because since 2011, CAS rules no longer permit an Athlete the right to cross appeal when an Anti-Doping Organisation appeals a decision after the Athlete's time for appeal has expired. This provision permits a full hearing for all parties.*

*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 the IKF to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with the IKF and give the IKF an opportunity to explain why it has not yet rendered a decision.*

*Comment to Article 15.1: The extent of recognition of TUE decisions of other Anti-Doping Organisations shall be determined by Article 4.4 and the International Standard for Therapeutic Use Exemptions.*

*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, the IKF and its National Federations 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 an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in his or her body but the period of Ineligibility applied is shorter than the period provided for in these Anti-Doping Rules, then the IKF shall recognize the finding of an anti-doping rule violation and may conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in these Anti-Doping Rules should be imposed.*

*Comment to Article 22.1.2: With due regard to an Athlete's human rights and privacy, legitimate anti-doping considerations sometimes require Sample collection late at night or early in the morning. For example, it is known that some Athletes use low doses of EPO during these hours so that it will be undetectable in the morning.*





## APPENDIX 4

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#### TESTING PROCEDURES

Testing shall be conducted in accordance with the procedures set out in this document. In the event of discrepancies between this document and the International Standard for Testing and Investigations, the latter shall apply.

#### 1. PREPARATION FOR THE SAMPLE COLLECTION SESSION

##### 1.1. DOPING CONTROL STATION

1. The doping control station shall ensure the Player's privacy.

For In-Competition Testing shall always be used solely as a doping control room for the duration of Sample collection. For Out-of-Competition testing, where possible, it should be used solely as a doping control room.

2. Appropriate Doping Control Station facilities have to:

- a) Maintain Player confidentiality.
- b) Be well lit and well ventilated.
- c) Be sized according to the number of Players, Player Representatives and Sample Collection Personnel who will occupy the area.
- d) Provide managed entry with access restricted to authorized personnel.
- e) Be lockable and provide secure storage for Samples and Sample Collection Equipment.
- f) Be suitably located in relation to the field of play or other location where the Players will be notified.
- g) Include a waiting area with comfortable chairs;
- h) Contain a selection of sealed, non-alcoholic drinks for Players.
- i) Include:
  - One (or two) Sample-taking area(s) with a writing desk and seats for the Doping Control officer, the assistant, the selected Player, and his escort;
  - A cupboard and/or a refrigerator for the Samples, both preferably lockable;
  - A table upon which to place the Sample containers and the bottles marked A and B;
  - A large garbage bin;
  - A sanitary area with a shower with hot and cold running water;
  - adjacent toilet facilities for Sample provision that allow the Player to wash his/her hands, with cubicles large enough to accommodate the Witness and the Player; and
  - Toilet paper and soap.



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3. For blood sample collection, additional requirements are needed:

- a) Contain a comfortable chair or bed for Sample provision and any aftercare that may be required.
- b) Contain a refrigerator, insulated cool box or isotherm bag or any other storage and transport device capable of maintaining Blood Samples at a cool temperature during storage. Whole blood Samples shall not be allowed to freeze.

4. If an appropriate facility is not available the IKF Jury Chairman or the IKF CO shall find an alternative place where to conduct the anti-doping tests.

5. The Doping Control Officer shall record any significant deviations from these criteria.

6. For Out-of-Competition Testing, the facility serving as the 'Doping Control Station' might be a Player's home or a hotel room.

### **1.2. AUTHORIZED PERSONNEL IN THE DOPING CONTROL STATION**

1. In the case of In-Competition Doping Controls, only the following people are allowed into the doping control room:

- a) the Players who have been selected for Testing;
- b) an official representative from the two participating teams, preferably the team doctor;
- c) the Doping Control Officer;
- d) the accredited assistant(s) of the Doping Control Officer;
- e) the chaperones
- f) the IKF Jury Chairman;
- g) the IKF Competition CO;
- h) an interpreter approved by IKF, if requested;
- i) the IKF Secretary General;

2. In the case of Out-Of-Competition no-advance-notice doping tests during Team Activities, only the following people are allowed into the doping control station:

- a) the Player(s) who has/have been selected for Testing;
- b) the Person accompanying the Player(s), ideally the team doctor;
- c) the Doping Control Officer;
- d) the accredited assistant(s) of the Doping Control Officer;
- e) an interpreter, if requested.

3. In the case of Out-Of-Competition no-advance-notice doping tests on individual Players, only the following people are allowed into the doping control station:





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- a) the Player who has been selected for Testing;
- b) the Person accompanying the Player or witness as determined by the Player;
- c) the Doping Control Officer
- d) the accredited assistant(s) of the Doping Control Officer;

4. For In-Competition testing, the Local Organisation Committee shall take the necessary measures to ensure that no Persons other than those authorized enter the doping control room. The entrance to the doping control room shall be constantly guarded. Responsibility for security during Out-of-Competition tests shall be borne by the relevant team delegations. The Doping Control Officer is entitled to refuse unauthorized Persons access to the doping control room.

5. Members of the media are not allowed entry to the Doping Control Station at any time.

## 2. PLAYER SELECTION AND NOTIFICATION

IKF may choose one of the following to select the tested players:

- a) Target Testing, the IKF specifies to the DCO which Players they require for Testing. Selections and/or selection methods are to be clearly communicated to the DCO.
- b) weighted Random Selection, IKF may specify to the DCO how Players should be drawn, using pre-determined criteria to increase or decrease the chances of selection to ensure that a greater percentage of 'at risk' Players are selected.
- c) random selection, the IKF will use a fair, transparent and appropriate selection criteria.

### 2.1. PROCEDURE FOR IN-COMPETITION TESTS

1. During Events, each team shall be included in the Doping Control program.

2. In principle, two players from each team, one female and one male, are selected for testing either via random or target methods by the IKF. Additional players may be summoned for sample collection. In the case of Competitions with lower Player numbers, e.g. beach korfbal, a minimum of one Player per team shall be tested.

3. When the Team delivers the Match form to the Jury, before the beginning of the game, the team will be advised by the IKF Jury Chairman or the IKF CO that a Doping Control is to take place.

4. The Doping Control Officer shall obtain the official Players' lists for both teams from the IKF Jury Chairman or the IKF CO five (5) minutes before the Match starts. Only the Players indicated on the official match form may be selected.

5. A draw shall be carried out at the site of the Event, unless IKF indicates target players. If a draw is to be conducted, the Doping Control Officer informs the team representatives of when and where it will take place should they wish to attend. The draw should take place in the Doping Control room five minutes after the beginning of the



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second half. The absence, for whatever reason, of a team representative(s) will not affect the validity of the draw or the testing process. The IKF Jury Chairman or the IKF CO must be present at the draw.

6. The team representatives will be shown the way to the Doping Control station, by the IKF Jury Chairman or the IKF CO.

7. For the draw, the Doping Control officer will present the team representatives of the respective teams with two sets of detachable tokens, each corresponding to a Player number. The team representatives will draw a number of tokens (face down) equal to the number of Players to be tested from the other team. The Doping Control officer will then turn the drawn tokens and identify the selected players.

8. The two Players chosen from each team shall undergo a doping test. However, if during the game, a Player sustains a serious injury necessitating immediate hospitalization, his number shall not be taken into consideration in the draw. If such a situation occurs after the initial draw, the Doping Control Officer shall make a new draw to select another player to replace the injured Player. If there are any doubts regarding the seriousness of the injury, the Doping Control Officer shall rule on the matter.

9. One or more Doping Control tests may be required by the IKF official representative should one or more Players behave in an odd manner during the game. This decision shall be announced to the Doping Control officer and to the IKF Jury Chairman or IKF CO by the IKF Secretary General. The IKF Secretary General shall decide upon the criteria for the selection of Players.

