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Canada

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Italicized terms used in the Canadian Anti-Doping Program are defined in Appendix 1.
The majority of the italicized terms in Appendix 1 are mandatory definitions according to the Code.
Table of Contents

**PART A – STRUCTURE AND SCOPE**........................................................................................................... 5
  Executive Summary................................................................................................................................. 5
  Section 1.0 Introduction .......................................................................................................................... 5
  Section 2.0 General Principles .............................................................................................................. 6
  Section 3.0 Organization ....................................................................................................................... 7
  Section 4.0 Jurisdiction .......................................................................................................................... 8
    4.1 CCES Authority .............................................................................................................................. 8
    4.2 Application of the CADP to Sport Organizations ......................................................................... 8
    4.3 Application of the CADP to Individuals ....................................................................................... 9
    4.4 Six Month Requirement ................................................................................................................ 9
    4.5 Authority to Administer the CADP ............................................................................................... 10

**PART B – IMPLEMENTATION**................................................................................................................. 11
  Executive Summary............................................................................................................................... 11
  Section 5.0 Adoption ............................................................................................................................ 11
  Section 6.0 General Responsibilities ................................................................................................. 13
    6.1 Athletes, Athlete Support Personnel or other Persons ............................................................... 13
    6.2 Athletes ........................................................................................................................................ 14
    6.3 Athlete Support Personnel ........................................................................................................... 14
    6.4 Sport Organizations ....................................................................................................................... 15
    6.5 The Canadian Centre for Ethics in Sport ..................................................................................... 16

**PART C – CANADIAN ANTI-DOPING PROGRAM RULES** ..................................................................... 18

**INTRODUCTION** ..................................................................................................................................... 18
  Preface................................................................................................................................................... 18
  The Athletes’ Anti-Doping Rights Act ................................................................................................... 18
  Scope of the Rules ................................................................................................................................. 19

**RULE 1** APPLICATION OF THE RULES ............................................................................................ 19
  1.1 Application to the CCES .................................................................................................................. 19
  1.2 Application to Sport Organizations ............................................................................................... 19
  1.3 Application to Persons .................................................................................................................... 19
  1.4 National-Level Athletes ................................................................................................................ 21

**RULE 2** DEFINITION OF DOPING – ANTI-DOPING RULE VIOLATIONS .......................................... 21
  2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample .................................................................................................................. 22
  2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method .................................................................................................................. 22
  2.3 Evading, Refusing or Failing to Submit to Sample Collection by an Athlete ............................ 23
  2.4 Whereabouts Failures by an Athlete ............................................................................................... 23
  2.5 Tampering or Attempted Tampering with any part of Doping Control by an Athlete or Other Person ............................................................................................................ 23

*Italicized* terms are defined in Appendix 1
2.6  Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person .......................................................... 23
2.7  Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person ........................................ 24
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........................................................................... 24
2.9  Complicity or Attempted Complicity by an Athlete or Other Person................................. 24
2.10 Prohibited Association by an Athlete or Other Person ....................................................... 24
2.11 Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities ......................................................................................... 25

RULE 3  PROOF OF DOPING  ........................................................................................................... 26
3.1  Burdens and Standards of Proof ......................................................................................... 26
3.2  Methods of Establishing Facts and Presumptions ............................................................... 26

RULE 4  THE PROHIBITED LIST .................................................................................................... 28
4.1  Incorporation of the Prohibited List .................................................................................... 28
4.2  Prohibited Substances and Prohibited Methods Identified on the Prohibited List ............... 28
4.3  WADA’s Determination of the Prohibited List ................................................................... 29
4.4  Therapeutic Use Exemptions (“TUEs”) ................................................................................ 29
4.5  Medical Reviews for Student-Athletes .............................................................................. 33
4.6  Reviews and Appeals of Medical Review Decisions ............................................................ 35

RULE 5  TESTING AND INVESTIGATIONS .................................................................................. 35
5.1  Purpose of Testing and Investigations ................................................................................ 35
5.2  Authority to Test .................................................................................................................. 35
5.3  Event Testing ....................................................................................................................... 36
5.4  Testing Requirements .......................................................................................................... 36
5.5  Athlete Whereabouts Information ..................................................................................... 37
5.6  Retired Athletes Returning to Competition ....................................................................... 38
5.7  Independent Observer Program .......................................................................................... 39

RULE 6  ANALYSIS OF SAMPLES ............................................................................................... 39
6.1  Use of Accredited, Approved Laboratories and Other Laboratories ................................. 39
6.2  Purpose of Analysis of Samples and Data ......................................................................... 39
6.3  Research on Samples and Data ......................................................................................... 39
6.4  Standards for Sample Analysis and Reporting .................................................................. 40
6.5  Further Analysis of a Sample Prior to or During Results Management ............................. 40
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 ...................... 40
6.7  Split of A or B Sample ....................................................................................................... 41
6.8  WADA’s Right to Take Possession of Samples and Data .................................................... 41
6.9  Student-Athlete Exemption ............................................................................................... 41

RULE 7  RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS .................................................................................. 41
7.1  Responsibility for Conducting Results Management .............................................................. 42
RULE 8  
**RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION** ................................................................. 45

8.1  
Hearings When the CCES is the Result Management Authority ......................................................... 45

8.2  
Principles for a Fair Hearing .................................................................................................................. 46

8.3  
Decisions of the Doping Tribunal .......................................................................................................... 49

8.4  
Waiver of Hearing ................................................................................................................................ 49

8.5  
Single Hearing Before CAS .................................................................................................................. 49

RULE 9  
**AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS** ......................................................... 50

RULE 10  
**SANCTIONS ON INDIVIDUALS** ....................................................................................................... 50

10.1  
Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs .................. 50

10.2  
Ineligibility for Presence, Use or Attempted Use or Possession of a Prohibited Substance or Prohibited Method .............................................................................................................................................................................. 50

10.3  
Ineligibility for Other Anti-Doping Rule Violations ............................................................................. 52

10.4  
Aggravating Circumstances which may Increase the Period of Ineligibility ........................................ 53

10.5  
Elimination of the Period of Ineligibility where there is No Fault or Negligence .............................. 53

10.6  
Reduction of the Period of Ineligibility based on No Significant Fault or Negligence ....................... 54

10.7  
Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons other than Fault .................................................................................................................. 55

10.8  
Results Management Agreements ...................................................................................................... 57

10.9  
Multiple Violations ................................................................................................................................. 58

10.10  
Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation ................................................................. 60

10.11  
Forfeited Prize Money ............................................................................................................................ 60

10.12  
Financial Consequences .......................................................................................................................... 61

10.13  
Commencement of Ineligibility Period ................................................................................................. 61

10.14  
Status During Ineligibility or Provisional Suspension ........................................................................ 62

10.15  
Financial Consequences .......................................................................................................................... 64

10.16  
Automatic Publication of Sanction ......................................................................................................... 64

RULE 11  
**CONSEQUENCES TO TEAMS** ......................................................................................................... 64

11.1  
Testing of Team Sports ........................................................................................................................... 64

11.2  
Consequences for Team Sports .............................................................................................................. 64

11.3  
Event Ruling Body may Establish Stricter Consequences for Team Sports ........................................ 64

RULE 12  
**SANCTIONS AGAINST OTHER SPORTING BODIES** .................................................................. 64

12.1  
Declaration of Non-Compliance ............................................................................................................. 65

12.2  
Exclusion of Members .............................................................................................................................. 65

12.3  
Additional Disciplinary Actions ............................................................................................................ 65

12.4  
Financial Consequences .......................................................................................................................... 65

*Italicized* terms are defined in Appendix 1
RULE 13 APPEALS .................................................................................................................. 65
  13.1 Decisions Subject to Appeal.......................................................................................... 65
  13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority .................................................................. 66
  13.3 Failure to Render a Timely Decision ............................................................................ 70
  13.4 Appeals Relating to TUEs ............................................................................................ 70
  13.5 Notification of Appeal Decisions ................................................................................. 70
  13.6 Time for Filing Appeals ............................................................................................... 71
RULE 14 CONFIDENTIALITY AND REPORTING .................................................................. 72
  14.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Rule Violations .................................................................................. 72
  14.2 Notice of Anti-Doping Rule Violation or violations of Ineligibility or Provisional Suspension Decisions and Request for Files ............................................................................. 73
  14.3 Public Disclosure .......................................................................................................... 73
  14.4 Statistical Reporting ..................................................................................................... 75
  14.5 Doping Control Information Database and Monitoring of Compliance ....................... 75
  14.6 Data Privacy ................................................................................................................. 76
RULE 15 IMPLEMENTATION OF DECISIONS .................................................................... 77
  15.1 Automatic Binding Effect of Decisions by Signatory Anti-Doping Organizations ............ 77
  15.2 Implementation of Other Decisions by Anti-Doping Organizations ............................. 78
  15.3 Implementation of Decisions by Body that is not a Signatory ....................................... 78
RULE 16 STATUTE OF LIMITATIONS ................................................................................. 78
RULE 17 EDUCATION .......................................................................................................... 79
  17.1 Education Programs ...................................................................................................... 79
  17.2 True Sport .................................................................................................................... 79
  17.3 Codes of Conduct ........................................................................................................ 79
RULE 18 AMENDEMENT AND INTERPRETATION OF THE CADP .................................. 80
  18.1 Amendment ................................................................................................................. 80
  18.2 The Code and International Standards ......................................................................... 80
  18.3 Code Provisions .......................................................................................................... 80
  18.4 Effective Date ................................................................................................................ 80
  18.5 Official Text ................................................................................................................ 82
  18.6 Comments .................................................................................................................... 82
  18.7 Interpretation ................................................................................................................ 82
  18.8 Headings ...................................................................................................................... 82
  18.9 Integral Elements of the Code and the CADP ............................................................... 82
  18.10 Time Periods .............................................................................................................. 82
APPENDIX 1 DEFINITIONS ................................................................................................. 83
APPENDIX 2 DOCUMENTS INDEX .................................................................................... 96
  WADA Documents ............................................................................................................. 96
  SDRCC Documents .......................................................................................................... 97
APPENDIX 3 REVISION HISTORY ....................................................................................... 98
PART A – STRUCTURE AND SCOPE

Executive Summary

Doping threatens the integrity of sport and Athletes’ rights to compete in clean sport. When Athletes cheat to win by doping, then sport loses its integrity and clean Athletes are robbed of their chance to compete on a level playing field.

The World Anti-Doping Code (the Code) and its application in Canada through the implementation of the Canadian Anti-Doping Program (CADP), is designed to protect the integrity of sport and the rights of clean Athletes.

The CADP is designed to prevent, deter and detect doping in sport. The promotion and support for values-based sport is an essential component of a long-term strategy to prevent doping in sport. An intentional approach to developing a values-based sport system is therefore an important and complementary initiative which supports the implementation of the CADP in a comprehensive approach to fighting doping in sport.

The 2021 CADP is in all respects compliant with the Code and all International Standards. Adopting Sport Organizations in Canada that fulfill their obligations under the CADP must be fully compliant with the Code. Sport Organizations that adopt the CADP, and thus receive Code-compliant anti-doping services, shall support the success of the anti-doping program not only through adoption but also through compliance with its requirements. The many benefits associated with becoming an adopting Sport Organization bring great value to the Sport Organization itself but also to Canadian sport as a whole.

Section 1.0 Introduction

Canada enjoys a rich history as a sporting nation. This history includes a longstanding commitment to fair, ethical and doping-free sport. On behalf of Canadians, the Canadian Centre for Ethics in Sport (CCES), an independent organization, is committed to fostering a sporting culture in Canada fully consistent with these values and expectations.

The CCES is a proud contributor, in Canada and around the world, to the development of policies and programs aimed at protecting Athletes’ rights to doping-free sport and the integrity of sport itself through:

- The prevention of doping pursued through values-based Education aimed at supporting the development, from playground to podium, of attitudes, behaviours, life skills and environments grounded in and driven by True Sport Principles:
  - Go For It
  - Play Fair
  - Respect Others
  - Keep it Fun
The Canadian Anti-Doping Program  

Part A – Structure and Scope

- Stay Healthy
- Include Everyone
- Give Back

- The deterrence and detection of the *Use of Prohibited Substances and Methods* pursued through the implementation of the CADP.

Through the adoption and implementation of the CADP, the Canadian sport system supports the efforts of the World Anti-Doping Agency (WADA), the International Olympic Committee (IOC), the International Paralympic Committee (IPC) and International Federations. It also complements the priorities of the Federal, Provincial and Territorial Governments as expressed in one or more of: the Canadian Sport Policy, 2012; the Physical Activity and Sport Act, 2003; the Canadian Policy Against Doping in Sport (2011); the *UNESCO Convention* on Doping in Sport and all other applicable Provincial and Territorial policy documents. These documents, in addition to Canada hosting *WADA* in Montreal, Quebec, are reflective of a Canadian sport system fully committed to the advancement of values-based sport and the fight against doping in sport.

The CADP is fully compliant with the *Code and International Standards* which is the international framework for harmonized anti-doping policies, rules and regulations within sporting organizations including *National Anti-Doping Organizations* like the CCES, International Federations and *Major Event Organizations*. The CADP sets rules with respect to anti-doping rule violations in sport. *Athletes, Athlete Support Personnel* or other *Persons* accept these rules as a condition of participation in sport and agree to be bound by these rules.

The Canadian effort to keep *Prohibited Substances* and *Methods* out of sport is not the CCES’ task alone. *Athletes, Athlete Support Personnel*, other *Persons, Stakeholders* and Governments who, by their words and deeds champion fair and ethical sport, together ensure that our common goal is met – now and into the future.

**Section 2.0 General Principles**

The CADP seeks to preserve all that is intrinsically valuable about sport. This intrinsic value is the true essence of sport or True Sport. It is the essence of Olympism; the pursuit of human excellence through the dedicated perfection of each person’s natural talents. True Sport is values-based and principle-driven. True Sport must be protected but it also must be intentionally activated.

Doping is fundamentally contrary to the spirit of sport.

