



Olympic Council of Asia
2023 Anti-Doping Rules
Applicable to the
19th Hangzhou Asian Games 2022

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OCA ANTI-DOPING RULES

INTRODUCTION

Preface

These Anti-Doping Rules are adopted and implemented in accordance with the Olympic Council of Asia (OCA)'s responsibilities under the *Code*, and in furtherance of OCA's continuing efforts to eradicate doping in sport.

These Anti-Doping Rules are sport rules governing the conditions under which sport is played. Aimed at enforcing anti-doping rules in a global and harmonized manner, they are distinct in nature from criminal and civil laws. They are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings, although they are intended to be applied in a manner which respects the principles of proportionality and human rights. 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, which implement 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.

As provided in the *Code*, OCA shall be responsible for conducting all aspects of *Doping Control*. Any aspect of *Doping Control* or anti-doping *Education* may be delegated by OCA to a *Delegated Third Party*, however, OCA shall require the *Delegated Third Party* to perform such aspects in compliance with the *Code*, *International Standards*, and these Anti-Doping Rules. OCA may delegate its *Results Management* and adjudication responsibilities to the CAS Anti-Doping division.

When OCA delegates its responsibilities to implement part or all of its *Doping Control* to the *Delegated Third Party*, any reference to OCA should be intended as a reference to that *Delegated Third Party*, where applicable and within the context of the aforementioned delegation. OCA shall always remain fully responsible for ensuring that any delegated aspects are performed in compliance with the *Code*.

Italicized terms in these Anti-Doping Rules are defined terms in Appendix 1.

Unless otherwise specified, references to Articles are references to Articles of these Anti-Doping Rules.

Fundamental Rationale for the Code and OCA Anti-Doping Rules

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

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

Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.

The spirit of sport is the celebration of the human spirit, body, and mind. It is the essence of Olympism and is reflected in the values we find in and through sport, including:

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

The spirit of sport is expressed in how we play true.

Doping is fundamentally contrary to the spirit of sport.

Delegations to International Testing Authority (ITA)

The OCA is a *Signatory* to the *Code* and these Anti-Doping Rules are adopted by the OCA in accordance with the mandatory provisions of the *Code*.

In accordance with the *Code* and these Rules, the OCA has agreed to delegate some of its responsibilities related to the implementation of all or part of *Doping Control* in relation to the 19th Hangzhou Asian Games 2022 to the International Testing Agency (ITA) as further described hereunder, including without limitation:

1. Testing Program.
2. *Therapeutic Use Exemptions*.
3. *Results Management*.
4. *Education Plan*.

The ITA, in turn, may sub delegate to *Delegated Third Parties* (for example, to Hangzhou Asian Games Organizing Committee 2022 or *Sample* collection agencies). References in these rules to the ITA shall exceptionally, due to the OCA's status as a *Major Event Organization* and where applicable within the context of the aforementioned delegation, be constructed and interpreted as references to the ITA acting on behalf of the OCA.

Notwithstanding the above delegation to the ITA (or other *Delegated Third Parties*), and in accordance with the *Code* and *International Standard for Code Compliance by Signatories*, the OCA shall, as the *Signatory*, remain responsible from a *Code* compliance perspective for all aspects of *Doping Control* conducted at the 19th Asian Games Hangzhou, China.

Further, and for the avoidance of doubt, while the ITA may act on its behalf, the OCA shall be considered as the party asserting anti-doping rules violations and for the purpose of any actions taken within the *Results Management* process under these Rules where that role would appropriately fall to a *Signatory* under the *Code*. Without limitation, this includes the position of applicant, and in the event of appeal, appellant or respondent as the case may be.

Delegation to Court of Arbitration for Sport (CAS ADD)

In accordance with the *Code* and these Rules, the OCA has agreed to delegate the hearing process and the rendering of first instance decisions relating to any alleged anti-doping rules violation asserted pursuant to these anti-doping rules to the Anti-Doping Division of the Court of Arbitration for Sport (CAS ADD). References in these rules to the Anti-Doping Division of Court of Arbitration for Sport shall exceptionally, due to the OCA's status a *Major Event Organization* and where applicable within the context of the aforementioned delegation, be constructed and interpreted as references to CAS Anti-Doping Division.

Scope of these Anti-Doping Rules

These Anti-Doping Rules shall apply in relation to the Asian Events: Asian Games, Beach Games, Indoor and Martial Arts Games, Winter Games and Youth Games.

These Anti-Doping Rules shall apply to:

- (a) OCA including its board members, directors, officers, specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*;
- (b) Hangzhou Asian Games Organizing Committee (HAGOC) including its members, directors, officers, employees who are involved in any aspects of *Doping Control*.
- (c) all *Athletes* preparing for or entered in an OCA's Event (namely the Hangzhou Asian Games 2022) or who have otherwise been made subject to the authority of OCA for the Event;
- (d) all *Athlete Support Personnel* supporting such *Athletes*;
- (e) other *Persons* participating in, or accredited to, the activities of OCA including International Federations and *National Olympic Committees*; and
- (f) any *Person*, organization, body or entity (including their employees, board members, directors, officers that are involved in any aspect of *Doping Control*) operating (even if only temporarily) under the authority of OCA.

Each of the abovementioned *Persons* is deemed, as a condition of his or her participation or involvement in an Event organized by OCA, to have agreed to and be bound by these Anti-Doping Rules, and to have submitted to the authority of OCA to enforce these Anti-Doping Rules, including any *Consequences* for the breach thereof, and to the jurisdiction of the hearing panels specified in Article 8 and Article 12 to hear and determine cases and appeals brought under these 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 2.11 of these Anti-Doping Rules.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

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

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

The following constitute anti-doping rule violations:

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

2.1.1 It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or where the *Athlete's A or B Sample* is split into two (2) parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.

2.1.3 Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

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

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

2.2.1 It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies and that no *Prohibited Method* is *Used*. Accordingly, it is not necessary that intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete's* part be demonstrated in order to

establish an anti-doping rule violation for *Use of a Prohibited Substance* or a *Prohibited Method*.

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

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

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

2.4 Whereabouts Failures by an Athlete

Any combination of three (3) missed tests and/or filing failures, as defined in the *International Standard for Results Management*, within a twelve-month period by an *Athlete* in a *Registered Testing Pool*.

2.5 Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person

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

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

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

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

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

2.9 Complicity or Attempted Complicity by an Athlete or Other Person

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

2.10 Prohibited Association by an Athlete or Other Person

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

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

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

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

2.10.2 To establish a violation of Article 2.10, an *Anti-Doping Organization* must establish that the Athlete or other Person knew of the Athlete Support Person's disqualifying status.