### **2.1.1. Notification of players**

1. Immediately after the draw the Doping Control Officer shall then indicate on the Doping Control form (DCF) the name of the Player and sign the form himself and have the representative of the team sign it.

2. The IKF Jury Chairman or the IKF CO or the Doping Control officer shall make a note of the names and numbers of the selected Players and inform the persons responsible for escorting them to the Doping Control station.

3. As of the moment of notification and until arrival at the Doping Control station, the selected Players shall remain under the direct supervision of at least one chaperone and shall be accompanied by an escort directly to the Doping Control station.

4. Determine if a third party is required for notification prior to notification of the Player when the Player is a Minor or where required by a Player's impairment, or in situations where an interpreter is required.

5. At the end of the game, the Doping Control officer (or a person delegated by him) shows the selected Player the notification form, which is part of the Doping Control form, and then notifies the Player of the following:

- a) The Player has been selected for Testing and is required to undergo Sample collection.
- b) The authority conducting the Sample collection.



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- c) The type of Sample collection (i.e. blood, urine or both) and any mandatory conditions prior to Sample collection, including the requirement for the Player to provide their Sample in direct observation of a DCO/Chaperone.
- d) The requirement to undergo Testing without delay.
- e) The DCO shall use their discretion if a Player cannot undergo a test without delay. The DCO/Chaperone shall inform the Player of the possible Consequences of Anti-Doping Rule Violations (Consequences) for failing to submit to Testing.
- f) The Player's rights, including the right to:
  - Have a Player Representative present throughout the course of the entire Sample collection process (other than Sample provision) and, if available, an interpreter.
  - Ask questions and request additional information about the Sample collection process.
  - Request a delay in reporting to the Collection Facility for valid reasons.
  - Request modifications to the Sample collection procedure if the Player is a Minor and/or has an impairment.
- g) The Player's responsibilities, including the requirement to:
  - Remain within direct observation of the DCO/Chaperone at all times from the point of notification by the DCO/Chaperone until the completion of the Sample collection process.
  - Produce appropriate and valid ID.
  - Be familiar and comply with the Sample collection procedures. (The Player should be advised of the possible Consequences of Failure to Comply.)
  - Report for Doping Control immediately, unless there are valid reasons for a delay.
- h) The location of the Collection Facility.
- i) The Player consumes food or fluids prior to providing a Sample at his/her own risk.

6. If a Player is shown the red card at any time of the Match, the Doping Control Officer shall decide whether the Player is to be escorted by the Chaperones to the Doping Control room or his/her team's changing room until the names of the Players selected for the doping test are known, so that he/she is available to undergo the test immediately after the Match, if necessary.

7. If a selected Player does not appear at the Doping Control station immediately and directly after the end of the game, except when he is authorized to do so, or if he is not chaperoned at all times, this fact shall be recorded on the "Doping Control Form", and he shall be subject to sanctions by IKF. If this occurs, an extra drawn shall take place to select a reserve Player to replace the Player in question.

## 2.2. PROCEDURE FOR OUT-OF-COMPETITION DURING TEAM ACTIVITIES



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1. IKF conducts no-advance-notice doping tests based on the whereabouts of teams in the registered testing pool. In accordance with the test distribution plan, the IKF selects teams for Testing. The IKF then identifies the date(s) of the respective test(s) and seeks to establish the location of the selected team by referring to the team whereabouts information provided. The IKF plans the approach accordingly and contracts a NADO to conduct the no-advance-notice test, and inform it of the whereabouts of the team on the respective date(s).
2. If the team cannot be contacted by the Doping Control Officer after reasonable attempts have been made using the whereabouts information provided, the matter shall be reported to the IKF as soon as possible. The IKF shall then proceed to evaluate whether there has been a whereabouts filling failure.
3. If the Doping Control Officer has located the team, he shall identify himself to the head or deputy head of delegation of the relevant team or club by presenting his authorization as a Doping Control Officer and the assignment for the respective control, and discuss the procedure for the doping test with him, the team doctor and, if applicable, the coach.
4. The head of delegation of the relevant team or club shall give the Doping Control Officer an up-to-date list of the Players in the team, including any who are absent at the time the doping test is undertaken. The reasons for any such absences shall be given to the Doping Control Officer, as well as the scheduled time of arrival at or return to the location of the Team Activities for these Players. The Doping Control Officer shall decide whether these Players are to be included in the draw procedure for Players having to undergo a doping test. He shall further notify the IKF, who shall proceed to evaluate whether there has been a whereabouts filling failure.
5. Players to undergo sample collection are either drawn by the Doping Control Officer or targeted by the IKF. The team representatives may be present at a draw. The absence, for whatever reason, of a team representative will not affect the validity of the draw or the testing process

### **2.2.1. Notification of players**

1. The Doping Control Officer and the team official/team doctor present shall sign the DCF. The Doping Control Officer shall notify the Player. The Doping Control Officer shall:
  - a) identify himself to the Player by showing him his authorization as a Doping Control Officer and the assignment for the respective control;
  - b) ask the Player to produce identification and confirm the Player's identity to ensure that the Player who is to be notified is the same Player who has been selected for Doping Control. The method of identification of the Player or the failure by the Player to confirm his identity shall be documented and reported to the IKF. In such case, the IKF shall decide whether it is appropriate to report the situation as a failure to comply.

### **2.3. PROCEDURE FOR OUT-OF-COMPETITION TESTS ON INDIVIDUAL PLAYERS**

1. IKF conducts no-advance-notice doping tests based on the individual whereabouts of Players in the RTP. In accordance with the test distribution plan, the IKF selects individual Players for testing via random or target



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methods. The IKF then identifies the date(s) of the respective test(s) and seeks to establish the location of the selected Player by referring to the whereabouts information provided for the Player, plans the approach and timing of notification accordingly and contracts a NADO to conduct the no-advance-notice test, and informs it of the whereabouts of the Player on the respective date(s).

2. For no-advance-notice Out-of-Competition Sample collection, reasonable attempts should be made to notify Players of their selection for Sample collection. The Doping Control Officer shall record all notification attempts that were made by him/her during such period.

3. When the Player is a Minor, the Doping Control Officer shall consider whether a third party must be notified prior to notification of the Player.

4. The identification procedure shall be followed. The Doping Control Officer shall also inform the Player of his rights, including his right:

- a) to have a representative and, if available, an interpreter;
- b) to ask for additional information about the Sample collection process;
- c) to request a delay in reporting to the doping control room for valid reasons; and
- d) to request modifications because of disabilities.

5. In addition, the Doping Control Officer shall also inform the Player of his responsibilities, including the requirement:

- a) to report for a test within one hour unless there are valid reasons for a delay;
- b) to remain within the direct observation of the Doping Control Officer until completion of the Sample collection process.

6. If the Player cannot be contacted by the Doping Control Officer after reasonable attempts have been made using the whereabouts information provided by the Player, the matter shall be reported to the IKF as soon as possible, as set. The IKF shall then proceed to evaluate whether there has been a whereabouts failure.

### **3. REQUESTS FOR DELAY OR DEPARTURE**

1. The DCO may at his/her discretion consider any reasonable third party requirement or Player request for permission to:

- a) Delay reporting to the Collection Facility following acknowledgment and acceptance of notification; and/or
- b) Leave the Collection Facility temporarily after arrival.

2. Such permission shall only be granted if the Player can be continuously chaperoned and kept under direct observation during the delay.



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3. Delayed reporting to and/or temporary departure from the Collection Facility may be permitted for the following activities:

##### **In-Competition Testing:**

- a) Participating in a presentation ceremony.
- b) Fulfilling media commitments.
- c) Competing in further Competitions.
- d) Performing a warm down.
- e) Receiving necessary medical treatment.
- f) Locating a representative and/or interpreter.
- g) Obtaining photo ID.
- h) 8. Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the IKF.