2.1 In Canada, our national effort to eliminate doping from sport is not directed by specific legislation. Rather, all parties and organizations committed to the Canadian anti-doping effort have agreed to abide by a common set of rules, procedures, duties and responsibilities which are expressed in the CADP. This “collective agreement” amongst all relevant *Stakeholders* in Canada has been a unique and defining feature of the Canadian effort to eliminate doping in sport. Accordingly, there exists a well understood and broad consensus in Canada regarding how
sport is played, who is subject to Canadian anti-doping rules, what those rules demand and how assertions of rule violations are fairly dealt with.

2.2 Doping-free sport is a matter of great public interest. Not only is doping a threat to the integrity of sport, more specifically, doping in sport represents a significant public health risk. The Canadian sport community wishes to cooperate and collaborate in the national effort to eliminate doping in sport. The fight against doping in sport is amply justified in order to protect the interests of sport and the integrity and health of individuals, especially young people. Anti-doping efforts require transparency, openness to scrutiny and public accountability in order to achieve public confidence, while respecting the privacy of individuals who are subject to the CADP.

2.3 The 2021 CADP is the successor to the 2015 CADP and all predecessors. The CADP incorporates the mandatory portions of the World Anti-Doping Program, including the Code and the International Standards. The CADP incorporates, as applicable, portions of models of best practice and guidelines circulated from time to time by WADA. The CADP recognizes the role of WADA in setting global standards, coordinating anti-doping worldwide and ensuring meaningful compliance with the Code by all Signatories.

2.4 The CCES’ vision is for sport in Canada to be fair, safe and open to everyone. Wherever possible, the CADP includes language that is inclusive of all gender identities and expressions; however, in some instances, gender specific language is mandatory in the Code and the CCES does not have the authority to change it.

Section 3.0 Organization

3.1 The CADP consists of three distinct parts, with each part being an integral component of the whole. Part A (Structure and Scope) describes how the Canadian anti-doping effort is organized. Part A, in addition, defines who is subject to the substantive anti-doping rules contained in the CADP. Part B (Implementation) describes who may adopt the CADP and how this must be accomplished. Part B clearly defines the responsibilities and obligations associated with adopting the CADP and specifies how these responsibilities and obligations are to be expressed. Part C (Rules) sets out the substantive anti-doping rules and procedures that all Athletes and other Persons subject to the CADP must respect and abide by.

3.2 Sport Organizations accept and adopt the CADP to protect the integrity of their sport, to safeguard the health of their Athletes, to permit their elite level Athletes to participate in international Competitions such as, for example, the Olympic and Paralympic Games, to fulfill obligations imposed on them by their International Federations, and to satisfy Government policy that requires all financially supported Sport Organizations to have in place Code-compliant anti-doping programs.

[Comment to Section 3.2: Sport Organizations desire that sport, nationally and internationally, be fair and ethical. Sport Organizations and their Athletes and Athlete Support Personnel fully support the global fight against doping in sport and understand the need for comprehensive anti-doping rules that are consistently and transparently applied. To this end, International Federations require that their member organizations, in Canada and elsewhere,
adopt and implement Code-compliant anti-doping rules, such as those found in the CADP. Adoption of the CADP demonstrates to the world that there are meaningful and effective anti-doping measures being undertaken in that sport.

3.3 Each Sport Organization adopting the CADP will benefit from the identical “value proposition” associated with the adoption of the CADP. The value proposition is as follows:

Every adopting Sport Organization shall have in place a Code-compliant anti-doping program that is meaningful and effective. The anti-doping program shall be administered by the CCES and shall be specifically designed to protect designated Athletes within that sport from the risk of doping. The anti-doping program shall include the delivery of appropriate anti-doping Education. Further, adopting Sport Organizations shall be permitted to use the name and logo of the CADP for their promotional and marketing purposes associated with being, in all respects, Code-compliant.

[Comment to Section 3.3: Sport Organizations that adopt the CADP must be prepared to demonstrate that there is effective and meaningful implementation of the CADP in that sport. Since January 1, 2015, a qualitative evaluation by WADA forms part of the determination of whether Canada, the CCES and Sport Organizations are fully compliant with the Code. This is not to say that each adopting organization receives precisely the same level of anti-doping services from the CCES. Rather, the CCES deploys its limited resources in varied ways to provide the identical value proposition to all Sport Organizations that adopt the CADP. For example, Testing and investigation levels in some sports are certainly higher than in others to deal with the corresponding increased threat and risk of doping in those particular sports. However, all sports that adopt the CADP can be assured that effective and meaningful steps to address doping in that sport are being taken by the CCES — commensurate with the assessed risk of doping in the sport.]

Section 4.0  Jurisdiction

4.1 CCES Authority

Pursuant to the Code and the “collective agreement” amongst all Stakeholders, Athletes, Athlete Support Personnel and other Persons accept the CADP as a condition of participating in sport and shall be bound by the rules contained in the Code and the CADP. The CCES is a Signatory to the Code and the CCES is recognized by WADA as Canada’s National Anti-Doping Organization. Further, the CCES has been designated by the Canadian sport community as the independent organization with responsibility to administer the CADP. Accordingly, the CCES’ authority to act pursuant to the CADP is conferred by the Canadian sport community, the Code and the International Standards and it is documented in the Canadian Policy Against Doping in Sport (2011).

The CADP applies not only to Athletes, but also to Athlete Support Personnel, other Persons, Sport Organizations and all other organizations that adopt it. Governments in Canada do not adopt the CADP, but have separate and complementary roles and responsibilities for the common goal of eliminating doping in sport as specifically described in the Canadian Policy Against Doping in Sport (2011).

4.2 Application of the CADP to Sport Organizations

Sport Organizations that are committed to doping-free sport in Canada will expressly accept and adopt the CADP as part of their internal governing documents. The required method of adopting
the CADP is detailed in Part B. In this fashion the CADP will become an important part of the rules of each sport and will specify the rights, responsibilities and obligations governing the adopting Sport Organization, its members, registrants, license-holders or Participants.

4.3 Application of the CADP to Individuals

The application of the CADP to individuals is based on the relationship which exists between each adopting Sport Organization and its members, registrants, license-holders or Participants through those individuals’ express or implied agreement to participate in sport according to its rules. The CADP contains sport rules governing the conditions under which sport is played in Canada. Accordingly, in compliance with the Code, the CADP applies to the following individuals, regardless of where they reside or are situated:

a) all individuals who are members, registrants, license-holders or Participants of a Sport Organization adopting the CADP;

b) all individuals who are members, registrants, license-holders or Participants of such adopting organization’s affiliated member organizations, clubs, teams, associations or leagues;

c) all individuals who participate, in any capacity, in
   i) the work of such adopting Sport Organizations or their affiliated member organizations, clubs, teams, associations or leagues, or
   ii) any Event, Competition or other activity organized, held, convened or sanctioned by such adopting Sport Organizations or their affiliated member organizations, clubs, teams, associations or leagues; or

d) all individuals, including Athlete Support Personnel, who are working with, treating or assisting Athletes or the individuals described in section a), b) or c) above to participate in or prepare for sports Competition.

e) An Athlete, Athlete Support Personnel or other Person serving a period of Ineligibility.

4.4 Six Month Requirement

Any Athlete who is not a member, registrant, license holder or Participant of a Sport Organization and who fulfills the requirements to be part of the National Athlete Pool (NAP) of the Sport Organization must become a member, registrant, license holder or Participant of their Sport Organization (and thus subject to the CADP or subject to another equivalent Code-compliant anti-doping program), and shall make themselves available for Testing, at least six (6) months prior to participating in an International Event. Subject to complying with whereabouts information requirements or otherwise providing location information if requested by the CCES, the CCES may grant an exemption from this requirement where the strict application of a rule demanding six (6) months availability for Testing (pursuant to the CADP or another equivalent Code-compliant program) prior to participating in an International Event would be unfair and unreasonable in the circumstances. A decision by the CCES refusing to grant an exemption may be appealed under Rule 13.
[Comment to Section 4.4: The period of six (6) months was selected as it represents a suitable ‘window’ within which current doping activity could be reliably identified and, equally importantly, the remnants of any prior doping activity when the Athlete was not subject to Code-compliant anti-doping rules would have left the Athlete’s system. For the identical rationale, the Code requires a six (6) month period of Testing when a retired Athlete wishes to return to sport, unless an exception is granted by WADA.

Guidance on whether an exemption may be warranted shall be provided by the CCES. In general, leaving aside unique case specific circumstances, the shorter the time there is available for Testing prior to participating in an International Event and the greater the significance of the International Event, the higher the threshold will be to qualify for an exemption.]

4.5 Authority to Administer the CADP

All Sport Organizations adopting the CADP and the individuals described above delegate to the CCES the authority and responsibility for administering the CADP.
PART B – IMPLEMENTATION

Executive Summary

The CADP shall continue to be accepted and incorporated into a Sport Organization’s internal rules by the process of adoption. Adoption includes a Board or other governing body for the sport giving its express approval to the CADP becoming a rule of that sport – but this alone is not sufficient. To ensure full Stakeholder engagement with all the varied requirements associated with implementing a fully Code-compliant anti-doping program, the adoption process will also require an express written contract between the Sport Organization and the CCES to set out each party’s mutual list of obligations and responsibilities. The Sport Organization will be considered to be operating in compliance with the Code and the CADP so long as the terms and conditions contained in the contract are fully satisfied. In addition to the specific and substantive anti-doping rules contained in Part C, more general duties, responsibilities and obligations of the relevant parties are described in this Part.

Section 5.0 Adoption

5.1 Adoption of the CADP by Sport Organizations reflects a fundamental commitment to respect its principles to fulfill its prescribed roles and responsibilities and to comply with the broad scope of its application.

5.2 Adoption of the CADP will entail a set of mutual promises between the Sport Organization and the CCES which shall be contained in a formal contract (the “Adoption Contract”). The Adoption Contract will specify rights, obligations and responsibilities for the Sport Organization and for the CCES. Failure to comply in all respects with the Adoption Contract may result in the Sport Organization being deemed non-compliant with the CADP and the Code by the CCES, with all associated implications.

[Comment to Section 5.2: Adoption of the CADP must be meaningful. The Adoption Contract will serve to ensure that Sport Organizations, as essential partners, are fully and appropriately engaged in the Canadian fight against doping in sport.]

5.3 The Adoption Contract will address, at a minimum, the following issues:
   a) A one (1) year compliance term.
   b) A requirement that the Sport Organization’s Board approve and accept the CADP through the normal governance process as an internal policy document of the Sport Organization which shall thereafter be binding on all the Sport Organization’s members, registrants, license-holders and Participants. Further, Sport Organizations shall ensure that the individuals described in Rule 1.3.1.2 acknowledge that they are subject to the CADP.
   c) A requirement for the annual identification of a pool of National-Level Athletes who will be included in the sport’s National Athlete Pool (NAP) and who shall thereafter agree to
remain subject to the CADP without interruption until removed from the NAP or a formal retirement form is signed, whichever is sooner.

d) A requirement for the annual completion of an appropriate anti-doping Education prevention program. Specifically, the Sport Organization must ensure that,
   i) appropriate anti-doping e-learning is completed by all NAP Athletes,
   ii) appropriate anti-doping e-learning is completed, at a minimum, by designated Athlete Support Personnel,
   iii) every Athlete, Athlete Support Personnel and other Person participating in the sport who is subject to the CADP knows they are subject to the CADP and is appropriately informed.

e) A requirement that the Sport Organization demonstrate that it is aware of, has agreed to use and shall make available to its membership and all Participants in the sport the full menu of the CCES’ anti-doping Educational resources.

f) A requirement for NAP Athletes to enter into a simple annual Athlete Contract with the Sport Organization and for designated Athlete Support Personnel to enter into a simple annual Athlete Support Personnel Contract with the Sport Organization to confirm that these individuals:
   i) have knowledge that they are subject to the CADP for the period specified in the Contract and have expressly agreed to be bound by the CADP,
   ii) have been educated regarding the rules and violations contained in the CADP, and,
   iii) have provided acknowledgement and consent regarding the sharing of personal information.

g) A requirement that the Sport Organization shall insert into its rules a provision that its members, registrants, license-holders and Participants including all Athlete Support Personnel shall cooperate with Anti-Doping Organizations investigating anti-doping rule violations and failure to do so may be the basis for disciplinary action within the sport.

h) A requirement that the Sport Organization shall cooperate with CCES’ investigations regarding potential anti-doping rule violations in that sport.

i) A requirement that when an anti-doping rule violation is determined in that sport, the Sport Organization shall review and identify (using a template jointly developed with the CCES) any factors or circumstances specific to the sport or the Sport Organization that may have contributed to the anti-doping rule violation. The goal of the review is not to investigate the anti-doping rule violation. Rather, it is to identify lessons learned, if any, and improvements to undertake in an attempt to prevent similar occurrences. The Sport Organization shall promptly share all relevant factors and circumstances with the CCES together with any required steps for improvement.
j) A requirement that offensive conduct towards a Doping Control official or other individual involved in Doping Control by an Athlete or other Person, whether or not it constitutes Tampering, can result in a charge of misconduct under the Sport Organization’s disciplinary rules or code of conduct.

k) A requirement to identify with the CCES, in advance, a list of what is considered a Competition for the purposes of In-Competition Testing.

[Comment to Section 5.3: Adoption of the CADP in each sport will be confirmed by the CCES for a one-year period provided the Board of the Sport Organization approves and accepts the CADP as a policy document of the Sport Organization, the Adoption Contract is signed and all requirements in the Adoption Contract are complied with to the satisfaction of the CCES. The CCES may at any time revoke a Sport Organization’s adoption of the CADP should the CCES determine that the Adoption Contract has not been fully complied with. The Sport Organization’s Board need only accept and approve the CADP once but the Adoption Contract itself will be renewed annually, if all associated conditions remain fully satisfied.