The burden shall be on the Athlete or other Person to establish that any association with an Athlete Support Person described in Article 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

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

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

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

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

For purposes of Article 2.11, retaliation, threatening and intimidation include an act taken against such *Person* either because the act lacks a good faith basis or is a disproportionate response.

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

OCA shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether OCA 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, except as provided in Articles 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.

3.2 Methods of Establishing Facts and Presumptions

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

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

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

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

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

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

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

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

3.2.5 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a

reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or ITA.

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*.

Unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three (3) months after publication by WADA, without requiring any further action by OCA. All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

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

4.2.1 *Prohibited Substances and Prohibited Methods*

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

4.2.2 *Specified Substances or Specified Methods*

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

4.2.3 *Substances of Abuse*

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

4.3 WADA’s Determination of the Prohibited List

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

4.4 Therapeutic Use Exemptions (“TUEs”)

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

4.4.2 TUE Recognition

Where the *Athlete* already has a *TUE* granted by the *Athlete’s National Anti-Doping Organization* or *International Federation*, the OCA will recognize it.

4.4.3 TUE Application Process

- 4.4.3.1** If the Athlete does not already have a TUE granted by their *National Anti-Doping Organization* or *International Federation*, the Athlete must apply directly to the ITA for a TUE as soon as possible, save where Articles 4.1 or 4.3 of the *International Standard for Therapeutic Use Exemptions* apply.
- 4.4.3.2** The application to ITA for grant of a TUE shall be made in accordance with Article 6 of the *International Standard for Therapeutic Use Exemptions*, as posted on OCA website.¹
- 4.4.3.3** The ITA shall appoint the members of the TUEC which shall be composed of specialists in accordance with the *International Standard for Therapeutic Use Exemptions*. Each TUEC application shall be assessed by three members of the TUEC.
- (a) The TUEC shall promptly evaluate applications for a TUE and render a decision as quickly as possible, which decision shall be reported via ADAMS.
- (b) The ITA shall promptly notify the Athlete, the Athlete's NOC, WADA, the Athlete's *National Anti-Doping Organization* and *International Federation* of the decision of the TUEC.
- (c) The provisions of the *International Standards* for the *Therapeutic Use Exemptions* shall be complied with during entire TUE application, recognition, decision, review and appeal process and applied automatically. TUEs granted by the TUEC shall be effective for the 2022 Hangzhou Asian Games only.
- (d) Without prejudice to the review by the TUEC under Article 4.4.5 below, where the Athlete already has a TUEC granted by the Athlete's *National Anti-Doping Organization* or *International Federation* and such TUE is available on ADAMS, the Athlete does not need to apply for recognition of this TUE which shall be automatically recognized.
- (e) A decision by the TUEC not to grant a TUE may be appealed by the Athlete exclusively to CAS. If the Athlete does not appeal (or the appeal is unsuccessful), the Athlete may not Use the *Prohibited Substance* or *Prohibited Method* in question in relation to the 2022

- Hangzhou Asian Games, but any TUE granted by the Athlete's National Anti-Doping Organisation or International Federation for that substance or method remains valid outside of the 2022 Hangzhou Asian Games.
- (f) WADA may review the TUEC's decisions on TUEs 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. A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the Athlete's National Anti-Doping Organisation and/or International Federation affected, exclusively to CAS in accordance with Article 12 of these Rules.
- (g) All TUEs must be managed, requested and declared through ADAMS. All applications, decisions and supporting documentations regarding TUEs must be applied for, managed and notified as soon as possible through ADAMS or written decision letter.

4.4.3.4 The TUEC decision shall be final decision of the ITA (acting on behalf of OCA) and may be appealed in accordance with article 4.4.3.3.e. The ITA TUEC's decision shall be notified in writing to the Athlete, OCA, WADA and to other *Anti-Doping Organizations* in accordance with the *International Standard for Therapeutic Use Exemptions*. It shall be promptly be reported into ADAMS by the ITA.

4.4.3.5 Retroactive TUE Applications

If the ITA (acting on behalf of OCA) chooses to collect a Sample from an Athlete who is not an *International-Level Athlete* or *National-Level Athlete*, and that Athlete is using a *Prohibited Substance* or a *Prohibited Method* for therapeutic reasons, the ITA (acting on behalf of OCA) must permit that Athlete to apply for a retroactive TUE.

4.4.3.6 Review and Appeals of TUES Decisions

4.4.3.7.1 A decision by the ITA (acting on behalf of OCA) not to recognize or not to grant a TUE may be appealed by the Athlete exclusively to the CAS. If the Athlete does not appeal (or the appeal is unsuccessful), the Athlete may not Use the

Prohibited Substance or *Prohibited Method* in question in connection with the 2022 Hangzhou Asian Games. However, any *TUE* granted by the *Athlete's National Anti-Doping Organization* or *International Federation* for that substance or method remains valid outside of the 2022 Hangzhou Asian Games.

4.4.8.4 A failure to render a decision within a reasonable time on a properly submitted application for grant of a *TUE* or for review of a *TUE* decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

ARTICLE 5 TESTING AND INVESTIGATIONS

5.1 Purpose of Testing and Investigations

5.1.1 Testing and investigations may be undertaken for any anti-doping purpose. They shall be conducted in conformity with the provisions of the *International Standard for Testing and Investigations* and any specific protocols of the OCA and /or the ITA (within the scope of its delegation) supplementing that *International Standard*, provided that such protocols are compliant with the *Code* and *International Standard for Testing and Investigations*.

5.1.2 Testing shall be undertaken to obtain analytical evidence as to whether the *Athlete* has violated Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*) or Article 2.2 (*Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*).

5.2 Authority to Test

5.2.1 In accordance with Article 5.2.3 of the *Code*, the OCA shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* entered in the 2022 Hangzhou Asian Games or who are otherwise subject to its *Testing* authority.

5.2.2 Accordingly, the ITA may conduct *In-Competition* and *Out-of-Competition Testing* on behalf of OCA, on any *Athlete* entered to or who may be entered to participate in 2022 Hangzhou Asian Games or who are otherwise subject to the OCA's *Testing* authority. The ITA may notably conduct *Out-of-Competition Testing* on these *Athletes* starting from the *Period of the Pre-Asian Games 2022*.