##### **Out-of-Competition Testing:**

- a) Locating a Player Representative.
  - b) Completing a training session.
  - c) Obtaining and receiving necessary medical treatment.
  - d) Obtaining photo ID.
  - e) Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the IKF.
4. If the DCO approves the Player's request, the DCO shall agree with the Player on the following conditions of leave:
- a) The purpose of the Player leaving the Collection Facility;
  - b) The time of return upon completion of an agreed activity;
  - c) The Player must remain under continuous observation throughout.
5. The DCO shall document the time of the Player's departure and return.
6. The Doping Control Officer shall document any reasons for delay in reporting to the doping control room only if those require further investigation by IKF. Any failure of the Player to remain under constant observation shall also be recorded on the DCF.
7. The Doping Control Officer shall reject a request for delay from a Player if it is not possible for the Player to be continuously chaperoned. If a Player insists on leaving the Collection Facility without a Chaperone, the DCO is to advise the Player of the possible Consequences of Failure to Comply and document the circumstances.



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8. If, while keeping the Player under observation, the Doping Control Officer observes any matter with potential to compromise the test, he shall report and document the circumstances. If deemed appropriate by the Doping Control Officer, he shall follow the requirements of the IKF Anti-Doping Rules, and/or consider if it is appropriate to collect an additional Sample from the Player.

### 4. MAKING A REASONABLE TESTING ATTEMPT

An unsuccessful attempt to test an Player will not amount to a Missed Test unless the IKF can demonstrate to the comfortable satisfaction of the hearing panel that (among other things) the Doping Control Officer made a reasonable attempt to locate the Player for Testing during the 60-minute timeslot specified for the day in question in the Player's Whereabouts Filing.

What constitutes a reasonable attempt to locate a Player for Testing during the 60-minute timeslot cannot be fixed in advance, as it will necessarily depend on the particular circumstances of the case in question, and in particular on the nature of the location chosen by the Player for that timeslot.

The only truly universal guideline is that the Doping Control Officer should use his/her common sense. He/She should ask him/herself: "Given the nature of the location specified by the Player, what do I need to do to ensure that if the Player is present, he/she will know that a Doping Control Officer is here to collect a Sample from him/her?"

In this context, the Doping Control Officer should bear in mind the requirement to avoid in so far as possible giving the Player advance notice of testing that might provide an opportunity for Tampering or evasion or other improper conduct.

In certain circumstances, a degree of advance notice may simply be unavoidable.

1. The Doping Control Officer does not necessarily have to be present at the location specified for the 60-minute time-slot from the beginning of the sixty minutes specified in order for the attempt to be reasonable. However, once he/she arrives at the location the Doping Control Officer should remain at that location for whatever time is left of the 60-minute timeslot, and the Doping Control Officer should ensure that he/she allows sufficient time to make a reasonable attempt to locate the Player during that remaining time.
2. The Doping Control Officer should stay at the specified location for the remainder of the 60-minute timeslot even if he/she receives apparently reliable information that the Player will not be at the location during the 60-minute timeslot. This is to avoid any subsequent argument that the information received was in fact wrong and the Player turned up at the location after the Doping Control Officer had left.
3. If the Doping Control Officer is told that the Player is not present at the specified location but can be found in an alternative location not far away, then the Doping Control Officer should record this information (including the name, number and relationship to the Player of the person providing the information), but the Doping Control Officer should not leave the specified location to go to try to find the Player, in case the Player is trying to get back to the specified location and the Doping Control Officer misses him/her in transit. Instead, the Doping Control Officer should remain at the specified location for the remainder of the 60-minute timeslot. Thereafter, he/she is entitled to go to the alternative location (if so instructed by the IKF) to see if the Player can be located there for Testing. Even if that Player is located for Testing at the



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alternative location, however, and a Sample is collected, the Player is still liable for an apparent Missed Test and so the Doping Control Officer should also provide an Unsuccessful Attempt Report to the IKF.

4. If the specified location is the Player's house or other place of residence, the Doping Control Officer should ring any entry bell and knock on the door as soon as he/she arrives. If the Player does not answer, the Doping Control Officer may telephone the Player to advise him/her of the attempt in the closing five minutes of the 60-minute period. Such a call is not mandatory however, nor should it be used to invite the Player for Testing, but rather to potentially further validate that the Player is not present.
5. Preferably, the Doping Control Officer should wait somewhere close by in a place where he/she can observe the entrance to the residence. He/she should then knock/ring again a short time later and should keep doing so periodically until the end of the 60 minutes. At that point, he/she should try one last time at the end of the 60 minutes before leaving the location and completing an Unsuccessful Attempt Report.
6. If the specified location for the 60-minute time-slot is a sports complex, it is the Player's responsibility to specify where in the complex he/she can be located. If the Player specifies a time when he/she knows he/she might be in one of several places within the location (e.g. the gym, or the treatment room, or the changing-room), he/she should name each of them in the Whereabouts Filing, and the Doping Control Officer should visit each of the places named, in turn.
7. In such circumstances, the Player takes the risk that the Doping Control Officer might miss him/her in transit, in which case the Doping Control Officer should file an Unsuccessful Attempt Report and the Player may have a Missed Test declared against him/her.
8. If the Player only specifies the sports complex for his/her 60-minute time-slot, and does not specify where in the sports complex he/she will be during the 60-minute timeslot, the Doping Control Officer should make reasonable attempts to check each of the locations where the Player may be within the complex, but if notwithstanding those attempts the Player cannot be found then the Doping Control Officer should file an Unsuccessful Attempt Report and the Player may have a Missed Test declared against him/her.
9. If there is a Public Address (PA) system at the venue, the Doping Control Officer should consider asking for an announcement to be made, telling the Player to report to a particular meeting point, but without announcing the reason for the request.
10. When trying to locate the player, the Doping Control Officer should not identify the purpose of his/her visit, unless necessary for safety or security reasons.
11. The Doping Control Officer should note any circumstances he/she observes during his/her attempt to test the Player that could be relevant.
12. If the Doping Control Officer locates the Player and is able to collect a Sample from him/her, but has suspicions of possible manipulation or Tampering, the Doping Control Officer may require the Player to provide a second Sample (and further Samples if necessary) after the first.
13. If the Doping Control Officer is unable to locate the Player during the 60-minute timeslot, he/she should complete and submit an Unsuccessful Attempt Form to the IKF as soon as possible, and in any event no more than three working days after the attempt.

The Doping Control Officer should provide a detailed account in the Unsuccessful Attempt Report of exactly what he/she did during the 60-minute timeslot to try to find the Player. The Doping Control Officer should specify exactly where he/she went, for how long, what he/she did, who he/she spoke to about where the Player might be (including the names of the people involved, and what was said).





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### 5. CONDUCTING THE SAMPLE COLLECTION SESSION

#### 5.1. PROVIDED INFORMATION

At all IKF Doping Controls, the Doping Control Officer shall ensure that the Player is informed that:

- a) the Sample collection is to be conducted under IKF authority;
  - b) he/she is required to undergo Sample collection;
  - c) failure to comply may involve consequences;
  - d) should the Player choose to consume any provided or his own food or fluids (non-alcoholic drinks) prior to providing a Sample, it is entirely at his own responsibility;
  - e) the Sample provided by the Player to the Doping Control Officer shall be the first urine passed by the Player subsequent to the summons to Doping Control.
- a) All Players shall be accompanied by an official team representative at all times, preferably the team doctor.