Notwithstanding the very broad definition of Athlete Support Personnel in the CADP, the term designated Athlete Support Personnel in the CADP shall mean those individuals specifically identified by a Sport Organization who are (i) working as Athlete Support Personnel under contract with or under the direct control and/or supervision of the Sport Organization and (ii) who are providing training, treatment and assistance to Athletes preparing for sports competition at the elite level, which includes a sport’s NAP Athletes, a sport’s development teams and national team members. Only designated Athlete Support Personnel must expressly acknowledge with the Sport Organization that they are subject to the CADP; however, all Athlete Support Personnel are subject to the CADP by reason of their participation in sport.

Section 6.0 General Responsibilities

In addition to the specific obligations contained in Part C, the following general responsibilities are imposed on the following individuals and organizations.

6.1 Athletes, Athlete Support Personnel or other Persons

6.1.1 Athletes, Athlete Support Personnel or other Persons, who are subject to the CADP are responsible for meeting the requirements of the CADP. They shall respect the designated authority of the CCES in all anti-doping matters and shall have knowledge of and comply with all applicable anti-doping policies and rules adopted pursuant to the CADP.

6.1.2 If an Athlete, Athlete Support Personnel or other Person is found to have committed an anti-doping rule violation, the Consequences of Anti-Doping Rule Violations shall apply. This Athlete, Athlete Support Personnel or other Person has the responsibility to be aware of the additional Consequences that may apply as a result of the anti-doping rule violation such as other disciplinary rules resulting from conduct which may be related to an anti-doping rule violation but which does not, in and of itself, constitute an anti-doping rule violation.

6.1.3 An Athlete, Athlete Support Personnel or other Person sanctioned under the CADP has the responsibility to:

a) remain subject to the CADP throughout the duration of the sanction regardless of that Athlete, Athlete Support Personnel or other Person’s membership status

*Italicized* terms are defined in Appendix 1
in any Sport Organization, and this shall include remaining subject to Doping Control, and

b) respect the restrictions and limitations on participating in sport contained in Rules 10.14.1 to 10.14.3 if a Provisional Suspension or period of Ineligibility is imposed or accepted.

6.1.4 Athletes, Athlete Support Personnel and other Persons shall disclose to their International Federation and to the CCES any decision by a non-Signatory finding that they committed an anti-doping rule violation within the previous ten years.

6.1.5 Athletes, Athlete Support Personnel and other Persons shall cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

6.1.6 Athletes, Athlete Support Personnel and other Persons shall not Use or Possess any Prohibited Substance or Prohibited Method without valid and acceptable justification.

6.1.7 Athletes, Athlete Support Personnel and other Persons shall not engage in offensive conduct towards a Doping Control official or other Person involved in Doping Control, whether or not it constitutes Tampering.

6.2 Athletes

6.2.1 Athletes shall be available for Sample collection at all times.

6.2.2 Athletes must take responsibility, in the context of anti-doping, for what they ingest, apply or Use.

6.2.3 Athletes shall inform their entourage, including trainers and medical personnel, of their obligation not to Use Prohibited Substances and Prohibited Methods and take responsibility to make sure that any assistance, therapy or medical treatment received does not violate anti-doping policies and rules adopted pursuant to the CADP.

6.2.4. Athletes must disclose the identity of their Athlete Support Personnel upon request by the CCES or a Sport Organization, or any other Anti-Doping Organization with authority over the Athlete.

6.3 Athlete Support Personnel

6.3.1 Athlete Support Personnel shall have knowledge of and comply with all applicable anti-doping policies and rules adopted pursuant to the CADP which are applicable to them or the Athletes whom they support. Further, Athlete Support Personnel shall direct Athletes to obtain expert advice and accurate information on anti-doping related matters and the CADP.

6.3.2 Athlete Support Personnel shall cooperate with the Athlete Testing program.

6.3.3 Athlete Support Personnel shall use their influence on Athlete values and behavior to foster anti-doping attitudes.

6.3.4 Designated Athlete Support Personnel shall sign an Athlete Support Personnel Contract with the applicable Sport Organization confirming that the CADP applies to them and that they will comply in all respects with the Athlete Support Personnel Contract.

Italicized terms are defined in Appendix 1
6.4 **Sport Organizations**

6.4.1 *Sport Organizations* shall require that a member, registrant or license holder who joins the *Sport Organization* or who participates in a *Sport Organization’s* activities is subject to the rules of the *Sport Organization*, and thus subject to the CADP. Further, *Sport Organizations* shall ensure that the individuals described in Rule 1.3.1.2 acknowledge that they are subject to the CADP.

6.4.2 *Sport Organizations* shall, working in consultation with the CCES, identify from time to time selected NAP Athletes who shall enter into Athlete Contracts with the *Sport Organization*. *Sport Organizations* shall, working in consultation with the CCES, identify from time to time designated Athlete Support Personnel who shall enter into Athlete Support Personnel Contracts with the *Sport Organization*.

6.4.3 *Sport Organizations* shall, in cooperation with the CCES, deliver comprehensive and ethical anti-doping *Education* programs to their Athletes, Athlete Support Personnel and other Persons.

6.4.4 *Sport Organizations* shall contribute to Doping Control by assisting with Testing and Results Management and will, in particular, assist in identifying Athletes subject to Testing and provide the CCES with accurate and reliable Athlete location information, when requested.

6.4.5 *Sport Organizations* shall

a) develop and implement, in conjunction with the CCES, anti-doping strategies for the Events under their jurisdiction, and for Canadian teams attending Competitions domestically and internationally (including withdrawal of eligibility to compete, in the case of those committing an anti-doping rule violation, in conformity with the CADP);

b) develop and implement, in conjunction with the CCES, Doping Control strategies for major Events they hold or sanction; and

c) establish jointly with the CCES a mutual understanding regarding which tests are being conducted In-Competition and which are considered Out-Of-Competition tests.

6.4.6 *Sport Organizations* shall review and identify (using a template jointly developed with the CCES) any factors or circumstances specific to the sport or to the *Sport Organization* that may have contributed to an anti-doping rule violation in the sport together with all steps or improvements, if any, that will be undertaken to correct identified weaknesses or deficiencies. Further, they shall report any information suggesting or relating to an anti-doping rule violation to the CCES and to their International Federation, and shall cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation.

6.4.7 As presence and Use violations only apply to Athletes, *Sport Organizations* shall have disciplinary rules in place to prevent Athlete Support Personnel or other Persons who are
Using Prohibited Substances or Prohibited Methods without valid and acceptable justification from providing support to Athletes under the jurisdiction of the Sport Organization.

6.5 The Canadian Centre for Ethics in Sport

6.5.1 In addition to the roles and responsibilities described in Article 20.5 of the Code for National Anti-Doping Organizations which the CCES shall comply with, the CCES shall report to WADA on the CCES’ compliance with the Code and International Standards in accordance with Article 24.1.2 of the Code.

6.5.2 The CCES shall administer independently, efficiently, fairly and consistently the operation of the CADP, in compliance with the Code. The CCES encourages feedback on its implementation of the CADP and will work with Sport Organizations to address areas of concern.

6.5.3 The CCES shall deliver the identical “value proposition” to every adopting Sport Organization.

6.5.4 The CCES shall monitor each Sport Organization’s compliance with the Adoption Contract, including evaluating the measures taken by Sport Organizations to implement the CADP. The CCES will provide annual reports to Sport Organizations and Governments regarding the implementation of the CADP.

6.5.5 The CCES has the responsibility to cooperate with Stakeholders and Governments to encourage and promote anti-doping research and to take reasonable measures to ensure all research and the results of such research is consistent with the principles of the Code.

6.5.6 The CCES shall plan, coordinate, implement, monitor and advocate improvements in Doping Control;

6.5.7 The CCES shall cooperate with other relevant national organizations, agencies and other Anti-Doping Organizations;

6.5.8 The CCES shall encourage reciprocal Testing between National Anti-Doping Organizations;

6.5.9 The CCES shall plan, implement and monitor anti-doping information, Education and prevention programs;

6.5.10 The CCES shall vigorously pursue all potential anti-doping rule violations within its jurisdiction, including consulting with Sport Organizations on the conclusions reached by the Sport Organization after an internal investigation, investigating whether Athlete Support Personnel or other Persons may have been involved in each case of doping, and ensuring proper enforcement of Consequences;

6.5.11 The CCES shall conduct an automatic investigation of Athlete Support Personnel within its jurisdiction in the case of any anti-doping rule violation by a Minor and of any Athlete
Support Personnel who has provided support to more than one Athlete found to have committed an anti-doping rule violation;

6.5.12 The CCES shall cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.7.10 of the Code.
INTRODUCTION

Preface

The CADP anti-doping rules (the Rules) contained in this Part C are adopted by Sport Organizations and shall be implemented in accordance with the CCES’ responsibilities under the Code and the CADP, and in furtherance of the CCES’ continuing efforts to eliminate doping in sport. To this end, all of the processes performed, analyses conducted and data generated pursuant to the CADP shall be used by the CCES only for legitimate anti-doping purposes. Recognizing the existence of the COVID-19 pandemic, the CCES and Sport Organizations shall implement the CADP mindful of the advice of public health authorities and with the safety of Athletes, Athlete Support Personnel, Sample collection personnel or other Persons foremost in mind.

The Rules govern the conditions under which sport is played. Athletes, Athlete Support Personnel or other Persons accept the Rules as a condition of participation in sport and shall be bound by the Rules. Aimed at enforcing anti-doping principles in a global and harmonized manner, they are distinct in nature from criminal and civil laws, and are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings, 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 the Rules implementing the Code and the fact that the Rules represent the consensus of a broad spectrum of Stakeholders around the world as to what is necessary to protect and ensure fair sport.

The CADP incorporates into the Rules the Code and the International Standards, as they may exist from time to time and where not specifically reproduced in the CADP, by reference.

Italicized terms used in the CADP are defined in Appendix 1. The majority of the italicized terms in Appendix 1 are mandatory definitions according to the Code.

The Athletes’ Anti-Doping Rights Act

The Rules incorporate into the CADP the Athletes’ Anti-Doping Rights Act (as it may exist from time to time), which is published and revised by WADA. In Canada, the Recommended Athlete Rights have the following meaning:

a) **Right to an anti-doping system free from corruption**

   Athletes have the right to participate in training and Competitions in Canada that are organized and sanctioned by Sport Organizations and bodies that have adopted the CADP. All such organizations and bodies in Canada have agreed to be subject to and to implement in Canada a rigorous Code-compliant anti-doping system committed to drug free sport. Athletes have the right to participate in training and Competitions in Canada where all

*Italicized terms are defined in Appendix 1*
reasonable steps have been taken to eliminate doping in sport. The CCES is fully independent from government and sport.

b) **Right to participate in governance and decision-making**

*Athletes* in Canada have the right to comment on and be consulted in the creation and modification of the CADP. They may also provide feedback to WADA and their International Federation in the consultation process when the *Code* is regularly revised. The CCES maintains an anti-doping advisory committee in cooperation with AthletesCAN on anti-doping matters.

c) **Right to legal aid**

*Athletes* in Canada have the right to: representation by pro bono legal counsel at hearings conducted by the Doping Panel and the Appeal Panel through a roster list administered by the Doping Tribunal and the Appeal Tribunal; access to doping related hearings and appeals with no filing fees payable to the Doping Tribunal or the Appeal Tribunal.

[Comment: *The current Athletes’ Anti-Doping Rights Act is available on WADA’s website or see Appendix 3: Documents Index.*]

**Scope of the Rules**

The scope of application of the Rules is set out in Rule 1.

**RULE 1 ** APPLICATION OF THE RULES

1.1 **Application to the CCES**

The Rules shall apply to the CCES as the *National Anti-Doping Organization* for Canada and as a *Signatory* to the *Code*.

1.2 **Application to Sport Organizations**

1.2.1 Pursuant to Part A and B, *Sport Organizations* shall incorporate the Rules directly into their governing documents, constitution and/or rules as part of the rules of sport that bind their members, registrants, license holders and *Participates*.

1.2.2 By expressly adopting the Rules pursuant to Part A and B, *Sport Organizations* recognize the authority and responsibility of the CCES to implement the CADP and to enforce the Rules (including carrying out *Testing*) in respect of all of the *Persons* subject to the CADP who are under the jurisdiction of the *Sport Organization*, and shall cooperate with and support the CCES in that function. *Sport Organizations* shall also recognize, abide by and give effect to the decisions made pursuant to the Rules, including the decisions of *Hearing Panels* imposing sanctions on *Persons* under their jurisdiction.

1.3 **Application to Persons**

1.3.1 These Rules shall apply to the individuals and organizations described in Part A, Section 4.0 and, in addition, shall apply to the following:
1.3.1.1 The CCES, including its board members, directors, officers, specified employees, and Delegated Third Parties and their employees, who are involved in any aspect of Doping Control;

1.3.1.2 Sport Organizations, including their board members, directors, officers, specified employees, and Delegated Third Parties and their employees, who are involved in any aspect of Doping Control;

1.3.1.3 The following Athletes, Athlete Support Personnel and other Persons (including Protected Persons), in each case, whether or not such Person is a national or resident of Canada:

i) all Athletes and Athlete Support Personnel who are members or license-holders of any Sport Organization, or of any member or affiliate organization of any Sport Organization (including any clubs, teams, associations, or leagues);

ii) all Athletes and Athlete Support Personnel who participate in such capacity in Events, Competitions, and other activities organized, convened, authorized or recognized by any Sport Organization or by any member or affiliate organization of any Sport Organization (including any clubs, teams, associations or leagues), wherever held; and

iii) any other Athlete or Athlete Support Person or other Person who, by virtue of an accreditation, a license or other contractual arrangement, or otherwise, is subject to the authority of any Sport Organization, or of any member or affiliate organization of any Sport Organization (including any clubs, teams, associations or leagues), for purposes of anti-doping.

1.3.1.4 all other Persons over whom the Code gives the CCES authority, including all Athletes who are nationals or residents of Canada, and all Athletes who are present in Canada, whether to compete or to train or otherwise.

Each of the abovementioned Persons is deemed, as a condition of their participation or involvement in sport in Canada, to have agreed to and be bound by the CADP, and to have submitted to the authority of the CCES to enforce the CADP, including any Consequences for the breach thereof, and to the jurisdiction of the Hearing Panels specified in Rule 8 and Rule 13 to hear and determine cases and appeals brought under the CADP.