- 5.2.3** The ITA may require any *Athlete* over whom the OCA has *Testing* authority to provide a *Sample* at any time and at any place.
- 5.2.4** Subject to Article 5.3 of the *Code*, the ITA shall have exclusive authority to conduct *Testing* at the *Event Venues* during the *Period* of the 2022 Hangzhou Asian Games. In accordance with Article 5.3.1 of the *Code*, *Anti-Doping Organizations* with *Testing* authority over *Athletes* participating at the 2022 Hangzhou Asian Games may test *Athletes* during the *Period of the 2022 Hangzhou Asian Games* outside of the *Event Venues*. Such *Testing* shall be communicated to and coordinated with ITA.
- 5.2.5** If an *Anti-Doping Organization*, which would otherwise have *Testing* authority, but is not responsible for initiating and directing *Testing* at the 2022 Hangzhou Asian Games, desires to conduct *Testing* of *Athletes* at the *Event Venues* during the *Period* of the 2022 Hangzhou Asian Games, the *Anti-Doping Organization* shall first confer with ITA to obtain permission to conduct and coordinate such *Testing*. If the *Anti-Doping Organization* is not satisfied with the response from the ITA, the *Anti-Doping Organization* may, in accordance with the procedures described in the *International Standard for Testing and Investigations*, ask WADA for permission to conduct *Testing* and to determine how to coordinate such *Testing*.
- 5.2.6** Notwithstanding the above, WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Articles 5.2.4 and 20.7.10 of the *Code*.

5.4 Testing Requirements

The ITA shall develop, conduct, update and implement an effective test distribution plan for the 2022 Hangzhou Asian Games complying with the requirement of the *International Standard for Testing and Investigations*. The ITA shall be responsible for overseeing the implementation of such test distribution plan and any subsequent changes thereto. The ITA shall provide the OCA and WADA, promptly upon request, with a copy of such test distribution plan, including any subsequent changes thereto.

5.5 Coordination of Doping Control

In order to deliver an effective anti-doping programme for the 2022 Hangzhou Asian Games and to avoid unnecessary duplication in *Doping Control*, the ITA, in collaboration with OCA, 2022 HAGOC, WADA, the International Federations, other *Anti-Doping Organizations* and the NOCs shall ensure that there is

coordination of *Doping Control* during both the *Period of the Pre-Asian Games 2022* and the *Period of the 2022 Hangzhou Asian Games*.

The ITA shall also report information about all completed tests, including results, to the members of the Independent Observer Programme.

Where reasonably feasible, *Testing* shall be coordinated through ADAMS in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*. All relevant information regarding *Doping Control* and *Sample Collection* should be promptly entered into ADAMS.

5.6 Athlete Whereabouts Information

For periods when *Athletes* are subject to the *Testing* authority of OCA:

- 5.6.1** Where an *Athlete* is in a *Registered Testing Pool*, the ITA, in collaboration with 2022 HAGOC (via CHINADA), may access the *Athlete's* whereabouts filings (as defined in the *International Standard for Testing and Investigations*) for the period for which the *Athlete* is subject to the OCA's *Testing* authority in accordance with the Article 5.2 of these Rules. The OCA and the ITA will access the *Athlete's* whereabouts filings primarily via ADAMS and/or the International Federation or *National Anti-Doping Organisation* that is receiving the *Athlete's* whereabouts filings.
- 5.6.2** In addition, each NOC shall provide the ITA with further details with respect to the location and arrival/departure dates for all athletes belonging to their delegation (including *Athletes* not forming part of a *Registered Testing Pool*) during the period of the 2022 Hangzhou Asian Games; such information shall include without limitation, the name of the building and room number at which an *Athlete* is staying at the Athlete Village, detailed accommodation information of the *Athlete* not staying in the Athlete Village, and the *Athlete's* training schedules and venues. Such information shall be provided to the ITA as soon as the NOC becomes aware of *Athlete's* whereabouts information. For avoidance of doubt, the ITA may use this information for the purposes of investigations and *Doping Controls* in connection with the 2022 Hangzhou Asian Games. The NOCs shall also monitor and manage the whereabouts information and provide any further reasonable assistance requested by the ITA in order to locate *Athletes* belonging to their delegations during the Period of the 2022 Hangzhou Asian Games. Without prejudice to any other consequences, which, depending in the circumstances, might be applicable if such failure constitutes an anti-doping rule violation pursuant to these Rules, failure to provide the above-mentioned

assistance may give rise to measures or sanctions as per OCA Constitution Bye-Law to Article 24.7 – Medical.

- 5.6.3** Whereabouts information relating to an *Athlete* shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information relevant to the *Athlete Biological Passport* or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with the *International Standard for the Protection of Privacy and Personal Information*.

5.7 Retired Athletes Returning to Competition

- 5.7.1** If an *International- or National-Level Athlete* in a *Registered Testing Pool* retires and then wishes to return to active participation in sport, the *Athlete* shall not compete in OCA's *Events* until the *Athlete* has made himself or herself available for *Testing*, by giving six-months prior written notice to their International Federation and *National Anti-Doping Organization*.

WADA, in consultation with the relevant International Federation and *National Anti-Doping Organization*, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to the *Athlete*. This decision may be appealed under Article 12.

Any competitive results obtained in violation of this Article 5.5.1 shall be *Disqualified*, unless the *Athlete* can establish that he or she could not have reasonably known that OCA's *Event* constituted an *International or National Event*.

- 5.7.2** If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* must notify the *Anti-Doping Organization* that imposed the period of *Ineligibility* in writing of such retirement. If the *Athlete* then wishes to return to active competition in sport, the *Athlete* shall not compete in OCA's *Events* until the *Athlete* has made himself or herself available for *Testing* by giving 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 (6) months) to the *Athlete's* International Federation and *National Anti-Doping Organization*.

5.7 Investigations and Intelligence Gathering

The ITA and the OCA shall have the capability to conduct , and shall conduct, investigations and gather intelligence as required by the *International Standard for Testing and Investigations* and the *International Standard for Results Management*.

5.8 Independent Observer Program

OCA and organizing committees for OCAs Events shall authorize and facilitate the *Independent Observer Program* at 2022 Hangzhou Asian Games.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited, Approved Laboratories and Other Laboratories

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

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

6.2 Purpose of Analysis of Samples and Data

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

6.3 Research on Samples and Data

Samples, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Athlete's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples* and related analytical data or *Doping Control* information being traced back to a particular *Athlete*. Any research involving *Samples* and related

analytical data or *Doping Control* information shall adhere to the principles set out in Article 19 of the *Code*.

6.4 Standards for Sample Analysis and Reporting

The ITA (acting on behalf of OCA) shall ask laboratories to analyze *Samples* in conformity with the *International Standard* for Laboratories and Article 4.7 of the *International Standard* for Testing and Investigations.

Laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by ITA. Results from any such analysis shall be reported to the ITA and have the same validity and *Consequences* as any other analytical result.

6.5 Further Analysis of a Sample Prior to or During Results Management

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

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

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

6.7 Split of A or B Sample

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

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

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

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

Results Management under these Anti-Doping Rules establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner.

7.1 Responsibility for Conducting *Results Management*

7.1.1 For *Results Management* relating to a *Sample* collected by the ITA on behalf of the OCA in accordance with Article 5 of these Rules or an anti-doping rule violation occurring during the 2022 Hangzhou Asian Games, the OCA shall assume *Results Management* responsibility to determine whether an antidoping rule violation was committed and, if so, all *Consequences* flowing from the anti-doping rule violation(s), including the applicable *Disqualifications* and other *Consequences* under Articles 9, 10.1, 10.2 and 11 of these Rules, the forfeiture of any medals, diplomas, points and prizes from the 2022 Hangzhou Asian Games, and any recovery of costs applicable to the anti-doping rule violation. However, as part of its delegated responsibilities, the ITA shall be responsible to represent the OCA and act on its behalf and name in the conduct of the *Results Management* process for anti-doping rule violations arising under these Rules. Without limitation, the ITA shall notably conduct the reviews provided for in this Article 7.

7.1.2 Responsibility for the completion of *Results Management* and the conduct of hearings for anti-doping rule violations arising under these Rules in relation to *Consequences* that extend beyond the 2022 Hangzhou Asian Games shall be referred to the *Athlete* or other *Person's* International Federation.

7.2 Review of Adverse Analytical Findings

Results Management in respect of the results of tests initiated and conducted by the ITA on the OCA's behalf pursuant to these Rules (including any tests performed by WADA in accordance with Article 5.2.6 of these Rules) shall proceed as follows:

- 7.2.1** The results from all analyses conducted on *Samples* collected under OCA's *Testing* authority will be reported into ADAMS. All communications and reports must be provided in a manner preserving confidentiality and data privacy, in conformity with the *International Standard* for Laboratories, the *International Standard* for the Protection of Privacy and Personal Information, the applicable data protection and privacy laws and reported into ADAMS as applicable.
- 7.2.2** ITA shall carry out the review and notification with respect to any potential anti-doping rule violation in accordance with the *International Standard* for *Results Management*.

7.3 Identification of Prior Anti-Doping Rule Violations

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

7.4 Decision Not to Move Forward

If at any point during the *Results Management* up until the application to the CAS Anti-Doping Division pursuant to Article 8.1.1 of these Rules, the ITA decides not to move forward with a matter, the *Athlete* or other *Person* (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*), the *Athlete* or other *Person's* NOC, the *Athlete* or other *Person's* International Federation, the relevant *National Anti-Doping Organisation* of the *Athlete* or other *Person*, the OCA and WADA shall be so notified.

7.5 Provisional Suspensions

7.5.1 Mandatory Provisional Suspension after an Adverse Analytical Finding or Adverse Passport Finding

If the analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* or *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* review process) for a *Prohibited Substance* or a *Prohibited Method*, other than a *Specified Substance* or *Specified Method*, and the initial review does not reveal an applicable *TUE* or an apparent departure from the *International Standard* for *Testing* and *Investigations* or the *International Standard* for *Laboratories* that caused the *Adverse Analytical Finding* or that it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route, a *Provisional Suspension* shall be imposed by the ITA promptly upon or after review and notification and the *Athlete* or other *Person* being given the opportunity to be heard as specified in Article

7.5.3. In accordance with Article 7.1.2 of these Rules, the scope of the *Provisional Suspension* shall be limited to the 19th Asian Games Hangzhou, China 2022.

7.5.2 *Optional Provisional Suspension Based on an Adverse Analytical Finding for Specified Substances, Specified Methods, Contaminated Products or Other Anti-Doping Rule Violations*

In case of any other anti-doping rule violations not covered by Article 7.5.1, a *Provisional Suspension* on the *Athlete* or other *Person* against whom the anti-doping rule violation is asserted may be imposed by the CAS Anti-Doping Division upon or promptly after notification and the *Athlete* or other *Person* being given the opportunity to be heard as specified in Article 7.5.3. In accordance with Article 7.1.2, the scope of the *Provisional Suspension* shall be limited to the 19th Asian Games Hangzhou, China 2022.

7.5.3 The *Athlete* or other *Person* against whom a *Provisional Suspension* is sought or has been imposed either under Articles 7.5.1 or 7.5.2 shall be given an opportunity for a *Provisional Hearing* or an expedited final hearing before the CAS Anti-Doping Division on a timely basis, which may be held by teleconference or video-conference, before or after the imposition (in that case to reconsider a decision issued without a hearing) of the *Provisional Suspension*.

7.5.4 The mandatory *Provisional Suspension* may be lifted if the *Athlete* demonstrates to the CAS Anti-Doping Division that the anti-doping rule violation is likely to have involved a *Contaminated Product*, or the violation involves a *Substance of Abuse* and the *Athlete* established entitlement to a reduced period of *Ineligibility* under Article 10.2.4.1 of the *Code*. 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.

7.5.5 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 *Provisional Suspension* shall automatically be lifted on account of a violation of Article 2.1 of these Rules. In circumstances where the *Athlete* (or the *Athlete's* team) has been removed from an *Event* based on a violation of Article 2.1 of these Rules and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, then if it is still possible for the *Athlete* or team to be reinserted without otherwise affecting the *Event*, the *Athlete* or team may continue to take part in the *Event*. In addition, the *Athlete* or team may thereafter take part in other *Competitions* and *Events* at 19th Asian Games Hangzhou, China 2022.

7.6 Voluntary acceptance of Provisional Suspension

7.6.1 *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of 10 days from the report of *B Sample* (or

waiver of the B Sample) or 10 days from the notice of any other anti-doping rule violation, or (ii) the date on which the Athlete first competes after such report or notice. Other Persons on their own initiative may voluntarily accept a *Provisional Suspension* if done so within 10 days from the notice of the anti-doping rule violation.

- 7.6.2 Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.5.1 or 7.5.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the Athlete or other Person may withdraw such acceptance, in which event the Athlete or other Person shall not receive any credit for time previously served during the *Provisional Suspension*.