#### 5.2. COLLECTION OF URINE SAMPLES

1. The Doping Control Officer is responsible for the Sample collection session, especially for ensuring that the Sample is properly collected, identified and sealed. He shall check the Player's identity against the Player's accreditation or other identity card and the appropriate forms. He shall also ensure that the Player has been informed of his rights and responsibilities and the requirements of the Sample collection session.
2. The Doping Control Officer records information on the In-Competition or Out-of-Competition Sample collection, stating whether it was an advance- or no-advance-notice Sample collection, the date, the Player's name, the Player's number and team, if applicable, on the DCF.
3. The Players selected for Testing shall remain in the waiting area of the doping control room until they are ready to give Samples.

##### 5.2.1. Selection of the Sample Collection Equipment

1. The containers used for collecting the Samples and the two bottles facilitating their transport shall be in sealed packages, in compliance with the WADA International Standard for Testing and Investigations.
2. First, the Player is offered a choice of Sample collection equipment that shall comply with the requirements stipulated in the International Standard for Testing and Investigations. The Player himself shall pick:
  - a) a sealed and sterilized beaker; and
  - b) a box containing two sealed and numbered bottles, one marked Sample "A" and the other Sample "B".



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3. The Doping Control Officer and the Player shall check that all code numbers match and that this code number is recorded accurately by the Doping Control Officer on the DCF. If the numbers do not match, the Player shall choose another box and the Doping Control Officer shall record the matter on the DCF.

4. The Doping Control Officer shall instruct the Player to check that all seals on the selected equipment are intact and the equipment has not been tampered with. If the Player is not satisfied with the selected equipment, he may select another. If the Player is not satisfied with any of the equipment available for selection, this shall be recorded by the Doping Control Officer.

- a) If the Doping Control Officer does not agree with the Player that all of the equipment available for the selection is unsatisfactory, he shall instruct the Player to proceed with the Sample collection session.
- b) If the Doping Control Officer agrees with the Player that all of the equipment available for the selection is unsatisfactory, he shall terminate the collection of the Player's urine Sample and this shall be recorded by the Doping Control Officer.

5. The Player shall retain control of the collection equipment and any Sample provided until the Sample is sealed. Additional assistance may be provided to any Player by the Doping Control Officer as authorized by the Player.

6. The Doping Control Officer or his assistant shall proceed to an area of privacy to collect the Sample. The Player shall then urinate into the beaker under the direct supervision of the Doping Control Officer or his assistant, who shall be of the same gender as the Player. The Doping Control Officer or his assistant shall ensure an unobstructed view of the Sample leaving the Player's body.

7. The total urine volume in bottles "A" and "B" shall be at least 90ml. The Doping Control Officer shall verify, in full view of the Player, that the suitable volume of urine for analysis has been provided and record the urine volume.

8. Where the volume of urine is insufficient, the Doping Control Officer shall inform the Player that a further Sample shall be collected and conduct the procedure as prescribed. The decision shall rest with the Doping Control Officer. The time of partial and full Sample provision is recorded on the DCF.

9. During each attempt, the Player shall remain under the strict supervision of the Doping Control officer until the total amount of urine required has been collected. He shall be allowed to have cool, non-alcoholic drinks, carbonated or non- carbonated, that contain no Prohibited Substances. These drinks shall be available to the Players in unlimited amounts in the waiting room of the Doping Control station. They should be provided in sealed cans or glass bottles. The Player should not accept any drinks presented in open containers.

10. The Player shall decide whether he/she or the Doping Control Officer shall pour the urine into bottles. If the Player decides to do it himself, the Doping Control Officer shall explain the procedure to him/her. Bottle "B" shall be filled to a minimum of 30ml, and the remainder of the urine poured into bottle "A" to a minimum of 60ml. Should there still be urine remaining, the Doping Control Officer shall ensure that the Player fills first bottle "A" and then bottle "B" to capacity as per the recommendation of the equipment manufacturer. The Doping Control Officer shall instruct the Player to ensure that a small amount of urine is left in the collection beaker to test that the residual urine meets the requirement for suitable specific gravity for analysis.



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11. After the urine Sample has been poured into bottles “A” and “B”, the Player shall decide whether he/she or the Doping Control Officer shall seal them. The Player and the Doping Control Officer shall ensure that the bottles have been properly sealed in a tamperproof and tamper-evident manner and compare the code numbers on both bottles, the bottle caps and the particulars on the DCF once again.
12. The bottles shall be marked to distinguish between the Samples for analysis “A” and “B”.
13. The Doping Control Officer shall ascertain the specific weight, using the remaining residual urine in the beaker, and record the result on the DCF. Afterwards, the Player may require that any residual urine that will not be sent for analysis is discarded in full view of the Player.
14. If the Sample does not have a Suitable Specific Gravity for Analysis, the Doping Control Officer shall inform the Player that he is required to provide a further Sample and conduct the procedure again.
15. The DCF shall then be signed by the Player, the Person accompanying him, if applicable, and the Doping Control Officer.

#### **5.2.2. Procedure if the stipulated urine volume of 90ml is not obtained**

The Player shall select a box again. He shall open bottle “A” only and select an interim sealing set (interim sealing device and numbered security tape). The Player or the Doping Control Officer shall pour the urine into bottle “A” and seal it, using the interim sealing device before replacing the cap on the bottle.

Next, he shall place bottle “A” back in the box, which also contains bottle “B”, and seal it with the security tape, the number of which is registered on the DCF.

The Doping Control Officer and the Player shall check that the code number and the volume and identity of the insufficient Sample are recorded accurately on the DCF. The sealed box shall remain under the control of either the Doping Control Officer and the Player.

The Player shall then return to the waiting room. As soon as the Player is able to give a further urine Sample, he shall select a new, sealed and sterilized beaker, and the procedure for collection shall be repeated as set forth under this article.

After checking the seal of the interim sealing device, the Doping Control Officer or the Player shall then pour the urine from bottle “A” into the beaker containing the freshly provided urine.

Any irregularity with the integrity of the seal shall be recorded by the Doping Control Officer and investigated as a failure to comply with Doping Control, according to the IKF Anti-Doping Rules.

If the urine volume is still below 90ml, the process shall be repeated. Once the urine volume of 90ml has been obtained, the procedure shall be continued.



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### **5.2.3. Procedure if the urine sample does not meet the requirement for suitable specific gravity for analysis**

When the Player is able to provide an additional Sample, the Doping Control Officer shall repeat the procedure for collection of the Sample as set forth under paras 1 to 12 of this article.

The Doping Control Officer shall continue to collect additional Samples until the requirement for Suitable Specific Gravity for Analysis is met, or until the Doping Control Officer determines that there are exceptional circumstances that mean that for logistical reasons it is impossible to continue with the Sample collection session. Such exceptional circumstances shall be documented accordingly by the Doping Control Officer. In such circumstances, if appropriate, IKF may investigate a possible anti-doping rule violation.

The Doping Control Officer shall record the fact that the Samples collected belong to a single Player and the order in which the Samples were provided. He shall then send all Samples, irrespective of their specific gravity, to the laboratory for analysis. The laboratory shall, in conjunction with IKF, determine which Samples shall be analyzed.

### **5.3. COLLECTION OF BLOOD SAMPLES**

1. The IKF test distribution plan defines from which Players of those who have been selected to undergo doping control blood Samples shall be taken.
2. In-Competition, a part of the doping control room shall be partitioned off to carry out the blood sampling procedure.
3. The collection of blood Samples from the Players shall, in general, be carried out before the Players provide urine Samples.
4. Doping Control Officers are responsible for:
  - a) hygiene and a sterile technique;
  - b) handling of blood sampling equipment;
  - c) handling of blood Samples, e.g. mixing with anti-coagulants;
  - d) ensuring that each Sample is properly collected, identified, sealed, stored and dispatched;
  - e) answering related questions during the provision of the Sample and aftercare of the Players.
5. The Doping Control Officer shall explain the blood sampling procedure to the selected Players so that the Players understand the procedure and the need to comply at the beginning.
6. Prior to the blood Samples being taken, the Players shall:
7. Remain in a normal seated position with feet on the floor for at least 10 minutes prior to providing a Sample. The Player shall not stand up at any time during the 10 minutes prior to blood Sample collection. To have the Player seated during 10 minutes in a waiting room and then to call the Player out in a blood test room is not acceptable.