[Comment to Rule 1.3.1: Where the CADP requires a Person other than an Athlete or Athlete Support Person to be bound by the CADP, such Person would of course not be subject to Sample collection or Testing, and would not be subject to an anti-doping rule violation under the CADP for Use or Possession of a Prohibited Substance or Prohibited Method. Rather, such Person would only be subject to discipline for a violation of Rule 2.5 (Tampering), 2.7 (Trafficking), 2.8 (Administration), 2.9 (Complicity), 2.10 (Prohibited Association) and 2.11 (Retaliation). Furthermore, such Person would be subject to the additional roles and responsibilities according to Rule 21.3. Also, the obligation to require an employee to be bound by the CADP is subject to applicable law. The CCES and Sport Organizations shall ensure that, as per Rule 1.3.1.1 and 1.3.1.2, any arrangements with their board members,
1.4 National-Level Athletes

1.4.1 Of the Athletes subject to the CADP, the following Athletes shall be deemed National-Level Athletes for purposes of the Rules:

1.4.1.1 The CCES and the Sport Organization will jointly identify a pool of Athletes for inclusion in the National Athlete Pool (NAP) using criteria that shall include the following:

a) Athletes that participate in National Championships or participate in selection Events for National Championships; and/or

b) Athletes with potential to represent Canada internationally or become a member of a National Team; and/or

c) Athletes that represent Canada internationally but are not in an International Federation’s Registered Testing Pool; and/or

d) Athletes receiving direct or indirect financial assistance from Sport Organizations or who are benefiting from any form of Government sport subsidy, including the Athlete Assistance Program; and/or

e) Athletes who are part of the CCES’ Registered Testing Pool; but if any such Athletes are classified by their respective International Federations as International-Level Athletes then they shall be considered International-Level Athletes (and not National-Level Athletes) for purposes of the Rules as well.

1.4.2 The Rules apply to all Persons subject to the CADP. However, in accordance with Article 4.3 of the International Standard for Testing and Investigations, the main focus of the CCES’ test distribution plan will be National-Level Athletes and above.

RULE 2 DEFINITION OF DOPING – ANTI-DOPING RULE VIOLATIONS

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

The purpose of Rule 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 Rule 2.1.

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

2.1.2 Sufficient proof of an anti-doping rule violation under Rule 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.

[Comment to Rule 2.1.2: The Anti-Doping Organization with Results Management responsibility may, at its discretion, choose to have the B Sample analyzed even if the Athlete does not request the analysis of the B Sample.]

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 Rule 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

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

2.2.1 It is 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.

[Comment to Rule 2.2.2: Demonstrating the “Attempted Use” of a Prohibited Substance or a Prohibited Method requires proof of intent on the Athlete’s part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the Strict Liability principle established for violations of Rule 2.1 and violations of Rule 2.2 in respect of Use of a Prohibited Substance or Prohibited Method. An Athlete’s Use of a Prohibited Substance constitutes an anti-doping rule violation unless such Substance is not prohibited Out-of-Competition and the Athlete’s Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition is a violation of Rule 2.1 regardless of when that Substance might have been administered.)]

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.

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

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 (12) 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 Rule 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 Rule 4.4 or other acceptable justification.

[Comment to Rules 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or Possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician’s prescription, e.g., buying Insulin for a diabetic child. Acceptable justification may include, for example, a) an Athlete or a team doctor carrying Prohibited Substances or Prohibited Methods for dealing with acute and emergency situations (e.g., an epinephrine auto-injector), or b) an Athlete Possessing a Prohibited Substance or Prohibited Method for therapeutic reasons shortly prior to applying for and receiving a determination on a TUE.]

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 Rule 10.14.1 by another Person.

[Comment to Rule 2.9: Complicity or Attempted Complicity may include either physical or psychological assistance.]

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 Rule 2.10.1.1 or 2.10.1.2.

2.10.2 To establish a violation of Rule 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 Rule 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 Rule 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to WADA.

[Comment to Rule 2.10: Athletes and other Persons must not work with coaches, trainers, physicians or other Athlete Support Personnel who are Ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other Athlete who is acting as a coach or Athlete Support Person while serving a period of ineligibility. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the Athlete Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation. While Rule 2.10 does not require the Anti-Doping Organization to notify the Athlete or other Person about the Athlete Support Person’s disqualifying status, such notice, if provided, would be important evidence to establish that the Athlete or other Person knew about the disqualifying status of the Athlete Support Person.]

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 Rule 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 Rule 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.

[Comment to Rule 2.11.2: This Rule is intended to protect Persons who make good faith reports, and does not protect Persons who knowingly make false reports. Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the reporting Persons, their families or associates. Retaliation would not include an Anti-Doping Organization asserting in good faith an anti-doping rule violation against the reporting Person. For purposes of Rule 2.11, a report is not made in good faith where the Person making the report knows the report to be false.]
RULE 3  PROOF OF DOPING

3.1 Burdens and Standards of Proof
The CCES shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the CCES has established an anti-doping rule violation to the comfortable satisfaction of the hearing body, 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 Rules 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.

[Comment to Rule 3.1: This standard of proof required to be met by the CCES is comparable to the standard which is applied in most countries to cases involving professional misconduct.]

3.2 Methods of Establishing Facts and Presumptions
Facts related to anti-doping rule violations may be established by any reliable means, including admissions.

[Comment to Rule 3.2: For example, the CCES may establish an anti-doping rule violation under Rule 2.2 based on the Athlete’s admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Rule 2.2, or conclusions drawn from the profile of a series of the Athlete’s blood or urine Samples, such as data from the Athlete Biological Passport.]

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.

[Comment to Rule 3.2.1: For certain Prohibited Substances, WADA may instruct WADA-accredited laboratories not to report Samples as an Adverse Analytical Finding if the estimated concentration of the Prohibited Substance or its Metabolites or Markers is below a Minimum Reporting Level. WADA’s decision in determining that Minimum Reporting Level or in determining which Prohibited Substances should be subject to Minimum Reporting Levels shall not be subject to challenge. Further, the laboratory’s estimated concentration of such Prohibited Substance in a Sample may only be an estimate. In no event shall the possibility that the exact concentration of the Prohibited Substance in the Sample may be below the Minimum Reporting Level constitute a defense to an anti-doping rule violation based on the presence of that Prohibited Substance in the Sample.]
3.2.2  WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

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

[Comment to Rule 3.2.2: The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. Thus, once the Athlete or other Person establishes the departure by a balance of probability, the Athlete or other Person’s burden on causation is the somewhat lower standard of proof— “could reasonably have caused.” If the Athlete or other Person satisfies these standards, the burden shifts to the CCES to prove to the comfortable satisfaction of the Hearing Panel that the 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 the CCES 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 the CCES 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 the CCES 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 the CCES 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 the CCES shall have the burden to establish that such departure did not cause the whereabouts failure.

Rule 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 body 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 body) and to answer questions from the hearing body or the CCES.

Rule 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.

[Comment to Rule 4.1: The current Prohibited List is available on WADA’s website or see Appendix 3: Documents Index. The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made.]

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 the CCES. 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

Italicized terms are defined in Appendix 1
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.

[Comment to Rule 4.2.1: Out-of-Competition Use of a substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the Substance or its Metabolites or Markers is reported for a Sample collected In-Competition.]

4.2.2 Specified Substances or Specified Methods
For purposes of the application of Rule 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.

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

4.2.3 Substances of Abuse
For purposes of applying Rule 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”)
The Rules incorporate into the CADP the International Standard for Therapeutic Use Exemptions (as it may exist from time to time), which is published and revised by WADA as described in Article 4.4 of the Code.

[Comment to Rule 4.4: The current International Standard for Therapeutic Use Exemptions is available on WADA’s website or see Appendix 3: Documents Index.]
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 Application Process

4.4.2.1 Any Athlete who is not an International-Level Athlete shall apply to the CCES for a TUE as soon as possible, save where Articles 4.1 or 4.3 of the International Standard for Therapeutic Use Exemptions apply. The application shall be made in accordance with Article 6 of the International Standard for Therapeutic Use Exemptions as posted on the CCES’ website.

4.4.2.2 The CCES shall establish a Therapeutic Use Exemption Committee (“TUEC”) to consider applications for the grant or recognition of TUEs.

4.4.2.3 The TUEC shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the International Standard for Therapeutic Use Exemptions and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete application. Where the application is made in a reasonable time prior to an Event, the TUEC must use its best endeavors to issue its decision before the start of the Event.

4.4.2.4 The TUEC decision shall be the final decision of the CCES and may be appealed in accordance with Rule 4.4.6. The CCES TUEC decision shall be notified in writing to the Athlete, and to WADA and other Anti-Doping Organizations in accordance with the International Standard for Therapeutic Use Exemptions. It shall also promptly be reported into ADAMS.

[Comment to Rule 4.4.2: In accordance with Rule 5.1 of the International Standard for Therapeutic Use Exemptions, the CCES may decline to consider advance applications for TUEs from National-Level Athletes in sports that are not prioritized by the CCES in its test distribution planning. In that case it must permit any such Athlete who is subsequently tested to apply for a retroactive TUE. Additionally, the CCES shall publicize such a policy on its website for the benefit of affected Athletes.

The submission of falsified documents to a TUEC or the CCES, offering or accepting a bribe to a Person to perform or fail to perform an act, procuring false testimony from any witness, or committing any other fraudulent act or any other similar intentional interference or Attempted interference with any aspect of the TUE process shall result in a charge of Tampering or Attempted Tampering under Rule 2.5. An Athlete should not assume that their application for the grant or recognition of a TUE (or for renewal of a TUE) will be granted. Any Use or Possession or Administration of a Prohibited Substance or Prohibited Method before an application has been granted is entirely at the Athlete’s own risk.]

4.4.3 Retroactive TUE Applications

If the CCES chooses to test an Athlete who is not an International-Level or a National-Level Athlete, the CCES must permit that Athlete to apply for a retroactive TUE for any Prohibited Substance or Prohibited Method that he or she is Using for therapeutic reasons.
4.4.4 **TUE Recognition**

A **TUE** granted by the CCES is valid at any national level in any country and does not need to be formally recognized by any other **National Anti-Doping Organization**.

However, it is not automatically valid if the **Athlete** becomes an **International-Level Athlete** or competes in an **International Event**, unless it is recognized by the relevant International Federation or **Major Event Organization** in accordance with the **International Standard for Therapeutic Use Exemptions** as follows:

4.4.4.1 Where the **Athlete** already has a **TUE** granted by the CCES for the substance or method in question, unless their **TUE** will be automatically recognized by the International Federation or **Major Event Organization**, the **Athlete** shall apply to their International Federation or to the **Major Event Organization** to recognize that **TUE**. If that **TUE** meets the criteria set out in the **International Standard for Therapeutic Use Exemptions**, then the International Federation or **Major Event Organization** must recognize it.

If the International Federation or **Major Event Organization** considers that the **TUE** granted by the CCES does not meet those criteria and so refuses to recognize it, the International Federation shall promptly notify the **Athlete** and the CCES with reasons. The **Athlete** and/or the CCES shall have twenty-one (21) days from such notification to refer the matter to WADA for review in accordance with Rule 4.4.6.

If the matter is referred to WADA for review in accordance with Rule 4.4.6, the **TUE** granted by the CCES remains valid for national-level **Competition** and **Out-of-Competition Testing** (but is not valid for international-level **Competition**) pending WADA’s decision.

If the matter is not referred to WADA for review within the twenty-one (21) day deadline, the CCES must determine whether the original **TUE** that it granted should nevertheless remain valid for national-level **Competition** and **Out-of-Competition Testing** (provided that the **Athlete** ceases to be an **International-Level Athlete** and does not participate in international-level **Competition**). Pending the CCES’ decision, the **TUE** remains valid for national-level **Competition** and **Out-of-Competition Testing** (but is not valid for international-level **Competition**).

<Comment to Rule 4.4.4.1: Further to Rules 5.7 and 7.1 of the International Standard for Therapeutic Use Exemptions, an International Federation must publish and keep updated a notice on its website that sets out clearly (1) which **Athletes** under its authority are required to apply to it for a **TUE**, (2) which **TUE** decisions of other **Anti-Doping Organizations** it will automatically recognize in lieu of such application and (3) which **TUE** decisions of other **Anti-Doping Organizations** will have to be submitted to it for recognition. If an **Athlete**’s **TUE** falls into a category of automatically recognized **TUEs**, then the **Athlete** does not need to apply to his/her **International Federation** for recognition of that **TUE**.

In accordance with the requirements of the International Standard for Therapeutic Use Exemptions, the CCES will help **Athletes** determine when they need to submit **TUEs** granted by the CCES to an **International Federation** or
Major Event Organization for recognition and will guide and support those Athletes through the recognition process. If an International Federation refuses to recognize a TUE granted by the CCES only because medical records or other information are missing that are needed to demonstrate satisfaction of the criteria in the International Standard for Therapeutic Use Exemptions, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to the International Federation.

4.4.4.2 If the Athlete does not already have a TUE granted by the CCES for the substance or method in question, the Athlete must apply directly to the International Federation for a TUE in accordance with the process set out in the International Standard for Therapeutic Use Exemptions as soon as the need arises.

If the International Federation denies the Athlete’s application, it shall notify the Athlete promptly, with reasons.

If the International Federation grants the Athlete’s application, it shall notify the Athlete and the CCES. If the CCES considers that the TUE granted by the International Federation does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has twenty-one (21) days from such notification to refer the matter to WADA for review.

If the CCES refers the matter to WADA for review, the TUE granted by the International Federation remains valid for international-level Competition and Out-of-Competition Testing (but is not valid for national-level Competition) pending WADA’s decision.

If the CCES does not refer the matter to WADA for review, the TUE granted by the International Federation becomes valid for national-level Competition as well when the twenty-one (21) day review deadline expires.

[Comment to Rule 4.4.4.2: The International Federation and the CCES may agree that the CCES will consider TUE applications on behalf of the International Federation.]