7.7 Resolution upon Waiver of Hearing

- 7.7.1 An Athlete or other Person against whom an anti-doping rule violation is asserted may expressly waive a hearing and accept the *Consequences* that have been offered by the ITA under these Rules.
- 7.7.2 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 ITA, then such Athlete or other Person shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the proposed *Consequences*.
- 7.7.3 In cases where Article 7.7.1 or Article 7.7.2 applies, the CAS Anti-Doping Division shall decide at its discretion whether or not a hearing is required. The hearing panel shall, if it considers that no hearing is necessary, promptly issue a written decision confirming the commission of the anti-doping rule violation and imposing the relevant *Consequences*. The CAS Anti-Doping Division shall send copies of that decision to *Anti-Doping Organizations* with a right to appeal under Article 12.2.2, and that decision shall be promptly reported by the ITA into ADAMS and *Publicly Disclosed* in accordance with Article 13.3.2.

7.8 Results Management Decisions

Results Management decisions will address and determine without limitation (i) whether an anti-doping rule violation was committed or a *Provisional Suspension* should be imposed, the factual basis for such determination, and the specific articles of these Rules violated, and (ii) all *Consequences* flowing from the anti-doping rule violation(s), including applicable *Disqualifications* and other *Consequences* under Articles 9, 10.1, 10.2 and 11 of these Rules, any forfeiture of medals, diplomas, points and prizes, and any recovery of costs (if applicable). In accordance with Article 7.1.2 of these Rules and Article 7.5 of the Code, the completion of the *Results Management* of the case in terms of sanctions beyond the 19th Asian Games Hangzhou, China 2022 itself shall be referred to the applicable International Federation.

7.9 Notice of Results Management Decisions

Athletes, other Persons, Anti-Doping Organizations with a right of appeal pursuant to these Rules, and WADA shall be notified of Results Management decisions as provided in Article 13.2 of these Rules and the International Standard for Results Management.

7.10 Reporting information related to Results Management into ADAMS

The following information related to *Results Management* shall be reported into ADAMS:

- a. notifications of anti-doping rule violations and related decisions for *Adverse Analytical Findings*;
- b. notifications and related decisions for other anti-doping rule violations that are not *Adverse Analytical Findings*; and
- c. any decision imposing or lifting a *Provisional Suspension*.

7.11 Retirement from Sport

If an Athlete or other Person retires while the ITA is conducting the *Results Management* process, the OCA retains authority to complete its *Results Management* process. If an Athlete or other Person retires before any *Results Management* process has begun, the *Anti-Doping Organisation* which 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, has authority to conduct the *Results Management*.

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

For any Person who is asserted to have committed an anti-doping rule violation, OCA shall provide a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in compliance with the Code and the *International Standard for Results Management*.

8.1 CAS Anti-Doping Division

8.1.1 Where the ITA decides to assert an anti-doping rule violation, the ITA shall promptly file an application with CAS Anti-Doping Division (CAS ADD), acting as first instance authority to conduct proceedings and to issue decisions, as per the CAS Anti-Doping Division Arbitration Rules. The application shall be filed in the name of the OCA by the ITA acting on the OCA's behalf. A copy of such application (which shall be deemed as the notice of charge as defined in the *International Standard for Results Management*) will be provided to the Athlete, the Athlete's NOC, the Athlete's International Federation, the relevant *National Anti-Doping Organisation* of the Athlete, the OCA and WADA.

8.1.2 The composition of the hearing panel and procedures applicable to the CAS Anti-Doping Division shall be as per the CAS Anti-Doping Division Arbitration Rules.

8.2 Hearings and procedures of the CAS Anti-Doping Division

8.2.1 The procedures relating to any alleged anti-doping rule violation pursuant to these Rules shall be conducted before the CAS Anti-Doping Division.

In this regard, the OCA delegates to the CAS Anti-Doping Division all powers which are necessary for it to conduct hearings and take the measures and sanctions envisaged by these including, in particular, Articles 9,10.1,10.2 and 11.

Hearings may proceed following the assertion of one or more of the anti-doping rule violations set out in Article 2.1 through Article 2.11 of these Rules.

8.1.1.2 The CAS Anti-Doping Division shall issue a timely reasoned decision. The CAS Anti-Doping Division shall promptly notify such decision to the Athlete or other Person concerned, the OCA, the ITA, the Athlete or other Person's NOC, the International Federation concerned, the *National Anti-Doping Organization* of the Athlete or other Person's

country of residence or countries where the *Person* is a national or license holder, a representative of the independent Observer Programme (during the Period of the 2022 Hangzhou Asian Games) and WADA of such decision.

- 8.1.1.3** The decision of the CAS Anti-Doping Division shall also be reported by the ITA into ADAMS and *Publicly Disclosed* as provided in Article 13.3 and may be appealed as provided in Article 12. Article 13.3.6 shall be applied in cases involving a *Minor*, a *Protected Person* or *Recreational Athlete*.

8.4 Single Hearing Before CAS

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

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

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

ARTICLE 10 SANCTIONS ON INDIVIDUALS

10.1 Disqualification of Results in the 2022 Hangzhou Asian Games during which an Anti-Doping Rule Violation Occurs

- 10.1.1** An anti-doping rule violation occurring during or in connection with 2022 Hangzhou Asian Games *may*, pursuant to the decision of the CAS Anti-Doping Division, lead to *Disqualification* of all of the *Athlete's* individual results obtained in the 2022 Hangzhou Asian Games, with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.2.

Factors to be included in considering whether to *Disqualify* other results in the 2022 Hangzhou Asian Games *might* include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.

- 10.1.2** If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified*, unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule

violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

10.2 *Ineligibility and other Consequences*

10.2.1 Should an *Athlete* or other *Person* be found to have committed an anti-doping rule violation, the CAS Anti-Doping Division may declare the *Athlete* or other *Person* ineligible for the *Competitions* at the 2022 Hangzhou Asian Games in which such *Athlete* or other *Person* has not yet participated, along with other sanctions and measures which may follow, such as exclusion of the *Athlete* and other *Person* concerned from the 2022 Hangzhou Asian Games and the loss of accreditation.

No *Athlete* or other *Person* who has been declared ineligible as provided above or is subject to a *Provisional Suspension* may, while ineligible or subject to a *Provisional Suspension*, continue to participate in any capacity in the 2022 Hangzhou Asian Games .

10.2.2 In accordance with Article 7.1.2, completion of *Results Management* in the case in terms of actions beyond the 2022 Hangzhou Asian Games shall be referred to the applicable International Federation.

10.2.3 In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 of these rules, all other competitive results of the *Athlete* in the 2022 Hangzhou Asian Games obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rules 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.

10.15 *Automatic Publication of Sanction*

A mandatory part of each sanction shall include automatic publication, as provided in Article 13.3.