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8. Declare any medication and/or supplements used in the past 7 days
9. Declare any blood transfusion(s) received, and/or blood lost due to accident, pathology or donation during the previous 3 months.
10. Declare any extreme environmental conditions the Player was exposed to during the last two hours prior to blood collection, including any sessions in any artificial heat environment, such as a sauna.
  - a) declare to have understood the procedure and purpose of sampling;
  - b) declare any medications that may affect the blood-drawing procedure (particularly those that affect clotting), e.g. aspirin, warfarin, non-steroidal anti-inflammatory agents;
  - c) declare any bleeding disorder that may have an effect on clotting time.

### **5.3.1. Selection of Sample Collection Equipment**

1. After the required rest period, and the DCO/BCO explanation of the Blood Collection Procedure, the DCO directs the Player to choose the appropriate number of Blood Sample collection kits, as required by the IKF.
2. The Player and DCO check that the selected equipment is clean and all seals are intact and have not been tampered with.
3. If either the Player or DCO is not satisfied with a selected kit, the Player may select another. If the Player is not satisfied with any kits and no others are available, the DCO records this.
4. If the DCO does not agree with the Player's opinion that all of the available kits are unsatisfactory, the DCO instructs the Player to proceed with the Sample Collection Session.
5. Should the Player not wish to proceed with the Sample Collection Session, the DCO advises the Player of the possible Consequences of Failure to Comply.
6. If the DCO agrees that none of the equipment is satisfactory, he/she ends the Sample Collection Session, and records the reasons for termination.
7. Once the Sample collection kit has been selected, the DCO/ BCO labels the collection tubes with a unique Sample code number if not pre-labelled.
8. If the kit includes pre-printed bar code labels, the Player removes these labels and verifies with the DCO that the code numbers match.
9. If the Player or DCO finds that the numbers do not match, the DCO instructs the Player to choose another kit, and documents the occurrence.
10. The Player places one label longitudinally on each of the Vacutainer® tubes. The label is to be placed towards the top of the tube(s), near the cap. The Player may authorize the DCO, or the Player Representative to place the labels on the tubes.



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11. The DCO records the numbers, and the Player and the DCO check the documentation to ensure that the DCO accurately recorded the information.

12. The Player gives the BCO the Blood Sample Collection Equipment, including the Vacutainer(s)<sup>®</sup>. The BCO assembles the equipment in sight of the Player.

### 5.3.2. Sample Provision

1. The BCO assesses the most suitable arm for Venipuncture. This will always be the non-dominant arm, unless the BCO assesses the other arm to be more suitable or the Player requests a specific arm.

2. If the BCO believes that a Butterfly Needle is required for Venipuncture, the Player will be asked to select a Butterfly Needle from a selection of sealed needles. The Blood Collection Procedure then continues.

3. The BCO cleans the skin with a sterile disinfectant wipe or swab in a location unlikely to adversely affect the Player or his/her performance and, if required, applies a tourniquet. The BCO takes the Blood Sample from a superficial vein. The tourniquet, if applied, shall be immediately removed following the Venipuncture. It is recommended that the tourniquet, if applied, should be released when the blood starts to flow and no more than 1 min after application.

4. The BCO collects the amount of blood adequate to satisfy the relevant analytical requirements for the type of Sample analysis to be conducted. The collection vessel (s) are always to be kept in full view of the Player.

5. If the BCO is unable to draw sufficient blood from the first attempt, the procedure is repeated up to a maximum of 3 attempts in total. Should all 3 attempts fail to produce a sufficient amount of blood, the BCO informs the DCO, who terminates collection and records the reasons for terminating the collection.

6. If a Player's vein collapses after a small volume of blood has been collected, the procedure shall be repeated on the other arm to obtain a sufficient volume of blood.

7. The BCO applies a dressing to the puncture site(s).

8. The BCO/DCO advises the Player not to undertake any strenuous exercise using the arm for at least 30 minutes to minimize potential bruising.

9. The BCO disposes of used Blood Sample Collection Equipment in accordance with the required standards for handling blood.

10. The recommended temperature data logger used to monitor storage and transport conditions should be turned on to ensure cool conditions before Samples are placed inside the cool box.

11. If the Sample requires further on-site processing, such as centrifugation or separation of serum, the Player shall remain to observe the Sample until final sealing in secure, tamper-evident kit. If the Player declines to remain and observe his/her Samples during this time, this in no way invalidates the test.



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12. The Player shall decide whether he or the Doping Control Officer shall seal the box once the Doping Control Officer or his assistant has completed the procedure for taking blood. In full view of the Player, the Doping Control Officer shall check that the sealing is satisfactory. The Doping Control Officer shall then place the coded, sealed box containing the Player's blood Sample into the transport cooling bag.

13. The sealed Sample shall be stored in a manner that protects its integrity, identity and security prior to transport from the doping control room to the laboratory.

### **5.3.3. Blood sample collection timing**

#### 1 - ABP Testing

If collection occurs after training or Competition, test planning shall consider the Player's whereabouts information to ensure Testing does not occur within two hours of such activity. If the Player has trained or competed less than two hours before the time the Player has been notified of his/her selection, the DCO or other designated Sample Collection Personnel shall chaperone the Player until this two-hour period has elapsed. If the Sample was collected within two hours of training or Competition, the nature, duration and intensity of the exertion shall be recorded by the DCO/BCO to make this information available to the APMU and subsequently to the Experts.

#### 2 - GH testing

Tests to analyze for the presence of exogenous Growth Hormone (GH or its Markers) are not to be scheduled within 30 minutes of physical exertion (training or Competition). The Player's whereabouts information shall be consulted to ensure that Testing does not occur within 30 minutes of such activity.

If the Player has trained or competed less than 30 minutes prior to his/her selection notification, the DCO, BCO or other Sample Collection Personnel are to chaperone the Player until this 30 minute period has elapsed.

If a Sample is taken within 30 minutes of training or Competition, the DCO/BCO records the nature, duration and intensity of the exertion in the mission documentation, then provides this information to the IKF.

### **5.4. MODIFICATIONS FOR PLAYERS WHO ARE MINORS**

The IKF confirms, where necessary, that the IKF Jury Chairman obtains the necessary parental consent for testing any participating Player who is a Minor.

For Out-of-Competition testing of a Player who is a Minor, the preferred venue is a location where the presence of an adult is most likely, e.g. a training venue.

Players who are Minors should be notified in the presence of an adult and may choose to be accompanied by a Player Representative at all times during the Sample Collection Session, including the Sample provision in the toilet area.



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However, the Player Representative doesn't directly observe the passing of the Sample, unless requested to do so by the Player. The objective is to ensure that the Witness is observing Sample provision correctly. Even if the Minor declines a Player Representative, the Sample Collection Authority, DCO or Chaperone, as applicable, should consider whether another third party ought to be present during notification of and/or during the collection of the Sample from the Player.

Should a Player who is a Minor decline to have an Player Representative present during the Sample Collection Session, this shall be clearly documented by the DCO. Failure to do so does not invalidate the test.

If a Minor declines the presence of a representative, a Third Party representative of the Sample Collection Personnel must be present.

If necessary, the DCO/Chaperone explains the Doping Control documentation and Player's rights and responsibilities to the Player and the Player Representative.

If a Player who is a Minor is accompanied to the Sample Collection Session, the Player Representative is to sign the Doping Control form on behalf of/in addition to the Player.