4.4.5 Expiration, Withdrawal or Reversal of a TUE

4.4.5.1 A TUE granted pursuant to these Anti-Doping Rules:

a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality;

b) will be withdrawn if the Athlete does not promptly comply with any requirements or conditions imposed by the TUEC upon grant of the TUE;

c) may be withdrawn by the TUEC if it is subsequently determined that the criteria for grant of a TUE are not in fact met; or

d) may be reversed on review by WADA or on appeal.

4.4.5.2 In such event, the Athlete shall not be subject to any Consequences based on their Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE prior to the effective date of expiry, withdrawal, or reversal of the TUE. The review pursuant to Article 5.1.1.1 of the International Standard for Results

*Italicized* terms are defined in Appendix 1
Management of an Adverse Analytical Finding, reported shortly after the TUE expiry, withdrawal, or reversal, shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Prohibited Method prior to that date, in which event no anti-doping rule violation shall be asserted.

4.4.6 Reviews and Appeals of TUE Decisions

4.4.6.1 If the CCES denies an application for a TUE, the Athlete may appeal exclusively to the Doping Appeal Panel described in Rule 13.2.2.

4.4.6.2 WADA must review an International Federation’s decision not to recognize a TUE granted by the CCES that is referred to WADA by the Athlete or the CCES. In addition, WADA must review an International Federation’s decision to grant a TUE that is referred to WADA by the CCES. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.

[Comment to Rule 4.4.6.2: WADA shall be entitled to charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Rule 4.4.6; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]

4.4.6.3 Any TUE decision by an International Federation (or by the CCES where it has agreed to consider the application on behalf of an International Federation) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and/or the CCES, exclusively to CAS.

[Comment to Rule 4.4.6.3: In such cases, the decision being appealed is the International Federation’s TUE decision, not WADA’s decision not to review the TUE decision or (having reviewed it) not to reverse the TUE decision. However, the time to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given notice of the appeal so that it may participate if it sees fit.]

4.4.6.4 A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the CCES and/or the International Federation affected, exclusively to CAS.

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

4.5 Medical Reviews for Student-Athletes

As an exception to the requirement that all Athletes require a TUE (either in advance of competition or with retroactive effect), Student-Athletes do not require a TUE. However, all such
Student-Athletes may undergo a medical review to validate and permit the Use of prescribed medications that contain Prohibited Substances or that constitute Prohibited Methods for therapeutic reasons.

4.5.1 There is no requirement for a Student-Athlete to obtain a medical review until an Adverse Analytical Finding is reported by the CCES and thereafter Rule 7.2 will be followed. A medical review may be required if an Atypical Finding is reported by the CCES and thereafter Rule 7.2 will be followed. If a Student-Athlete is notified by the CCES regarding an Adverse Analytical Finding or an Atypical Finding, the CCES will at that time invite the Student-Athlete to submit the required material for a medical review.

4.5.2 The medical review will be granted by the CCES provided the Student-Athlete satisfies all of the conditions set out below:

a) the Student-Athlete demonstrates by means of appropriate documentation that he or she has a medical diagnosis made by a licensed physician or a nurse practitioner prior to Sample collection;

b) the Student-Athlete provides the CCES with a prescription signed by a licensed physician or a nurse practitioner prior to Sample collection consistent with the Adverse Analytical Finding or the Atypical Finding;

c) the Student-Athlete provides appropriate confirmation that he or she is being followed and monitored by a licensed physician or a nurse practitioner to ensure the treatment plan matches the diagnosis.

The CCES may have the information provided by the Student-Athlete reviewed and evaluated by a physician who is a member of the CCES TUEC.

[Comment to Rule 4.5.2: All medication should be listed on the Doping Control form. It would therefore be favourable for the Student-Athlete, when assessing whether a medical review will be granted, if the Student-Athlete had declared the prescribed medication on their Doping Control form.]

4.5.3 The Student-Athlete must provide their written consent for the transmission of all information pertaining to the medical review to all necessary CCES staff involved in the management, review or appeal of the medical review and, as required, to other independent medical experts and to WADA. A suitable form of consent will be provided to the Student-Athlete by the CCES.

4.5.4 Medical reviews must be performed promptly following the Student-Athlete’s notification by the CCES that a medical review is required. The medical review will not be commenced until all the information listed in Rules 4.5.2 and 4.5.3 is submitted in a legible format. The material submitted by the Student-Athlete will be returned to the Student-Athlete after the medical review is completed.

4.5.5 The staff at the CCES will conduct all of their activities involving a medical review in strict confidence. All CCES staff and any CCES TUEC members involved in a medical review will sign confidentiality agreements. In particular they will keep the following information confidential:
The Canadian Anti-Doping Program

Part C – CADP Rules

4.5.6  Student-Athletes may contact the CCES national office at any time to enquire if they are a Student-Athlete described in Appendix 1 “Definitions” or to access additional information concerning a medical review.

4.6  Reviews and Appeals of Medical Review Decisions

A decision by the CCES to deny a medical review may be appealed by the Student-Athlete exclusively to the Doping Appeal Panel in accordance with Rule 13.

RULE 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.

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

[Comment to Rule 5.1: Where Testing is conducted for anti-doping purposes, the analytical results and data may be used for other legitimate purposes under the Anti-Doping Organization’s rules. See, e.g., Comment to Article 23.2.2 of the Code. The CCES will not use data from Samples collected pursuant to the CADP for any purpose other than anti-doping. However, the CCES cannot control the use by other Anti-Doping Organizations of data generated through the CCES’ implementation of the CADP when that data is reported into ADAMS.]

5.2  Authority to Test

5.2.1  Subject to the limitations for Event Testing set out in Rule 5.3, the CCES shall have In-Competition and Out-of-Competition Testing authority over all Athletes specified in Rule 1.3.

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

[Comment to Rule 5.2.2: The CCES may obtain additional authority to conduct Testing by means of bilateral or multilateral agreements with other Signatories. Unless the Athlete has identified a sixty (60) minute Testing window between the hours of 11:00 p.m. and 6:00 a.m., or has otherwise consented to Testing during that period, the CCES will not test an Athlete during that period unless it has a serious and specific suspicion that the Athlete may be engaged in doping. A challenge to whether the CCES had sufficient suspicion for Testing during this time period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]

5.2.3  WADA shall have In-Competition and Out-of-Competition Testing authority as set out in Article 20.7.10 of the Code.
5.2.4 If an International Federation or Major Event Organization delegates or contracts any part of Testing to the CCES directly or through a National Federation, the CCES may collect additional Samples or direct the laboratory to perform additional types of analysis at the CCES’ expense. If additional Samples are collected or additional types of analysis are performed, the International Federation or Major Event Organization shall be notified.

5.3 Event Testing

5.3.1 Except as otherwise provided below, only a single organization shall have authority to conduct Testing at Event Venues during an Event Period. At International Events held in Canada, the international organization which is the ruling body for the Event shall have authority to conduct Testing. At National Events held in Canada, the CCES shall have authority to conduct Testing. At the request of the ruling body for an Event, any Testing conducted during the Event Period outside of the Event Venues shall be coordinated with the ruling body of the Event.

5.3.2 If an Anti-Doping Organization, which would otherwise have Testing authority but is not responsible for initiating and directing Testing at an Event, desires to conduct Testing of Athletes at the Event Venues during the Event Period, the Anti-Doping Organization shall first confer with the ruling body of the Event to obtain permission to conduct and coordinate such Testing. If the Anti-Doping Organization is not satisfied with the response from the ruling body of the Event, the Anti-Doping Organization may, in accordance with procedures described in the International Standard for Testing and Investigations, ask WADA for permission to conduct Testing and to determine how to coordinate such Testing. WADA shall not grant approval for such Testing before consulting with and informing the ruling body for the Event. WADA’s decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results Management for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.

5.4 Testing Requirements

5.4.1 The CCES shall conduct test distribution planning and Testing as required by the International Standard for Testing and Investigations.

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

5.5.1 The CCES has established a *Registered Testing Pool* of those *Athletes* who are required to provide whereabouts information in the manner specified in the *International Standard for Testing* and Investigations and who shall be subject to *Consequences* for Rule 2.4 violations as provided in Rule 10.3.2. The CCES shall coordinate with International Federations to identify such *Athletes* and to collect their whereabouts information.

5.5.2 The CCES shall make available through *ADAMS* a list which identifies those *Athletes* included in its *Registered Testing Pool* by name. The CCES shall regularly review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall periodically (but not less than quarterly) review the list of *Athletes* in its *Registered Testing Pool* to ensure that each listed *Athlete* continues to meet the relevant criteria. *Athletes* shall be notified before they are included in the *Registered Testing Pool* and when they are removed from that pool. The notification shall contain the information set out in the *International Standard for Testing* and Investigations.

5.5.3 Where an *Athlete* is included in an international *Registered Testing Pool* by their International Federation and in a national *Registered Testing Pool* by the CCES, the CCES and the International Federation shall agree between themselves which of them shall accept that *Athlete’s* whereabouts filings; in no case shall an *Athlete* be required to make whereabouts filings to more than one of them.

5.5.4 In accordance with the *International Standard for Testing* and Investigations, each *Athlete* in the *Registered Testing Pool* shall do the following:

a) advise the CCES of his/her whereabouts on a quarterly basis;

b) update that information as necessary so that it remains accurate and complete at all times; and

c) make himself or herself available for *Testing* at such whereabouts.

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

5.5.6 An *Athlete* in the CCES’ *Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set in the *International Standard for Testing* and Investigations unless and until:

a) the *Athlete* gives written notice to the CCES that he or she has retired, or

b) the CCES has informed him or her that he or she no longer satisfies the criteria for inclusion in the CCES’ *Registered Testing Pool*.

5.5.7 Whereabouts information provided by an *Athlete* while in the *Registered Testing Pool* will be accessible through *ADAMS* to WADA and to other *Anti-Doping Organizations*
having authority to test that Athlete as provided in Rule 5.2. Whereabouts information 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.

5.5.8 The CCES may, in accordance with the International Standard for Testing and Investigations, collect location information from Athletes who are not included within a Registered Testing Pool. If it chooses to do so, an Athlete’s failure to provide requested location information on or before the date required by the CCES or the Athlete’s failure to provide accurate location information shall result in the CCES elevating the Athlete to the CCES’ Registered Testing Pool.

5.6 Retired Athletes Returning to Competition

5.6.1 If an International-Level Athlete in a Registered Testing Pool or a National-Level Athlete in a sport’s NAP retires and then wishes to return to active participation in sport, the Athlete shall not compete in International Events or National Events until the Athlete has made themselves available for Testing, by giving six (6) months prior written notice to their International Federation and to the CCES.

WADA, in consultation with the CCES and the Athlete’s International Federation, may grant an exemption to the six (6) month written notice rule where the strict application of that rule would be unfair to the Athlete. This decision may be appealed under Rule 13. The Athlete shall not compete in International Events or National Events until the decision to grant an exemption has been made by WADA, and, unless ordered otherwise by the relevant appeal panel, any appeal of a negative decision has been heard.

Any competitive results obtained in violation of this Rule 5.6.1 shall be Disqualified unless the Athlete can establish that he or she could not have reasonably known that this was an International Event or a National Event.

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

Italicized terms are defined in Appendix 1
5.7 Independent Observer Program

The CCES and any organizing committees for National Events in Canada, shall authorize and facilitate the Independent Observer Program at such Events.

RULE 6 ANALYSIS OF SAMPLES

The Rules incorporate into the CADP the International Standard for Laboratories (as it may exist from time to time), which is published and revised by WADA as described in Article 6 of the Code.

[Comment to Rule 6: The current International Standard for Laboratories is available on WADA’s website or see Appendix 3: Documents Index.]

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 Rule 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 the CCES.

[Comment to Rule 6.1: Violations of Rule 2.1 may be established only by Sample analysis performed by a WADA-accredited laboratory or another laboratory approved by WADA. Violations of other Rules may be established using analytical results from other laboratories so long as the results are reliable.]

6.1.2 As provided in Rule 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 the CCES 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.

[Comment to Rule 6.2: For example, relevant Doping Control-related information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Rule 2.2, or both.]

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.

[Comment to Rule 6.3: As is the case in most medical or scientific contexts, use of Samples and related information for quality assurance, quality improvement, method improvement and development or to establish reference populations is not considered research. Samples and related information used for such permitted non-research purposes must also first be processed in such a manner as to prevent them from being traced back to the particular Athlete, having due regard to the principles set out in Article 19 of the Code, as well as the requirements of the International Standard for Laboratories and International Standard for the Protection of Privacy and Personal Information.]

6.4 Standards for Sample Analysis and Reporting

In accordance with Article 6.4 of the Code, the CCES 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 the CCES. Results from any such analysis shall be reported to the CCES and have the same validity and Consequences as any other analytical result.

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

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 the CCES notifies an Athlete that the Sample is the basis for a Rule 2.1 anti-doping rule violation assertion. If after such notification the CCES wishes to conduct additional analysis on that Sample, it may do so with the consent of the Athlete or if consent is not given by the Athlete, as ordered by the 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 Rule 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.

Italicized terms are defined in Appendix 1
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.

[Comment to Rule 6.8: Resistance or refusal to WADA taking physical possession of Samples could constitute Tampering, Complicity or an act of non-compliance as provided in the International Standard for Code Compliance by Signatories, and could also constitute a violation of the International Standard for Laboratories. Where necessary, the laboratory and/or the Anti-Doping Organization shall assist WADA in ensuring that the seized Sample and related data are not delayed in exiting the applicable country. WADA would not, of course, unilaterally take possession of Samples or analytical data without good cause related to a potential anti-doping rule violation, non-compliance by a Signatory or doping activities by another Person. However, the decision as to whether good cause exists is for WADA to make in its discretion and shall not be subject to challenge. In particular, whether there is good cause or not shall not be a defense against an anti-doping rule violation or its Consequences.]

6.9 **Student-Athlete Exemption**

The Code and the CADP allow a modified Prohibited List and Testing menu for Student-Athletes.