ARTICLE 11 *CONSEQUENCES TO TEAMS*

11.1 *Testing of Team Sports*

Where more than one (1) member of a team in a *Team Sport* has been notified of an anti-doping rule violation under Article 7 in connection with the 2022 Hangzhou Asian

Games, the ITA shall conduct appropriate *Target Testing* of the team during the 2022 Hangzhou Asian Games *Period*.

11.2 Consequences for Team Sports

If more than two (2) members of a team in a *Team Sport* are found to have committed an anti-doping rule violation during the 2022 Hangzhou Asian Games *Period*, the CAS Anti-Doping Division 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 Consequences for Teams in sports which are not Team Sports

If one or more members of a team in a sport, which is not a *Team Sport* but where awards are given to teams, is found to have committed an anti-doping rule violation during the 2022 Hangzhou Asian Games , the CAS Anti-Doping Division shall apply the rules of the relevant International Federation to determine the *Consequences* on the team (e.g., loss of points, *Disqualification* from a *Competition*, *Event* or the 2022 Hangzhou Asian Games, or other *Consequences*), in addition to any *Consequences* imposed pursuant to these Anti-Doping Rules on the individual *Athlete(s)* found to have committed the anti-doping rule violation.

Should the relevant International Federation not have such rules or, if in CAS Anti-Doping Division's discretion, the rules of the relevant International Federation do not adequately protect the integrity of the *Competition*, the CAS Anti-Doping Division shall have the authority to determine the *Consequences* for the team, including the *Disqualification* of the team's results in any *Competition* or *Event* or any other *Consequences*. CAS Anti-Doping Division may only take such action in circumstances when one or more members of a team are found to have committed an anti-doping rule violation and, in the CAS Anti-Doping Division' discretion, the violation may have affected the results of the team in the concerned *Competition(s)* or *Event(s)*.

ARTICLE 12 RESULTS MANAGEMENT: APPEALS**12.1 Decisions Subject to Appeal**

Decisions made under the *Code* or these Anti-Doping Rules may be appealed as set forth below in Articles 12.2 through 12.5 or as otherwise provided in these Anti-Doping Rules, the *Code* or *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

12.1.1 Scope of Review Not Limited

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

12.1.2 CAS Shall Not Defer to the Findings Being Appealed

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

12.1.3 WADA Not Required to Exhaust Internal Remedies

Where WADA has a right to appeal under Article 12 and no other party has appealed a final decision within the CAS Anti-Doping Division's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the CAS Anti-Doping Division's process.

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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six-months notice requirement for a retired *Athlete* to return to competition under Article 5.6.1; a decision by WADA assigning *Results Management* under Article 7.1 of the *Code*; a decision by the OCA not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the *International Standard for Results Management*; a decision to impose, or lift, a

Provisional Suspension as a result of a *Provisional Hearing*; OCA's failure to comply with Article 7.4; a decision that OCA lacks authority to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, *Consequences* or to reinstate, or not reinstate, *Consequences* under Article 10.7.1; failure to comply with Articles 7.1.4 and 7.1.5 of the *Code*; failure to comply with Article 10.8.1; a decision under Article 10.14.3; a decision by OCA not to implement another *Anti-Doping Organization's* decision under Article 14; and a decision under Article 27.3 of the *Code* may be appealed exclusively as provided in this Article 12.2.

12.2.1 In cases arising from participation in the 2022 Hangzhou Asian Games, the decision may be appealed exclusively to CAS.

12.2.2 *Persons Entitled to Appeal*

The following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the relevant International Federation; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

12.2.3 *Duty to Notify*

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

12.2.4 *Appeal from Imposition of Provisional Suspension*

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

12.2.5 *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 12 must file a cross appeal or subsequent appeal at the latest with the party's answer.

12.3 Failure to Render a Timely Decision by OCA

Where, in a particular case, the OCA and / or the ITA acting on behalf of OCA 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 OCA and / or the ITA acting on behalf of OCA 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 OCA.

12.4 Appeals Relating to TUEs

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

12.5 Notification of Appeal Decisions

The OCA and / or the ITA acting on behalf of OCA shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Article 12.2.2 as provided under Article 13.2

12.6 Time for Filing Appeals

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

- (a) Within fifteen (15) days from the notice of the decision, such party/ies shall have the right to request a copy of the full case file pertaining to the decision from the *Anti-Doping Organization* that had *Results Management* authority;
- (b) If such a request is made within the fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

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

- (a) Twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed, or
- (b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

ARTICLE 13 CONFIDENTIALITY AND REPORTING**13.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and other Asserted Anti-Doping Rule Violations****13.1.1 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, 13 and 14 of these Rules.

If at any point during *Results Management* up until the anti-doping rule violation charge, the OCA decides not to move forward with a matter, it must notify the *Athlete* or other *Person* (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*).

13.1.2 Notice of Anti-Doping Rule Violations to National Anti-Doping Organizations, International Federations, the OCA and WADA

Notice of the assertion of an anti-doping rule violation to the *Athlete's* or other *Person's National Anti-Doping Organization*, International Federation, the OCA and WADA shall occur as provided under Articles 7, 13 and 14, simultaneously with the notice to the *Athlete* or other *Person*.

If at any point during *Results Management* up until the anti-doping rule violation charge, the OCA decides not to move forward with a matter, it must give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under Article 12.2.2.

13.1.3 Content of an Anti-Doping Rule Violation Notice

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

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

13.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 13.1.1, the *Athlete's* or other *Person's National Anti-Doping Organization*, International Federation, OCA and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 12 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

13.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee*, *National Federation*, and team in a *Team Sport*) until the OCA has made *Public Disclosure* as permitted by Article 13.3.

The OCA 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 13.3. OCA shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and Delegated Third Parties are subject to a fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information.

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

13.2.1 Anti-doping rule violation decisions or decisions related to violations of *Ineligibility* or *Provisional Suspension* rendered pursuant to Article 7.6, 8.2, 10.5, 10.6, 10.7, 10.14.3 or 12.5, shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, OCA shall provide an English or French summary of the decision and the supporting reasons.

13.2.2 An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Article 13.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

13.3 Public Disclosure

13.3.1 After notice has been provided to the *Athlete* or other *Person* in accordance with the *International Standard for Results Management*, and to the applicable *Anti-Doping Organizations* in accordance with

Article 13.1.2, the identity of any *Athlete* or other *Person* who is notified of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and the nature of the violation involved, and whether the *Athlete* or other *Person* is subject to a *Provisional Suspension*, may be *Publicly Disclosed* by OCA.