## 6. DOPING CONTROL FORM

1. Any behavior by the Player and/or Persons associated with the Player or anomalies with potential to compromise the Sample collection shall be recorded by the Doping Control Officer on the DCF. If appropriate, the IKF shall investigate a possible failure to comply.

2. The Doping Control Officer shall provide the Player with the opportunity to document any concerns he may have about how the Sample collection session was conducted.

3. In conducting the Sample collection session, the following information shall be recorded as a minimum:

- a) the date, time and type of summons to Doping Control (no-advance-notice, advance-notice, In-Competition or Out-of-Competition);
- b) the Competition/location, date and time of Sample provision;
- c) the name of the Player and the Player's number;
- d) the name of the Player's team;
- e) the name of the Player's doctor and/or Person accompanying the Player (during Team Activities);
- f) the Sample code number;
- g) the required laboratory information on the Sample;
- h) the medications and supplements taken and recent blood transfusion details (if applicable) as declared by the team doctor/Player;
- i) any irregularities in procedures;
- j) the Player's comments or concerns regarding the conduct of the Sample collection session, if provided;
- k) the name and signature of the Player's doctor and/or Person accompanying the Player (if applicable);
- l) the name and signature of the Player;





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m) the name and signature of the Doping Control Officer.

4. At the conclusion of the Sample collection session, the Player and Doping Control Officer shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the Player's Sample collection session, including any concerns recorded by the Player. During Team Activities, the Player's doctor and/or Person accompanying the Player shall sign the documentation as a witness of the proceedings.

In individual Testing, the Person accompanying the Player or witness, if applicable, shall sign the documentation.

5. The Doping Control Officer shall provide the Player with a copy of the DCF of the Sample collection session that has been signed by the Player.

### **7. POST-TEST ADMINISTRATION**

1. The contracted NADO shall define criteria ensuring that any Sample will be stored in a manner that protects its integrity, identity and security prior to transport from the doping control room to the laboratory. The Doping Control Officer shall ensure that any Sample is stored in accordance with these criteria.

2. The contracted NADO shall develop a system to ensure that the documentation for each Sample is completed and securely handled.

3. The contracted NADO shall ensure that instructions for the type of analysis to be conducted are laid down in the agreement with the laboratory chosen in accordance with Article 6 (Analysis of Samples) of the IKF Anti-Doping Rules.

### **8. TRANSPORT OF SAMPLES AND DOCUMENTATION**

1. The contracted NADO shall authorize a transport system that ensures Samples and documentation will be transported in a manner that protects their integrity, identity and security.

2. Samples shall always be transported to the laboratory chosen in accordance with Article 6 (Analysis of Samples) of the IKF Anti-Doping Rules, as soon as practicable after the completion of the Sample collection session. Samples shall be transported in a manner that minimizes the potential for Sample degradation due to factors such as time delays and extreme temperature variations.

3. Documentation identifying the Player shall not be included with the Samples or documentation sent to the laboratory chosen in accordance with Article 6 (Analysis of Samples) of the IKF Anti-Doping Rules.

4. The Doping Control Officer shall hand directly all relevant Sample collection session documentation, in a closed envelope, to the IKF Jury Chairman or to the IKF CO or to the IKF Secretary General as soon as practicable after the completion of the Sample collection session.

5. The contracted NADO shall indicate the sample collection equipment manufacturer used and which have deemed meets the requirements of the International Standard for Testing & Investigations (ISTI) Article 6.3.4.



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6. The Chain of Custody shall be checked by the IKF if receipt of either of the Samples with accompanying documentation or Sample collection session documentation is not confirmed at its intended destination or if a Sample's integrity or identity may have been compromised during transport. In this instance, the IKF shall consider whether the Sample should be voided.

7. Documentation relating to a Sample collection session and/or an anti-doping rule violation shall be stored by IKF for a minimum of ten years as per article 17 of the IKF Anti-Doping Rules.

### 9. OWNERSHIP OF SAMPLES

Samples collected from a Player are owned by the IKF, the testing authority for the Sample Collection Session in question.

The IKF may transfer ownership of the Samples to the Results Management Authority (RMA) or to another ADO upon request.

### 10. FAILURE TO COMPLY

Investigating a possible Failure to Comply begins when the IKF or a Doping Control Officer (DCO) becomes aware of a possible Failure to Comply and ends when the Testing Authority takes appropriate follow-up action based on the outcome of its investigation.

1. When any member of the Sample collection personnel becomes aware of any matters occurring before, during or after a Sample collection session that may lead to a determination of a failure to comply, he must inform the Doping Control Officer immediately.

2. The Doping Control Officer shall then:

- a) inform the Player or other party concerned of the consequences of a possible failure to comply;
- b) complete the Player's Sample collection session, if possible;
- c) provide a detailed written report of any possible failure to comply to the IKF General Secretary.

3. The IKF shall then:

- a) inform the Player or other party concerned of the possible failure to comply in writing and grant an opportunity to respond;
- b) instigate an investigation of the possible failure to comply based on all relevant information and documentation;



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c) document the evaluation process;

d) make the final determination (i.e., whether or not to assert the commission of an anti-doping rule violation), with reasons, available without delay to WADA and other Anti-Doping Organisations in accordance with Code Articles 7.10 and 14.1.4.

4. If the IKF determines that there has been a potential failure to comply, it shall:

a) promptly notify the Player or other party in writing of the possible consequences, i.e. that a potential failure to comply will be investigated by the IKF Disciplinary Committee and that appropriate follow-up action will be taken in accordance with these Regulations and the IKF Disciplinary Regulations;

b) notify the IKF Disciplinary Committee of all relevant facts.

5. Any additional necessary information about the potential failure to comply shall be obtained from all relevant sources, including the Player or other party, as soon as possible and recorded.

6. The IKF Disciplinary Committee shall investigate the potential failure to comply and take appropriate follow-up action in accordance with these Regulations and the IKF Disciplinary Regulations.

7. The IKF shall establish a system for ensuring that the outcomes of its investigation into the potential failure to comply are considered for the purposes of results management and, if applicable, for further planning and Target Testing.



## APPENDIX 5

### APPENDIX 5

#### TUE PROCEDURES

This document outlines the procedures governing the application, approval, mutual recognition and administrative management of Therapeutic Use Exemptions (TUEs) within IKF's jurisdiction and in accordance with article 7 of the International Standard for Therapeutic Use Exemptions.

The purpose of the IKF TUE Procedures is to ensure that the process of granting TUEs is the same for all players participating in IKF competitions and is harmonized across member associations.

The WADC permits players to apply for TUEs, i.e. for permission to use for therapeutic purposes substances or methods contained in the Prohibited List whose use is otherwise prohibited.

This IKF TUE Procedures applies to all players participating in IKF International Competitions for which IKF has indicated that a TUE from IKF is required as well as those in the IKF registered testing pool.

#### 1. GRANTING BODY

The IKF TUE Committee has overall responsibility for approving applications for therapeutic use exemptions (TUE). The IKF TUE Committee includes at least three doctors with experience in the care and treatment of players and knowledge of clinical, sports and exercise medicine. The members are free of conflicts of interest. The IKF TUE Committee seeks whatever medical or scientific expertise they deem appropriate in reviewing the circumstances of any application for a TUE. The IKF TUE Committee aims to render their decision within 21 days of receipt of all requested information.

In compliance with art. 4.4.3 of the WADC, the IKF TUE Committee recognizes or grants TUE approvals for International Level Players which includes players who:

- a) Participate in IKF International Competitions under the jurisdiction of IKF, excluding the Under 19, Under 17 and Under 15 Competitions;
- b) Players designated by IKF as being within IKF registered testing pool.

Accordingly, TUE applications for the recognition or grant of a TUE for International-Level Players must be sent to the IKF TUE Committee unless there is an agreement of mutual recognition with other granting bodies in accordance with Article 7 of the ISTUE.