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**RULE 7**

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

The Rules incorporate into the CADP the International Standard for Results Management (as it may exist from time to time), which is published and revised by WADA as described in Article 7 of the Code.

[Comment to Rule 7: The current International Standard for Results Management is available on WADA’s website or see Appendix 3: Documents Index.]

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 Except as otherwise provided in Code Articles 6.6, 6.8 and 7.1, Results Management shall be the responsibility of, and shall be governed by, the procedural rules of the Anti-Doping Organization that initiated and directed Sample collection (or, if no Sample collection is involved, the Anti-Doping Organization which first provides notice to an Athlete or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation).

7.1.2 In circumstances where the rules of a National Anti-Doping Organization do not give the National Anti-Doping Organization authority over an Athlete or other Person who is not a national, resident, license holder, or member of a Sport Organization of that country, or the National Anti-Doping Organization declines to exercise such authority, Results Management shall be conducted by the applicable International Federation or by a third party with authority over the Athlete or other Person as directed by the rules of the applicable International Federation.

7.1.3 Results Management in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by the International Federation or the CCES with whom the Athlete in question files whereabouts information, as provided in the International Standard for Results Management. If the CCES determines a filing failure or a missed test, it shall submit that information to WADA through ADAMS, where it will be made available to other relevant Anti-Doping Organizations.

7.1.4 Other circumstances in which the CCES shall take responsibility for conducting Results Management in respect of anti-doping rule violations involving Athletes and other Persons under its authority shall be determined by reference to and in accordance with Article 7 of the Code.

7.1.5 WADA may direct the CCES to conduct Results Management in particular circumstances. If the CCES refuses to conduct Results Management within a reasonable deadline set by WADA, such refusal shall be considered an act of non-compliance, and WADA may direct another Anti-Doping Organization with authority over the Athlete or other Person, that is willing to do so, to take Results Management responsibility in place of the CCES or, if there is no such Anti-Doping Organization, any other Anti-Doping Organization that is willing to do so. In such case, the CCES shall reimburse the costs and attorney's fees of conducting Results Management to the other Anti-Doping Organization designated by WADA, and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

The CCES 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.

*Italicized* terms are defined in Appendix 1
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, the CCES 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 Provisional Suspensions

[Comment to Rule 7.4: Before a Provisional Suspension can be unilaterally imposed by the CCES, the internal review specified in these Anti-Doping Rules and the International Standard for Results Management must first be completed.]

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

If the CCES receives an Adverse Analytical Finding or an Adverse Passport Finding (upon completion of the Adverse Passport Finding review process) for a Prohibited Substance or a Prohibited Method that is not a Specified Substance or a Specified Method, it shall impose a Provisional Suspension on the Athlete promptly upon or after the review and notification required by Rule 7.2.

A mandatory Provisional Suspension may be eliminated by the Doping Panel if:

i) the Athlete demonstrates that the violation is likely to have involved a Contaminated Product, or

ii) the violation involves a Substance of Abuse and the Athlete establishes entitlement to a reduced period of Ineligibility under Rule 10.2.4.1.

The Doping Panel’s decision not to eliminate a mandatory Provisional Suspension on account of the Athlete’s assertion regarding a Contaminated Product shall not be appealable.

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

The CCES may impose a Provisional Suspension for anti-doping rule violations not covered by Rule 7.4.1 prior to the analysis of the Athlete’s B Sample or final hearing as described in Rule 8.

An optional Provisional Suspension may be lifted at the discretion of the CCES at any time prior to the Doping Panel’s decision under Rule 8, unless provided otherwise in the International Standard for Results Management.

7.4.3 Opportunity for Hearing or Appeal

Notwithstanding Rules 7.4.1 and 7.4.2, a Provisional Suspension may not be imposed unless the Athlete or other Person is given:

a) an opportunity for a Provisional Hearing, either before or on a timely basis after imposition of the Provisional Suspension; or
b) an opportunity for an expedited hearing in accordance with Rule 8 on a timely basis after imposition of the Provisional Suspension.

The imposition of a Provisional Suspension, or the decision not to impose a Provisional Suspension, may be challenged in an expedited process at a Provisional Hearing conducted by the Doping Panel.

7.4.4 Voluntary Acceptance of Provisional Suspension

Athletes on their own initiative may voluntarily accept a Provisional Suspension if done so prior to the later of:

i) the expiration of ten (10) days from the report of the B Sample (or waiver of the B Sample) or ten (10) days from the notice of any other anti-doping rule violation, or

ii) the date on which the Athlete first competes after such report or notice.

Other Persons on their own initiative may voluntarily accept a Provisional Suspension if done so within ten (10) days from the notice of the anti-doping rule violation.

Upon such voluntary acceptance, the Provisional Suspension shall have the full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Rule 7.4.1 or 7.4.2; 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.

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

7.5 Results Management Decisions

Results Management decisions by CCES or decisions by a Hearing Panel must not purport to be limited to a particular geographic area or sport and shall address and determine without limitation the following issues:

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 Rules that have been violated, and

ii) all Consequences flowing from the anti-doping rule violation(s), including applicable Disqualifications under Rules 9 and 10.10, any forfeiture of medals or prizes, any period of Ineligibility (and the date it begins to run) and any Financial Consequences.

Italicized terms are defined in Appendix 1
[Comment to Rule 7.5: Results Management decisions include Provisional Suspensions. Each decision by the Doping Panel or, where applicable, the CCES, should address whether an anti-doping rule violation was committed and all Consequences flowing from the violation, including any Disqualifications other than Disqualification under Rule 10.1 (which is left to the ruling body for an Event). Pursuant to Rule 15, such decision and its imposition of Consequences shall have automatic effect in every sport in every country. For example, for a determination that an Athlete committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the Athlete’s results obtained in the Competition would be Disqualified under Rule 9 and all other competitive results obtained by the Athlete from the date the Sample was collected through the duration of the period of Ineligibility are also Disqualified under Rule 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the Major Event Organization’s responsibility to decide whether the Athlete’s other individual results in the Event prior to Sample collection are also Disqualified under Rule 10.1.]

7.6 Notification of Results Management Decisions

The CCES shall notify Athletes, other Persons, Signatories and WADA of Results Management decisions as provided in Rule 14 and in the International Standard for Results Management.

7.7 Retirement from Sport

If an Athlete or other Person retires while the CCES’ Results Management process is underway, the CCES retains authority to complete its Results Management process. If an Athlete or other Person retires before any Results Management process has begun, and the CCES would have had Results Management authority over the Athlete or other Person at the time the Athlete or other Person committed an anti-doping rule violation, the CCES has authority to conduct Results Management.

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

RULE 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, the CCES shall provide a fair hearing within a reasonable time by a fair, impartial and Operationally Independent Doping Panel in compliance with the Code and the International Standard for Results Management.

8.1 Hearings When the CCES is the Result Management Authority

8.1.1 The Doping Tribunal is the Sport Dispute Resolution Centre of Canada (SDRCC), which shall constitute and administer the Doping Panel. Hearings to determine whether an anti-doping rule violation has been committed and, if so, the Consequences(s), shall be conducted by a single arbitrator sitting as the Doping Panel. The arbitrators shall be members of the Doping Tribunal’s roster of arbitrators. The rules of the SDRCC as set out in the Canadian Sport Dispute Resolution Code shall apply to the proceedings of the Doping Panel except as matters are specifically addressed in the Rules.

[Comment to Rule 8.1: The Canadian Sport Dispute Resolution Code – the procedural code of the SDRCC – is available on the SDRCC’s website or see Appendix 3: Documents Index.]

8.1.2 When the CCES sends a notification to an Athlete or other Person asserting an anti-doping rule violation, the case shall also be referred to the Doping Tribunal. If the
Athlete or other Person requests a hearing, the Doping Tribunal shall, pursuant to rules set out in the Canadian Sport Dispute Resolution Code, appoint a Doping Panel to hear and adjudicate the matter. The appointed arbitrator, sitting as the Doping Panel, shall have had no prior involvement with the case and, upon appointment, shall disclose to the Doping Tribunal and all parties to the hearing any circumstances likely to affect their impartiality with respect to any of the parties.

8.2 Principles for a Fair Hearing

8.2.1 The Doping Panel shall commence the hearing process no later than forty-five (45) days from the date of the CCES’ notification asserting an anti-doping rule violation, except in matters involving Provisional Suspensions, unless there is agreement on a revised schedule between the Athlete or other Person the CCES asserts to have committed an anti-doping rule violation and the CCES.

Hearings held in connection with Events that are subject to the Rules may be conducted in an expedited process where permitted by the Doping Panel.

[Comment to Rule 8.2.1: For example, a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Athlete’s eligibility to participate in the Event, or during an Event where the resolution of the case will affect the validity of the Athlete’s results or continued participation in the Event.]

8.2.2 The Doping Panel shall determine the procedure to be followed at the hearing.

8.2.2.1 The Doping Panel shall determine how to proceed in the absence of the Athlete or other Person the CCES asserts to have committed an anti-doping rule violation when Rule 8.4 does not apply.

8.2.2.2 The Doping Panel has the power, at its absolute discretion, to appoint an expert at the expense of the Doping Tribunal to assist or advise the Doping Panel, as required.

8.2.2.3 Athletes or other Persons may request a public hearing. A public hearing consists of a publicly accessible audio link to the Doping Panel’s proceedings. If requested, a public hearing shall be provided at the expense of the Doping Tribunal. However, on the objection of a party the Doping Panel may in its discretion deny a request for a public hearing in the interests of public order and morality, national security, to protect the interests of Minors or the privacy rights of the participants, where publicity would prejudice the interests of justice or where the hearing is exclusively related to a question of law.

8.2.2.4 When WADA is a party, provides evidence or appears “amicus curiae” at a Doping Panel’s hearing pursuant to Rule 3.2.1, then at WADA’s request, the Doping Tribunal shall appoint a scientific expert to assist the Doping Panel in its evaluation of the challenged scientific validity of an analytical method or Decision Limit.
The parties before the Doping Panel are the Athlete or other Person the CCES asserts to have committed an anti-doping rule violation, the CCES and the relevant Sport Organization. The Athlete or other Person’s International Federation, WADA and the Government of Canada may attend the hearing as observers if they elect to do so. The CCES shall keep the Athlete or other Person’s International Federation, WADA and the Government of Canada advised of the status of the proceedings. In any event, the CCES shall keep WADA fully apprised of all pending cases and the result of all hearings.

The Doping Panel shall act in a fair and impartial manner towards all parties at all times.

The Doping Panel shall conduct the hearing in either English or French. An Athlete or other Person participating in a proceeding before the Doping Panel has the right to an interpreter at the hearing, with the Doping Panel to determine the identity and responsibility for the cost of the interpreter.

An Athlete or other Person participating in a proceeding before the Doping Panel has the right to retain and receive assistance from legal counsel at their own expense.

The Doping Panel shall convene a preliminary meeting of all parties by teleconference to settle procedural matters.

The Doping Panel shall conduct an oral hearing unless the Athlete or other Person subject to the CCES’ notification asserting an anti-doping rule violation and the CCES agree to a documentary hearing.

The Doping Panel may conduct an oral hearing in person or by video or teleconference or a combination of these means.

When the Athlete or other Person requests an in-person hearing, the Doping Panel shall conduct the hearing in Canada in the municipality most convenient to the Athlete or other Person subject to the CCES’ notification asserting an anti-doping rule violation, unless impractical in the circumstances.

The Doping Panel shall receive and consider evidence and submissions from all parties, including evidence from witnesses orally or in writing.

The Doping Panel may grant a reimbursement of expenses to any party, payable as it directs pursuant to the following:

a) Subject to Rule 8.2.4.8.b, 8.2.4.8.c, and 8.2.4.8.d, each party shall be responsible for its own expenses (including legal fees) and those of its witnesses.

b) The Panel shall not make an order that one party pay a portion of the expenses of another party unless the conduct or course of conduct of the party throughout a proceeding has been demonstrably unreasonable, or where a party has acted in bad faith. It is expected that such circumstances will be rare and exceptional.
c) If, having regard to the requirements set out in 8.2.4.8.b, the Panel determines that it is appropriate for one party to reimburse another party for a portion of its expenses, then the Panel may consider the following factors in determining the appropriate amount of any such reimbursement:

i) The nature, extent and impact of any unreasonable and/or bad faith conduct that has increased expense

Certain conduct will have a more pronounced impact on the cost of the proceeding, while other conduct, even if unreasonable, will have little or no impact.

ii) The complexity of the issues

Doping arbitrations can legitimately involve novel arguments and/or complex issues. These rare cases do require complicated and highly specific scientific and factual evidence to resolve. When such specialized evidence is warranted and essential, and has been used in a manner that has had a material and positive impact on the outcome for the party, the expense incurred to obtain this evidence may be claimed.

iii) Proportionality

Any partial reimbursement of expenses should reflect the principle of proportionality, considering the nature of the case, the complexity of the issues in dispute and the positions taken by the parties.

d) In no case shall the Panel make an order for the reimbursement of legal fees that reflects more than 60% of the legal fees actually paid by the party.

e) The party seeking a reimbursement of its expenses shall inform the Panel and the other party(ies) no more than seven (7) days after being notified of the hearing or appeal decision for which the reimbursement of expenses applies. Concurrently the party shall provide a detailed description of the expenses claimed, the alleged unreasonable and/or bad faith conduct and the relevant factors set out in 8.2.4.8.c.

[Comment to Rule 8.2.4.8: if ordered, the proportionate reimbursement of proper expenses is not an award of damages and shall not be used to compensate a party for direct or indirect losses that may have been suffered.

In no case shall a failure to reach a Case Resolution Agreement between the CCES, WADA and the Athlete or other Person be a factor to consider as the decision to enter or not enter into a Case Resolution Agreement, and the amount of reduction to, and the starting date of the period of ineligibility set out in a Case Resolution Agreement are not matters for determination or review by a hearing body and are not subject to appeal.