- 13.3.2** No later than twenty (20) days after it has been determined in an appellate decision under Article 12.2.1, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, or a new period of *Ineligibility*, or reprimand, has been imposed under Article 10.14.3, the OCA must *Publicly Disclose* the disposition of the anti-doping matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any) and the *Consequences* imposed. The OCA must also *Publicly Disclose* within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.²
- 13.3.3** After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 12.2.1 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, the OCA may make public such determination or decision and may comment publicly on the matter.
- 13.3.4** In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the fact that the decision has been appealed may be *Publicly Disclosed*. However, the decision itself and the underlying facts may not be *Publicly Disclosed* except with the consent of the *Athlete* or other *Person* who is the subject of the decision. The OCA shall use reasonable efforts to obtain such consent, and if consent is obtained, The OCA shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 13.3.5** Publication shall be accomplished at a minimum by placing the required information on the OCA's website and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*.

- 13.3.6** Except as provided in Articles 13.3.1 and 13.3.3, no *Anti-Doping Organization, National Federation, or WADA-accredited laboratory, or any official of any such body*, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by, the *Athlete, other Person* or their entourage or other representatives.
- 13.3.7** The mandatory *Public Disclosure* required in Article 13.3.2 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, a Protected Person* or a *Recreational Athlete*. Any optional *Public Disclosure* in a case involving a *Minor, Protected Person* or *Recreational Athlete* shall be proportionate to the facts and circumstances of the case.

13.4 Statistical Reporting

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

13.5 Doping Control Information Database and Monitoring of Compliance

To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable *Doping Control* information among *Anti-Doping Organizations*, the ITA on behalf of OCA shall report to WADA through ADAMS *Doping Control*-related information, including, in particular:

- (a) *Athlete Biological Passport* data for *International-Level Athletes* and *National-Level Athletes*,
- (b) Whereabouts information for *Athletes* including those in *Registered Testing Pools*,
- (c) *TUE* decisions, and
- (d) *Results Management* decisions,

as required under the applicable *International Standard(s)*.

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

- 13.5.2** To facilitate WADA's oversight and appeal rights for TUEs, the ITA on behalf of OCA shall report all TUE applications, decisions and supporting documentation using ADAMS in accordance with the requirements and timelines contained in the *International Standard for Therapeutic Use Exemptions*.
- 13.5.3** To facilitate WADA's oversight and appeal rights for Results Management, the ITA on behalf of OCA shall report the following information into ADAMS in accordance with the requirements and timelines outlined in the *International Standard for Results Management*: (a) notifications of anti-doping rule violations and related decisions for *Adverse Analytical Findings*; (b) notifications and related decisions for other anti-doping rule violations that are not *Adverse Analytical Findings*; (c) whereabouts failures; and (d) any decision imposing, lifting or reinstating a *Provisional Suspension*.
- 13.5.4** The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete's National Anti-Doping Organization and International Federation, and any other Anti-Doping Organizations with Testing authority over the Athlete.

13.6 Data Privacy

- 13.6.1** The ITA and/or the OCA may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct its *Anti-Doping Activities* under the Code, the *International Standards* (including specifically the *International Standard for the Protection of Privacy and Personal Information*), these Anti-Doping Rules, and in compliance with applicable law.
- 13.6.2** Without limiting the foregoing, the ITA on behalf of OCA shall:
- (a) Only process personal information in accordance with a valid legal ground;
 - (b) Notify any Participant or Person subject to these Anti-Doping Rules, in a manner and form that complies with applicable laws and the *International Standard for the Protection of Privacy and Personal Information*, that their personal information may be processed by ITA on behalf of OCA and other Persons for the purpose of the implementation of these Anti-Doping Rules;
 - (c) Ensure that any third-party agents (including any *Delegated Third Party*) with whom OCA shares the personal information of any

Participant or *Person* is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

ARTICLE 14 DEEMED NOTIFICATIONS

- 14.1** Any notification under these Rules by the ITA and/or an *Anti-Doping Organization* to an *Athlete* or other *Person* accredited pursuant to the request of a NOC shall be deemed to be accomplished by delivery of the notification (including, but without limitation, notifications delivered electronically) to that NOC. This applies, without limitation, for all notifications sent during and after the *Period* of the 2022 Hangzhou Asian Games. It shall be the responsibility of the NOC to notify the *Athlete* or other *Person* in person. The NOC shall inform the ITA once the notification is delivered to the *Athlete* or other *Person*. Bona fide efforts by the ITA and any *Anti-Doping Organization* to secure notification in person shall be without prejudice to the validity of notifications to the NOC in application of this provision.
- 14.2** Notification under these Rules to a NOC shall be deemed to be accomplished by delivery of the notification to either the President, the General Secretary, the Chef de mission, the Deputy chef de mission or another representative of the NOC in question designated by the NOC for that purpose.
- 14.3** During the *Period of the pre-Asian Games 2022* and the *Period of the 2022 Hangzhou Asian Games* and for the purpose of the application of these Rules, *Athlete* or other *Persons* accredited pursuant to the request of a NOC shall be deemed to be validly represented by that NOC, acting through the persons mentioned in Article 14.2. Without limitation, this applies in the context of the application of Article 7 of these Rules.

ARTICLE 15 IMPLEMENTATION OF DECISIONS

- 15.1** **Automatic Binding Effect of Decisions by Signatory Anti-Doping Organizations**
- 15.1.1** A decision of an anti-doping rule violation made by a *Signatory Anti-Doping Organization*, an appellate body (Article 13.2.2 of the Code) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon OCA, as well as every *Signatory* in every sport with the effects described below:
- 15.1.1.1** A decision by any of the above-described bodies imposing a *Provisional Suspension* (after a *Provisional Hearing* has occurred or the *Athlete* or other *Person* has either accepted the *Provisional Suspension* or has waived the right to a

Provisional Hearing, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1) in all sports within the authority of any *Signatory* during the *Provisional Suspension*.

- 15.1.1.2 A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1) in all sports within the authority of any *Signatory* for the period of *Ineligibility*.
- 15.1.1.3 A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all *Signatories*.
- 15.1.1.4 A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 for a specified period automatically *Disqualifies* all results obtained within the authority of any *Signatory* during the specified period.
- 15.1.2 OCA shall recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date OCA receives actual notice of the decision or the date the decision is placed into ADAMS.
- 15.1.3 A decision by an *Anti-Doping Organization*, an appellate body or CAS to suspend, or lift, *Consequences* shall be binding upon OCA, as well as each *Signatory*, without any further action required, on the earlier of the date OCA receives actual notice of the decision or the date the decision is placed into ADAMS.
- 15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by the OCA made in an expedited process during the 2022 Hangzhou Asian Games shall not be binding on OCA or other *Signatories* unless the rules of the 2022 *Hangzhou Asian Games* provide the *Athlete* or other *Person* with an opportunity to an appeal under non-expedited procedures.