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Level of play	TUE application to be sent to	Application to be submitted by
National players participating in domestic competitions only	National anti-doping organisation (NADO) or other authorized national body	Player
International players participating in international club competitions	IKF	Player
International players participating in IKF competitions, except U19, U17, U15	IKF	Player
Players in IKF international registered testing pool	IKF	Player

### 2. CRITERIA FOR GRANTING TUES

A Player may be granted a TUE if he can show that he has met each of the following conditions:

- 2.1. The Player shall submit an application for a TUE within the time limit stipulated.
- 2.2. The Prohibited Substance or Prohibited Method in question is needed to treat an acute or chronic medical condition such that the Player would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld.
- 2.3. The therapeutic use of the Prohibited Substance or Prohibited Method is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the Player's normal state of health following the treatment of the acute or chronic medical condition.
- 2.4. There is no reasonable therapeutic alternative to the Use of the Prohibited Substance or Prohibited Method.
- 2.5. The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.

### 3. CONFIDENTIALITY OF INFORMATION

The collection, storage, processing, disclosure and retention of personal information by IKF in the TUE process shall comply with the International Standard for the Protection of Privacy and Personal Information.



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A player applying for a TUE shall provide written consent for the transmission of all information pertaining to the application to all therapeutic use exemption committees (TUECs) with authority under the WADC and International Standards to review the file and, as required, other independent medical or scientific experts, and to all necessary staff involved in the management, review or appeal of TUEs, and WADA. The applicant shall also provide written consent for the decision of the IKF TUE Committee to be distributed to other relevant anti-doping organisations with Testing and/or results management authority over the player and IKF member associations under the provisions of the WADC.

Should the assistance of external, independent experts be required, all details of the application shall be shared without identifying the player concerned.

The members of the IKF TUE Committee and all independent experts shall conduct all of their activities in strict confidentiality and shall sign appropriate confidentiality agreements. In particular, they shall keep the following information confidential:

- a) All medical information and data provided by the player and doctor(s) involved in the player's care.
- b) All details of the application including the name of the doctor(s) involved in the process.

Should the player wish to revoke the right of the IKF TUE Committee or any TUEC to obtain any health information on his behalf, the player must notify his doctor in writing of the fact. As a consequence of such a decision, the player will not receive approval for a TUE or renewal of an existing TUE.

IKF shall retain personal information obtained in the TUE process for a period of ten years.

### 4. TUE APPLICATION PROCESS

A TUE shall only be considered on receipt of a completed application form that must include all relevant documents (see Annex 1 – TUE application form) and follow the principles laid out.

- 4.1. The player should submit an application for a TUE no less than thirty (30) days before he needs the approval (e.g. before an IKF competition), unless it is an emergency or exceptional situation.
- 4.2. The TUE application form is provided by IKF in English and has to be completed in fully legible writing in English, the official IKF language. The medical file, including all documents and reports, must also be provided in English.
- 4.3. The application must identify the player's affiliation, and the specific competition, if applicable, for which the application is being made.
- 4.4. The application must list any previous and/or current TUE requests, the body to whom that request was made, and the decision of any other body on review or appeal.
- 4.5. The application must include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application. The medical information



## APPENDIX 5

provided to support the diagnosis and treatment, as well as the duration of validity, should follow WADA's "Medical Information to Support the Decisions of TUECs".

- 4.6. Any additional relevant investigations, examinations or imaging studies requested by the IKF TUE Committee before approval shall be undertaken at the expense of the applicant or his national governing body/club.
- 4.7. The application must include a statement by an appropriately qualified doctor attesting to the necessity of the otherwise prohibited substance or prohibited method in the treatment of the player and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.
- 4.8. The substance in question must be given its generic name. Brand names will not be accepted and will lead to the application being returned. The dose, frequency, route and duration of administration of the otherwise prohibited substance or prohibited method in question must be specified. If any of these change, a new application should be submitted.
- 4.9. In normal circumstances, the decisions of the IKF TUE Committee should be completed within twenty-one (21) days of receipt of all relevant documentation and shall be conveyed in writing by the IKF TUE Committee using the contact details indicated by the player on the TUE application. In the case of TUE applications not made within the required time limit but made within a reasonable time limit prior to a competition, the IKF TUE Committee shall make every effort to complete the TUE process before the start of the competition. Where a TUE has been granted to a player in IKF's international registered testing pool or to a player participating in a IKF competition, the player and WADA shall promptly be provided with approval that includes information pertaining to the duration of the TUE and any conditions associated with it.
- 4.10. A player may request a review by the WADA TUEC in accordance with Article 4.4.6 of the WADC. The player must provide the WADA TUEC with all of the information on the TUE that was initially submitted to the IKF TUE Committee, accompanied by an application fee. Until the review process has been completed, the original decision of the IKF TUE Committee shall remain in effect.
- 4.11. If a decision regarding the granting of a TUE is reversed by WADA upon review, the reversal shall not apply retroactively and shall not disqualify the player's results during the period that the TUE had been granted and shall take effect no later than fourteen (14) days after the player has been notified of the decision.
- 4.12. The WADA TUEC is required to explain in detail all medical aspects which led to the reversal of a decision by the IKF TUE Committee in language comprehensible to lay people (e.g. the player).
- 4.13. WADA, at the request of a player or on its own initiative, may review the granting or denial of any TUE by IKF. Decisions by WADA reversing the granting or denial of a TUE may be appealed exclusively to the Court of Arbitration for Sport by the player, the Player's NADO or IKF.

## 5. TUE VALIDITY



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Each TUE will have a specified duration, as decided by the TUEC, at the end of which the TUE will expire automatically. If the Athlete needs to continue to use the Prohibited Substance or Prohibited Method after the expiry date, he/she must submit an application for a new TUE no less than thirty (30) days in advance of that expiry date, so that there is sufficient time for a decision to be made on the application before the expiry date.

### 6. MUTUAL RECOGNITION OF TUE APPROVALS

- 5.1. NADOs do not have authority to grant TUEs for players known to be in IKF's registered testing pool or players participating in IKF competitions, provided that such players are international-level players according to IKF Anti-Doping Rules. A TUE granted by a NADO is not automatically valid at international level. The players must submit a request for recognition of the TUE to IKF.
- 5.2. Where the Player already has a TUE granted by his or her NADO for the substance or method in question, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, IKF shall recognize it. If IKF considers that the TUE does not meet those criteria and so refuses to recognize it, it must notify the Player and his or her NADO promptly, with reasons. The Player or the NADO shall have 21 days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the NADO remains valid for National Competition and Out-of-Competition Testing but is not valid for International Competition, pending WADA's decision. If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose when the 21-day review deadline expires.
- 5.3. If IKF grants the TUE to a Player, it shall notify not only the Player but also his or her NADO, and if the NADO considers that the TUE does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has 21 days from such notification to refer the matter to WADA for review. If the NADO refers the matter to WADA for review, the TUE granted by IKF remains valid for International Competition and Out-of-Competition Testing but is not valid for National Competition, pending WADA's decision. If the NADO does not refer the matter to WADA for review, the TUE granted by IKF becomes valid for National Competition as well when the 21-day review deadline expires.
- 5.4. In the case of players joining IKF's registered testing pool or participating in a IKF competition at short notice, the IKF TUE Committee recognizes TUEs granted by NADOs in accordance with Article 4.4.3 of the WADC. When considering such applications, the IKF TUE Committee shall ensure, that:
  - 5.4.1. The respective NADO follows IKF's criteria (in accordance with the International Standard for Therapeutic Use Exemptions) for granting a TUE, in particular with regard to asthma treatment;
  - 5.4.2. The original application form, including all medical information submitted to the granting body, is provided to the IKF TUE Committee (if the original application is not in English, it must be translated to English); and
  - 5.4.3. The IKF TUE Committee establishes the conformity of the application with the IKF Anti-Doping Rules.