Examples of demonstrably unreasonable conduct in a particular case could include a party and/or their legal representatives failing to make concessions or admissions that ought to have reasonably been made; unnecessarily
lengthening the proceedings, including by engaging in improper or unnecessary steps; or failing to engage with the other party and/or their representative(s) to attempt to resolve or narrow the issues in dispute.

8.3 Decisions of the Doping Tribunal

8.3.1 The Doping Panel shall issue an initial decision no later than five (5) days from the completion of the hearing. The Doping Panel shall also issue a reasoned decision no later than twenty (20) days from the completion of the hearing that includes the full reasons for the decision and for any period of Ineligibility imposed, including (if applicable) a justification for why the greatest potential Consequences were not imposed.

8.3.2 The initial decision and the reasoned decision of the Doping Panel shall be provided by the Doping Tribunal to all parties at the hearing. The CCES shall provide the reasoned decision to the Anti-Doping Organizations with a right to appeal under Rule 13.2.3 and to the Government of Canada.

8.3.3 The Doping Panel’s decision may be appealed as provided in Rule 13. If no appeal is brought against the decision, then the outcome shall be Publicly Disclosed as provided in Rule 14.3.

8.4 Waiver of Hearing

8.4.1 An Athlete or other Person against whom an anti-doping violation is asserted may admit that violation at any time, waive a hearing and accept the Consequences proposed by the CCES and may, if applicable, benefit from a Results Management agreement under the conditions set out in Rule 10.8.

8.4.2 However, if the Athlete or other Person against whom an anti-doping rule violation is asserted fails to dispute that assertion within the time period specified in the notification sent by the CCES asserting the violation, then they shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the proposed Consequences.

8.4.3 In cases where Rule 8.4.1 or 8.4.2 applies, a hearing before the Doping Tribunal shall not be required. Instead the CCES shall promptly issue a file outcome summary that conforms with Article 9 of the International Standard for Results Management and which includes the full reasons for the file outcome, the period of Ineligibility imposed, the Disqualification of results under Rule 10.10 and, if applicable, a justification for why the greatest potential Consequences were not imposed.

8.4.4 The CCES shall provide the file outcome summary to the Athlete or other Person and to other Anti-Doping Organizations with a right to appeal under Rule 13.2.3, and shall promptly report it into ADAMS. The CCES shall Publicly Disclose the file outcome in accordance with Rule 14.3.2.

8.5 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, the CCES (where it has
Results Management responsibility in accordance with Rule 7) and WADA, be heard in a single hearing directly at CAS.

<Comment to Rule 8.4: In some cases, the combined cost of holding a hearing in the first instance at the international or national level, then rehearing the case de novo before CAS can be very substantial. Where all of the parties identified in this Rule are satisfied that their interests will be adequately protected in a single hearing, there is no need for the Athlete or Anti-Doping Organizations to incur the extra expense of two (2) hearings. An Anti-Doping Organization may participate in the CAS hearing as an observer. Nothing set out in Rule 8.5 precludes the Athlete or other Person and the CCES (where it has Results Management responsibility) to waive their right to appeal by agreement. Such waiver, however, only binds the parties to such agreement and not any other entity with a right of appeal under the Code.]

**RULE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

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

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

**RULE 10 SANCTIONS ON INDIVIDUALS**

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

10.1.1 An anti-doping rule violation occurring during or in connection with an Event may, upon the decision of the ruling body of the Event, lead to Disqualification of all of the Athlete’s individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, except as provided in Rule 10.1.2.

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

<Comment to Rule 10.1.1: Whereas Rule 9 Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the 100-meter backstroke), this Rule may lead to Disqualification of all results in all races during the Event (e.g., the swimming World Championships).]

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

The period of Ineligibility for a violation of Rule 2.1, 2.2 or 2.6 shall be as follows, subject to potential elimination, reduction or suspension pursuant to Rule 10.5, 10.6 or 10.7:
10.2.1 The period of Ineligibility, subject to Rule 10.2.4, shall be four (4) years where:

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

[Comment to Rule 10.2.1.1: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Rule 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

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

10.2.2 If Rule 10.2.1 does not apply, subject to Rule 10.2.4.1, the period of Ineligibility shall be two (2) years.

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

[Comment to Rule 10.2.3: Rule 10.2.3 provides a special definition of “intentional” which is to be applied solely for purposes of Rule 10.2.]

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

10.2.4.1 If the Athlete can establish that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility shall be three (3) months Ineligibility. In addition, the period of Ineligibility calculated under this Rule 10.2.4.1 may be reduced to one (1) month if the Athlete or other Person satisfactorily completes a Substance of Abuse treatment program approved by the CCES. The period of Ineligibility established in this Rule 10.2.4.1 is not subject to any reduction based on any provision in Rule 10.6.

[Comment to Rule 10.2.4.1: The determinations as to whether the treatment program is approved and whether the Athlete or other Person has satisfactorily completed the program shall be made in the sole discretion of the CCES. This Rule is intended to give the CCES the leeway to apply their own judgment to identify and approve legitimate and reputable, as opposed to “sham”, treatment programs. It is anticipated, however, that the characteristics of
legitimate treatment programs may vary widely and change over time such that it would not be practical for WADA to develop mandatory criteria for acceptable treatment programs.]

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

10.3 *Ineligibility for Other Anti-Doping Rule Violations*

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

10.3.1 For violations of Rule 2.3 or 2.5, the period of *Ineligibility* shall be four (4) years except:

   i) in the case of failing to submit to *Sample* collection, if the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional, the period of *Ineligibility* shall be two (2) years;

   ii) in all other cases, if the *Athlete* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two (2) years to four (4) years depending on the *Athlete* or other *Person’s* degree of *Fault*; or

   iii) in a case involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete’s* degree of *Fault*.

10.3.2 For violations of Rule 2.4, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete’s* degree of *Fault*. The flexibility between two (2) years and one (1) year of *Ineligibility* in this Rule is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.

10.3.3 For violations of Rule 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility*, depending on the seriousness of the violation. A Rule 2.7 or Rule 2.8 violation involving a *Protected Person* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Rule 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

[Comment to Rule 10.3.3: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to *Ineligibility* for accreditation, membership and other sport benefits, reporting *Athlete Support Personnel* to competent authorities is an important step in the deterrence of doping.]
10.3.4 For violations of Rule 2.9, the period of Ineligibility imposed shall be a minimum of two (2) years, up to lifetime Ineligibility, depending on the seriousness of the violation.

10.3.5 For violations of Rule 2.10, the period of Ineligibility shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Athlete or other Person’s degree of Fault and other circumstances of the case.

[Comment to Rule 10.3.5: Where the “other Person” referenced in Rule 2.10 is an entity and not an individual, that entity may be disciplined as provided in Rule 12.]

10.3.6 For violations of Rule 2.11, the period of Ineligibility shall be a minimum of two (2) years, up to lifetime Ineligibility, depending on the seriousness of the violation by the Athlete or other Person.

[Comment to Rule 10.3.6: Conduct that is found to violate both Rule 2.5 (Tampering) and Rule 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities) shall be sanctioned based on the violation that carries the more severe sanction.]

10.4 Aggravating Circumstances which may Increase the Period of Ineligibility

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

[Comment to Rule 10.4: Violations under Rules 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) and 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting) are not included in the application of Rule 10.4 because the sanctions for these violations already build in sufficient discretion up to a lifetime ban to allow consideration of any aggravating circumstance.]

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

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

[Comment to Rule 10.5: This Rule and Rule 10.6.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example, where an Athlete could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, No Fault or Negligence would not apply in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Rule 2.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a Prohibited Substance by the Athlete’s personal physician or trainer without disclosure to the Athlete (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Athlete’s food or drink by a spouse, coach or other Person within the Athlete’s circle of associates (Athletes are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Rule 10.6 based on No Significant Fault or Negligence.]
10.6 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence

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

All reductions under Rule 10.6.1 are mutually exclusive and not cumulative.

10.6.1.1 Specified Substances or Specified Methods

Where the anti-doping rule violation involves a Specified Substance (other than a Substance of Abuse) or Specified Method, and the Athlete or other Person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years of Ineligibility, depending on the Athlete’s or other Person’s degree of Fault.

10.6.1.2 Contaminated Products

In cases where the Athlete or other Person can establish both No Significant Fault or Negligence and that the detected Prohibited Substance (other than a Substance of Abuse) came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years Ineligibility, depending on the Athlete or other Person’s degree of Fault.

[Comment to Rule 10.6.1.2: In order to receive the benefit of this Rule, the Athlete or other Person must establish not only that the detected Prohibited Substance came from a Contaminated Product, but must also separately establish No Significant Fault or Negligence. It should be further noted that Athletes are on notice that they take nutritional supplements at their own risk. The sanction reduction based on No Significant Fault or Negligence has rarely been applied in Contaminated Product cases unless the Athlete has exercised a high level of caution before taking the Contaminated Product. In assessing whether the Athlete can establish the source of the Prohibited Substance, it would, for example, be significant for purposes of establishing whether the Athlete actually Used the Contaminated Product, whether the Athlete had declared the product which was subsequently determined to be contaminated on the Doping Control form.

This Article should not be extended beyond products that have gone through some process of manufacturing. Where an Adverse Analytical Finding results from environment contamination of a “non-product” such as tap water or lake water in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, typically there would be No Fault or Negligence under Article 10.5.]

10.6.1.3 Protected Persons or Recreational Athletes

Where the anti-doping rule violation not involving a Substance of Abuse is committed by a Protected Person or Recreational Athlete, and the Protected Person or Recreational Athlete can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years Ineligibility, depending on the Protected Person or Recreational Athlete’s degree of Fault.

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

If an Athlete or other Person establishes in an individual case where Rule 10.6.1 is not applicable, that he or she bears No Significant Fault or Negligence, then, subject to
further reduction or elimination as provided in Rule 10.7, the otherwise applicable period of *Ineligibility* may be reduced based on the Athlete or other Person’s degree of Fault, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Rule may be no less than eight (8) years.

[Comment to Rule 10.6.2: Rule 10.6.2 may be applied to any anti-doping rule violation except, those Rules where intent is an element of the anti-doping rule violation (e.g., Rule 2.5, 2.7, 2.8, 2.9 or 2.11) or an element of a particular sanction (e.g., Rule 10.2.1) or a range of Ineligibility is already provided in an Rule based on the Athlete or other Person’s degree of Fault.]

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

10.7.1 Substantial Assistance in Discovering or Establishing Code Violations

[Comment to Rule 10.7.1: The cooperation of Athletes, Athlete Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.]

10.7.1.1 The CCES may, prior to an appellate decision under Rule 13 or the expiration of the time to appeal, suspend a part of the *Consequences* (other than Disqualification and mandatory Public Disclosure) imposed in an individual case where the Athlete or other Person has provided Substantial Assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in:

i) the Anti-Doping Organization discovering or bringing forward an anti-doping rule violation by another Person; or

ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the CCES or other Anti-Doping Organization with Results Management responsibility; or

iii) which results in WADA initiating a proceeding against a Signatory, WADA-accredited laboratory, or Athlete passport management unit (as defined in the International Standard for Laboratories) for non-compliance with the Code, International Standard or Technical Document; or

iv) with the approval by WADA, which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping.

After an appellate decision under Rule 13 or the expiration of time to appeal, the CCES may only suspend a part of the otherwise applicable *Consequences* with the approval of WADA and the applicable International Federation.
The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport, non-compliance with the *Code* and/or sport integrity violations. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Rule must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Rule 10.9.3.2 of these Anti-Doping Rules.

If so requested by an *Athlete* or other *Person* who seeks to provide *Substantial Assistance*, the CCES shall allow the *Athlete* or other *Person* to provide the information to it subject to a *Without Prejudice Agreement*.

If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of *Consequences* was based, the CCES shall reinstate the original *Consequences*.

If the CCES decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that decision may be appealed by any *Person* entitled to appeal under Rule 13.

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

10.7.1.3 If the CCES suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organizations* with a right to appeal under Rule 13.2.3 as provided in Rule 14. In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA*
may authorize the CCES to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

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

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

[Comment to Rule 10.7.2: This Rule is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Athlete or other Person believes he or she is about to be caught. The amount by which Ineligibility is reduced should be based on the likelihood that the Athlete or other Person would have been caught had he or she not come forward voluntarily.]

10.7.3 Application of Multiple Grounds for Reduction of a Sanction

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

10.8 Results Management Agreements

10.8.1 One (1) Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

Where an Athlete or other Person, after being notified by the CCES of a potential anti-doping rule violation that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Rule 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the Athlete or other Person may receive a one (1) year reduction in the period of Ineligibility asserted by the CCES.

Where the Athlete or other Person receives the one (1) year reduction in the asserted period of Ineligibility under this Rule 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Rule.

[Comment to Rule 10.8.1: For example, if the CCES alleges that an Athlete has violated Rule 2.1 for Use of an anabolic steroid and asserts the applicable period of Ineligibility is four (4) years, then the Athlete may unilaterally reduce the period of Ineligibility to three (3) years by admitting the violation and accepting the three (3) year period...]

Italicized terms are defined in Appendix 1
of Ineligibility within the time specified in this Rule, with no further reduction allowed. This resolves the case without any need for a hearing.]

10.8.2 Case Resolution Agreement

Where the Athlete or other Person admits an anti-doping rule violation after being confronted with the anti-doping rule violation by the CCES and agrees to Consequences acceptable to the CCES and WADA, at their sole discretion, then:

a) the Athlete or other Person may receive a reduction in the period of Ineligibility based on an assessment by the CCES and WADA of the application of Rules 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the Athlete or other Person’s degree of Fault and how promptly the Athlete or other Person admitted the violation; and

b) the period of Ineligibility may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred.

In each case, however, where this Rule is applied, the Athlete or other Person shall serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of the date the Athlete or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Athlete or other Person. The decision by WADA and the CCES to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of the period of Ineligibility, are not matters for determination or review by a hearing body and are not subject to appeal under Rule 13.

If so requested by an Athlete or other Person who seeks to enter into a case resolution agreement under this Rule, the CCES shall allow the Athlete or other Person to discuss an admission of the anti-doping rule violation with it subject to a Without Prejudice Agreement.