15.2 Implementation of Other Decisions by *Anti-Doping Organizations*

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

15.3 Implementation of Decisions by Body that is not a Signatory

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

ARTICLE 15 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 (10) years from the date the violation is asserted to have occurred.

ARTICLE 16 EDUCATION

The ITA, on behalf of the OCA, shall prepare the *Education* plan, meanwhile the OCA shall be responsible for implementing, evaluating and promoting *Education* in line with the requirements of Article 18.2 of the Code and the *International Standard for Education*.

ARTICLE 17 ADDITIONAL ROLES AND RESPONSIBILITIES OF OCA

- 17.1 In addition to the roles and responsibilities described in Article 20.6 of the Code for *Major Event Organizations*, OCA shall report to WADA on OCA's compliance with the Code and *International Standards* in accordance with Article 24.1.2 of the Code.
- 17.2 Subject to applicable law, and in accordance with Article 20.6.5 of the Code, all OCA board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*) who are involved in any aspect of *Doping Control*, must sign a form provided by the OCA, agreeing to be bound by these Anti-Doping Rules as *Persons* in conformity with the Code for direct and intentional misconduct.
- 17.3 Subject to applicable law, and in accordance with Article 20.6.6 of the Code, any OCA employee who is involved in *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) must sign a statement provided by OCA confirming that they are not *Provisionally Suspended* or serving a period of *Ineligibility* and have not been directly or intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to them.

ARTICLE 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES

- 18.1 To be knowledgeable of and comply with these Anti-Doping Rules.
- 18.2 To be available for *Sample* collection at all times.
- 18.3 To take responsibility, in the context of anti-doping, for what they ingest and *Use*.
- 18.4 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.
- 18.5 To disclose to OCA any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten (10) years.
- 18.6 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
- 18.7 To disclose the identity of their *Athlete Support Personnel* upon request by OCA, or any other *Anti-Doping Organization* with authority over the *Athlete*.

ARTICLE 19 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETE SUPPORT PERSONNEL

- 19.1 To be knowledgeable of and comply with these Anti-Doping Rules.
- 19.2 To cooperate with the *Athlete Testing* program.
- 19.3 To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.
- 19.4 To disclose to OCA any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 19.5 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
- 19.6 *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ANTI-DOPING RULES

- 20.1 To be knowledgeable of and comply with these Anti-Doping Rules.
- 20.2 To disclose to OCA any decision by a non-Signatory finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 20.3 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
- 20.4 Not to Use or Possess any *Prohibited Substance* or *Prohibited Method* without valid justification.

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 Where the term “days” is used in the Code or an *International Standard*, it shall mean calendar days unless otherwise specified.
- 21.6 The Code shall not apply retroactively to matters pending before the date the Code is accepted by a *Signatory* and implemented in its rules. However, pre-Code anti-doping rule violations would continue to count as "First violations" or "Second violations" for purposes of determining sanctions under Article 10 for subsequent post-Code violations.
- 21.7 The Purpose, Scope and Organization of the World Anti-Doping Program and the Code and Appendix 1, Definitions, shall be considered integral parts of the Code.

ARTICLE 22 FINAL PROVISIONS

- 22.1** Where the term “days” is used in these Anti-Doping Rules, it shall mean calendar days unless otherwise specified.
- 22.2** These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 22.3** These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and the *International Standards* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code* and the *International Standards*. The *Code* and the *International Standards* shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.
- 22.4** The Introduction and Appendix 1 shall be considered integral parts of these Anti-Doping Rules.
- 22.5** The comments annotating various provisions of the *Code* are incorporated by reference into these Anti-Doping Rules, shall be treated as if set out fully herein, and shall be used to interpret these Anti-Doping Rules.
- 22.6** These Anti-Doping Rules shall enter into force on **22 July 2023**.

APPENDIX 1 DEFINITIONS

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

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

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

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

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

Anti-Doping Activities: Anti-doping Education and information, test distribution planning, maintenance of a Registered Testing Pool, managing Athlete Biological Passports, conducting Testing, organizing analysis of Samples, gathering of intelligence and conduct of investigations, processing of TUE applications, Results Management, monitoring and enforcing compliance with any Consequences imposed, and all other activities related to anti-doping to be carried out by or on behalf of an Anti-Doping Organization, as set out in the Code and/or the International Standards.

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

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

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

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

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

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

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

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

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

Consequences of Anti-Doping Rule Violations (“*Consequences*”): An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 13. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

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

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

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

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

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including, but not limited to *Testing*, investigations, whereabouts, TUEs, *Sample* collection and handling, laboratory analysis, *Results Management*, and

investigations or proceedings relating to violations of Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

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

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, World Championships of an International Federation, or Pan American Games). For the purposes of these Anti-Doping Rules, the Event is the 2022 Hangzhou Asian Games.

Period of the 2022 Hangzhou Asian Games: The period commencing on the date of the opening of the *Athlete* village of the 2022 Hangzhou Asian Games up until and including the day of the closing ceremony of the *Event*.

Period of the Pre-Asian Games 2022: The period commencing on 22 July 2023, up until and including the day prior to the opening of the *Athlete* village of the 2022 Hangzhou Asian Games, namely 16 September 2023 (inclusive).

Event Venues: Those venues so designated by the OCA, which include the venues for which it is necessary to have an accreditation, ticket or permission from OCA and any other areas that are specifically designated as such by OCA.

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's* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Protected Person*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.6.1 or 10.6.2.

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

HAGOC: Hangzhou Asian Games Organizing Committee.

In-Competition: The period commencing at 11:59 p.m. on the day before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*. Provided, however, WADA may approve, for a particular sport, an alternative definition if an International Federation

provides a compelling justification that a different definition is necessary for its sport; upon such approval by WADA, the alternative definition shall be followed by OCA for that particular sport.

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

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

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

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

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

International-Level Athlete: *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*.

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

Major Event Organizations: The continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*. For the purpose of these Anti-Doping Rules, the *Major Event Organization* is the Olympic Council of Asia.

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

Metabolite: Any substance produced by a biotransformation process.

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

Minor: A natural *Person* who has not reached the age of eighteen (18) years.

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

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

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

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

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

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

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

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as

any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Specified Method: See Article 4.2.2.

Specified Substance: See Article 4.2.2.

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

Substance of Abuse: See Article 4.2.3.

Substantial Assistance: For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

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

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

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

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

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

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

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

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

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

WADA: The World Anti-Doping Agency.

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