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### 7. HOW TO APPLY FOR A TUE

7.1. Download the IKF TUE Application Form from IKF website [www.ikf.org](http://www.ikf.org) and fill it in with a physician. The TUE form requires both the athlete's and the physician's signature. All documents (TUE form and medical evidence attachments) must be written in English.

7.2. Gather required medical evidence

Complete medical history (including onset of the disease, family history, triggers, severity)  
Results of all examinations

Laboratory investigations and/or the imaging studies

7.3. Send the completed TUE application form together with the medical evidence to the IKF  
e-mail: [antidoping@ikf.org](mailto:antidoping@ikf.org)

### 8. TUE APPROVALS

IKF is required to provide WADA with all TUEs approved for players who are part of the IKF international registered testing pool or who participate in IKF competitions, as well as all supporting documentation.

#### **IMPORTANT NOTE:**

For more detailed information on the TUE application and granting process and on the requirements for TUE applications in relation to particular diseases, please refer to the WADA International Standard for TUEs at:

<https://www.wada-ama.org/en/international-standards#TherapeuticUseExemptions>



# International Korfball Federation

*Recognized by the International Olympic Committee*

Application No.: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_

## Therapeutic Use Exemptions (TUE) APPLICATION FORM

Please complete all sections in capital letters or typing and in English. Athlete to complete sections 1, 5, 6 and 7; physician to complete sections 2, 3 and 4. Illegible or incomplete applications will be returned and will need to be re-submitted in legible and complete form.

### 1. Athlete Information

Surname: _____			Given Names: _____		
Female	<input type="checkbox"/>	Male	<input type="checkbox"/>	Date of Birth (d/m/y): _____	
Address: _____					
City: _____		Country: _____		Postcode: _____	
Tel.: _____ (with International code)					
E-mail: _____					
Sport: _____			Nationality: _____		
International or National Sport Organisation:					
_____					
If you are an Athlete with an impairment, please indicate the impairment:					
_____					
_____					
_____					

**2. Medical information (continue on separate sheet if necessary)**

Diagnosis:

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If a permitted medication can be used to treat the medical condition, please provide clinical justification for the requested use of the prohibited medication:

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**Comment:**

*Evidence confirming the diagnosis shall be attached and forwarded with this application. The medical information must include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies. Copies of the original reports or letters should be included when possible. Evidence should be as objective as possible in the clinical circumstances. In the case of non-demonstrable conditions, independent supporting medical opinion will assist this application.*

WADA maintains a series of guidelines to assist physicians in the preparation of complete and thorough TUE applications. These TUE Physician Guidelines can be accessed by entering the search term “Medical Information” on the WADA website: <https://www.wada-ama.org>. The guidelines address the diagnosis and treatment of a number of medical conditions commonly affecting athletes, and requiring treatment with prohibited substances.

**3. Medication details**

Prohibited Substance(s): <u>Generic name</u>	DC ARTICLE 1	Dose	Route of Administration	Frequency	Duration of Treatment
1.					
2.					
3.					

#### 4. Medical practitioner's declaration

**I certify that the information at sections 2 and 3 above is accurate, and that the above-mentioned treatment is medically appropriate.**

Name: \_\_\_\_\_

Medical specialty: \_\_\_\_\_

Address: \_\_\_\_\_

Tel.: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature of Medical Practitioner: \_\_\_\_\_ Date: \_\_\_\_\_

#### 5. Retroactive applications

<p><b>Is this a retroactive application?</b></p> <p><b>Yes:</b> <input type="checkbox"/></p> <p><b>No:</b> <input type="checkbox"/></p> <p>If yes, on what date was treatment started?</p> <p>_____</p>	<p><b>Please indicate reason:</b></p> <p><input type="checkbox"/> Emergency treatment or treatment of an acute medical condition was necessary</p> <p><input type="checkbox"/> Due to other exceptional circumstances, there was insufficient time or opportunity to submit an application prior to sample collection</p> <p><input type="checkbox"/> Advance application not required under applicable rules</p> <p><input type="checkbox"/> Other</p> <p>Please explain:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
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#### 6. Previous applications

**Have you submitted any previous TUE application(s)?** Yes  No

For which substance or method?

\_\_\_\_\_

To whom? \_\_\_\_\_ When? \_\_\_\_\_

Decision: Approved  Not approved

## 7. Athlete's declaration

I, \_\_\_\_\_, certify that the information set out at sections 1, 5 and 6 is accurate. I authorize the release of personal medical information to the Anti-Doping Organisation (ADO) as well as to WADA authorized staff, to the WADA TUEC (Therapeutic Use Exemption Committee) and to other ADO TUECs and authorized staff that may have a right to this information under the World Anti-Doping Code ("*Code*") and/or the International Standard for Therapeutic Use Exemptions.

I consent to my physician(s) releasing to the above persons any health information that they deem necessary in order to consider and determine my application.

I understand that my information will only be used for evaluating my TUE request and in the context of potential anti-doping rule violation investigations and procedures. I understand that if I ever wish to (1) obtain more information about the use of my health information; (2) exercise my right of access and correction; or (3) revoke the right of these organisations to obtain my health information, I must notify my medical practitioner and my ADO in writing of that fact. I understand and agree that it may be necessary for TUE-related information submitted prior to revoking my consent to be retained for the sole purpose of establishing a possible anti-doping rule violation, where this is required by the *Code*.

I consent to the decision on this application being made available to all ADOs, or other organisations, with Testing authority and/or results management authority over me.

I understand and accept that the recipients of my information and of the decision on this application may be located outside the country where I reside. In some of these countries data protection and privacy laws may not be equivalent to those in my country of residence.

I understand that if I believe that my Personal Information is not used in conformity with this consent and the International Standard for the Protection of Privacy and Personal Information, I can file a complaint to WADA or CAS.

**Athlete's signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Parent's/Guardian's signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(If the Athlete is a Minor or has an impairment preventing him/her signing this form, a parent or guardian shall sign on behalf of the Athlete)

**Please submit the completed form to the IKF by mail or e-mail (keeping a copy for your records).**

**INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED AND WILL NEED TO BE RESUBMITTED**



# International Korfball Federation

*Recognized by the International Olympic Committee*

## ATHLETE CONSENT FORM

As a member of the \_\_\_\_\_ (National Federation) and a participant in an event authorized or recognized by the International Korfball Federation, I hereby declare as follows:

1. I acknowledge that I am bound by, and confirm that I shall comply with, all of the provisions of the International Korfball Federation Anti-Doping Rules (as amended from time to time), the World Anti-Doping Code (the “Code”) and the *International Standards* issued by the World Anti-Doping Agency, as amended from time to time, and published on WADA’s website.
2. I consent and agree to the creation of my profile in the WADA Doping Control Clearing House (“ADAMS”), as requested under the *Code* to which the International Korfball Federation is a *Signatory*, and/or any other authorized *National Anti-Doping Organisation’s* similar system for the sharing of information, and to the entry on my *Doping Control, Whereabouts and Therapeutic Use Exemptions* related data in such systems.
3. I acknowledge the authority of International Korfball Federation under the International Korfball Federation Anti-Doping Rules to enforce, to manage results under, and to impose sanctions in accordance with the International Korfball Federation Anti-Doping Rules.
4. I acknowledge and agree that any dispute arising out of a decision made pursuant to the International Korfball Federation Anti-Doping Rules, after exhaustion of the process expressly provided for in the International Korfball Federation Anti-Doping Rules, may be appealed exclusively as provided in Article [13] of the International Korfball Federation Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of *International-Level Athletes* is the Court of Arbitration for Sport (CAS).
5. I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.

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 legal guardian)

(Day/Month/Year)