[Comment to Rule 10.8: Any mitigating or aggravating factors set forth in this Rule 10 shall be considered in arriving at the Consequences set forth in the case resolution agreement, and shall not be applicable beyond the terms of that agreement.]

10.9 Multiple Violations

10.9.1 Second or Third Anti-Doping Rule Violation

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

a) A six (6) month period of Ineligibility; or

b) A period of Ineligibility in the range between:

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

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

10.9.1.2 A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Rule 10.5 or 10.6, or involves a violation of Rule 2.4. In these particular cases, the period of *Ineligibility* shall be from eight (8) years to lifetime *Ineligibility*.

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

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

10.9.3 Additional Rules for Certain Potential Multiple Violations

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

*Comment to Rule 10.9.3.1: The same rule applies where, after the imposition of a sanction, the CCES discovers facts involving an anti-doping rule violation that occurred prior to notification for a first anti-doping rule violation – e.g., the CCES shall impose a sanction based on the sanction that could have been imposed if the two (2) violations had been adjudicated at the same time, including the application of Aggravating Circumstances.*

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

10.9.3.3 If the CCES establishes that an Athlete or other Person committed a violation of Rule 2.5 in connection with the Doping Control process for an underlying asserted anti-doping rule violation, the violation of Rule 2.5 shall be treated as a stand-alone first violation and the period of Ineligibility for such violation shall be served consecutively, rather than concurrently, with the period of Ineligibility, if any, imposed for the underlying anti-doping rule violation. Where this Rule 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Rule 10.9.1.

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

10.9.4 Multiple Anti-Doping Rule Violations during Ten (10) Year Period

For purposes of Rule 10.9, each anti-doping rule violation must take place within the same ten (10) year period in order to be considered multiple violations.

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

In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Rule 9, all other competitive results of the Athlete obtained from the date a positive Sample was collected (whether In-Competition or Out-of-Competition), or other anti-doping rule violation occurred, through to 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.

[Comment to Rule 10.10: Nothing in these Anti-Doping Rules precludes clean Athletes or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such Person.]

10.11 Forfeited Prize Money

If the CCES or a Sport Organization recovers prize money forfeited as a result of an anti-doping rule violation, each entity shall take reasonable measures to allocate and distribute this prize money to the Athletes who would have been entitled to it had the forfeiting Athlete not competed.

[Comment to Rule 10.11: This Rule is not intended to impose an affirmative duty on the CCES or a Sport Organization to take any action to collect forfeited prize money. If the CCES or a Sport Organization elects not to take any action to collect forfeited prize money, they may assign their rights to recover such money to the Athlete(s) who should have otherwise received the money. “Reasonable measures to allocate and distribute this prize money” could include using collected forfeited prize money as agreed upon by the Sport Organization and its Athletes.]
10.12 **Financial Consequences**

10.12.1 The CCES may, in its discretion and subject to the principle of proportionality, elect to fine a *Sport Organization* in an amount up to $25,000 CAD in the event the following situation arises:

   a) Firstly: If three or more *Athletes* in the sport, each of whom are NAP members, commit anti-doping rule violations inside a rolling twelve (12) month period with the maximum applicable sanction imposed on each *Athlete*, and

   b) Secondly: If the *Sport Organization* has failed to perform the mandated post-violation review described in Part B Section 5.3 i) or, if the reviews have been performed, the *Sport Organization* has failed to implement in a meaningful way the identified steps required for improvement.

10.12.2 A decision by the CCES to impose a fine on a *Sport Organization* may be appealed under Rule 13.

10.13 **Commencement of Ineligibility Period**

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

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

Where there have been substantial delays in the hearing process or other aspects of *Doping Control*, and the *Athlete* or other *Person* can establish that such delays are not attributable to the *Athlete* or other *Person*, the CCES or the Doping Panel, if applicable, may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.

*Comment to Rule 10.13.1: In cases of anti-doping rule violations other than under Rule 2.1, the time required for an Anti-Doping Organization to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the Athlete or other Person has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Rule to start the sanction at an earlier date should not be used.*

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

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

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

[Comment to Rule 10.13.2.2: An Athlete’s voluntary acceptance of a Provisional Suspension is not an admission by the Athlete and shall not be used in any way as to draw an adverse inference against the Athlete.]

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

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

10.14 Status During Ineligibility or Provisional Suspension

10.14.1 Prohibition Against Participation During Ineligibility or Provisional Suspension

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

An Athlete or other Person subject to a period of Ineligibility longer than four (4) years may, after completing four (4) years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the authority of a Code Signatory or member of a Code Signatory, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event, and does not involve the Athlete or other Person working in any capacity with Protected Persons.
An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing and any requirement by the CCES to provide location or whereabouts information.

[Comment to Rule 10.14.1: For example, subject to Rule 10.14.2 below, Ineligible Athletes cannot participate in a training camp, exhibition or practice organized by their National Federation or a club which is a member of that National Federation or which is funded by a governmental agency. Further, an Ineligible Athlete may not compete in a non-Signatory professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory International Event organization or a non-Signatory national-level Event organization without triggering the Consequences set forth in Rule 10.14.3. The term “activity” also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organization described in this Rule. Ineligibility imposed in one sport shall also be recognized by other sports (see Rule 15.1, Automatic Binding Effect of Decisions). An Athlete or other Person serving a period of Ineligibility is prohibited from coaching or serving as an Athlete Support Person in any other capacity at any time during the period of Ineligibility, and doing so could also result in a violation of Rule 2.10 by another Athlete. Any performance standard accomplished during a period of Ineligibility shall not be recognized by the CCES or Sport Organizations in Canada for any purpose.]

10.14.2 Return to Training

As an exception to Rule 10.14.1, an Athlete may return to train with a team or to use the facilities of a club or other member organization of a Sport Organization or other Signatory’s member organization during the shorter of: (1) the last two months of the Athlete’s period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.

[Comment to Rule 10.14.2: In many Team Sports and some individual sports (e.g., ski jumping and gymnastics), Athletes cannot effectively train on their own so as to be ready to compete at the end of the Athlete’s period of Ineligibility. During the training period described in this Rule, an Ineligible Athlete may not compete or engage in any activity described in Rule 10.14.1 other than training.]

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

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

An Athlete or other Person who violates the prohibition against participation during a Provisional Suspension described in Rule 10.14.1 shall receive no credit for any period of Provisional Suspension served and the results of such participation shall be Disqualified.
Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility or a Provisional Suspension, the CCES shall impose sanctions for a violation of Rule 2.9 for such assistance.

10.15 Financial Consequences

Any Athlete or other Person who commits and is sanctioned for an anti-doping rule violation may be subject to the reduction or elimination of Government financial assistance or benefits on a temporary or permanent basis. For more specific information, contact the Government providing the financial assistance or benefits.

[Comment to Rule 10.10: The current list of Sport Canada’s Anti-Doping Sanctions is available on Sport Canada’s website or see Appendix 3: Documents Index.]

10.16 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic Public Disclosure, as provided in Rule 14.3.

RULE 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 Rule 7 in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of the team during the Event Period.

11.2 Consequences for Team Sports

If more than two (2) members of a team in a Team Sport are found to have committed an anti-doping rule violation during an Event Period, the ruling body of the Event shall impose an appropriate sanction on the team (e.g., loss of points, Disqualification from a Competition or Event, or other sanction) in addition to any Consequences imposed upon the individual Athletes committing the anti-doping rule violation.

11.3 Event Ruling Body may Establish Stricter Consequences for Team Sports

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

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

RULE 12 SANCTIONS AGAINST OTHER SPORTING BODIES

When the CCES becomes aware that a Sport Organization in Canada has failed to comply with, implement, uphold, and enforce these Rules within that organization’s area of competence, the CCES may elect to request the Canadian Olympic Committee, the Government of Canada or International Federations to take the following additional disciplinary actions, or, where it has the authority, may itself take the following additional disciplinary actions:
12.1 Declaration of Non-Compliance
Declare that the Sport Organization is non-compliant with the CADP, with all associated consequences.

12.2 Exclusion of Members
Exclude all, or some group of, members of that Sport Organization from specified future Events or all Events conducted within a specified period of time.

12.3 Additional Disciplinary Actions
Take additional disciplinary actions with respect to that Sport Organization’s recognition, the eligibility of their members to participate in sport activities based on the following:

12.3.1 Four (4) or more violations of the CADP (other than violations involving Rule 2.4) are committed by Athletes or other Persons affiliated with that Sport Organization during a rolling twelve (12) month period. In such an event, all or some group of members of that Sport Organization may be banned from participation in designated sport activities for a period of up to two (2) years.

12.4 Financial Consequences
Withhold some or all funding or other financial and non-financial support to that Sport Organization.

RULE 13 APPEALS

[Comment to Rule 13: The object of the CADP is to have anti-doping matters resolved through fair and transparent initial processes with a final appeal. Anti-doping decisions by Anti-Doping Organizations are made transparent in Rule 14. Specified Persons and organizations, including WADA, are then given the opportunity to appeal those decisions. Note that the definition of interested Persons and organizations with a right to appeal under Rule 13 does not include Athletes, or their National Federations, who might benefit from having another competitor Disqualified.]

13.1 Decisions Subject to Appeal
Decisions made under the Code or the CADP may be appealed as set forth below in Rules 13.2 through 13.6 or as otherwise provided in the CADP, the Code or the International Standards. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

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

[Comment to Rule 13.1.1: The revised language is not intended to make a substantive change to the 2015 Code, but rather for clarification. For example, where an Athlete was charged in the first instance hearing only with Tampering but the same conduct could also constitute Complicity, an appealing party could pursue both Tampering and Complicity charges against the Athlete in the appeal.]

13.1.2 CAS Shall Not Defer to the Findings Being Appealed
In making its decision, CAS shall not give deference to the discretion exercised by the body whose decision is being appealed.

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

13.1.3 WADA Not Required to Exhaust Internal Remedies

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

[Comment to Rule 13.1.3: Where a decision has been rendered before the final stage of the Doping Tribunal’s process (for example, after a first hearing) and no party elects to appeal that decision to the next level of the Doping Tribunal’s process, then WADA may bypass the remaining steps in the Doping Tribunal’s process and appeal directly to CAS.]

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

The following decisions may be appealed:

i) 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;

ii) a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription);

iii) a decision by WADA not to grant an exception to the six (6) months’ notice requirement for a retired Athlete to return to competition under Rule 5.6.1;

iv) a decision by WADA assigning Results Management under Article 7.1 of the Code;

v) a decision by the CCES 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;

vi) a decision to impose, or lift, a Provisional Suspension as a result of a Provisional Hearing;

vii) the CCES’ failure to comply with Rule 7.4;

viii) a decision that the CCES lacks authority to rule on an alleged anti-doping rule violation or its Consequences;

ix) a decision to suspend, or not suspend, Consequences or to reinstate, or not reinstate, Consequences under Rule 10.7.1;

x) failure to comply with Articles 7.1.4 and 7.1.5 of the Code;

xi) failure to comply with Rule 10.8.1;

xii) a decision under Rule 10.14.3;

xiii) a decision by the CCES not to implement another Anti-Doping Organization’s decision under Rule 15; and
xiv) a decision under Article 27.3 of the Code may be appealed exclusively as provided in this Rule 13.2.

13.2.1 Appeals Involving International-Level Athletes or International Events

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

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

13.2.2 Appeals Involving Other Athletes or Other Persons

The appeal process shall be carried out in accordance with the International Standard for Results Management.

The Appeal Tribunal is the SDRCC, which shall constitute and administer the Appeal Panel. In cases where Rule 13.2.1 is not applicable, the decision of the CCES or the Doping Panel may be appealed to the Appeal Tribunal. An appeal from the Doping Panel shall be initiated by a notice of appeal in writing to all parties before the Doping Panel and to the Appeal Tribunal within thirty (30) days of the notification of the Doping Panel’s decision. An appeal from the decision of the CCES shall be initiated by a notice of appeal in writing sent to all parties involved in the CCES’ decision and to the Appeal Tribunal within ten (10) days of the notification of the CCES’ decision.

13.2.2.1 Hearings before the Appeal Panel

13.2.2.1.1 The Appeal Panel shall be constituted and administered by the Appeal Tribunal. The arbitrators hearing appeals shall be members of its roster of arbitrators. Appeals of the decisions of the CCES or the Doping Panel which are subject to appeal shall be conducted by panels of either one or three arbitrators sitting as the Appeal Panel. In the normal course, three arbitrators shall hear all doping appeals. However, if all parties involved in the decision under appeal agree, in writing, a single arbitrator may be appointed by the Appeal Tribunal to sit as the Appeal Panel. The rules of the Appeal Tribunal as set out in the Canadian Sport Dispute Resolution Code shall apply to the proceedings of the Appeal Panel except as matters are specifically addressed in the CADP.

13.2.2.1.2 The appointed arbitrators shall have had no prior involvement with the case and, upon appointment, shall disclose to the parties any circumstances likely to affect impartiality with respect to any of the parties.

13.2.2.1.3 The parties before the Appeal Panel are:

a) the parties before the Doping Panel; or

b) if there is no Doping Panel decision, the CCES and the Person subject to a decision made by the CCES.
13.2.2.1.4 The International Federation, the Canadian Olympic Committee and the Canadian Paralympic Committee, if not a party to the Doping Panel hearing, and WADA each have the right to attend hearings of the Appeal Panel as an observer.

13.2.2.2 Proceedings of the Appeal Panel

13.2.2.2.1 The Appeal Panel shall have the power to regulate its procedures in a manner consistent with the Canadian Sport Dispute Resolution Code and the CADP at Rule 8.2 (Principles for a Fair Hearing) mutatis mutandis.

The Appeal Panel shall, as soon as possible after the notice of appeal is filed and it is constituted by the Appeal Tribunal, convene a preliminary meeting of all parties by teleconference to settle procedural matters.

13.2.2.2.2 Pursuant to Rule 8.2.4.8, the Appeal Panel may grant a reimbursement of expenses to any party payable as it directs.

13.2.2.3 Decisions of the Appeal Panel:

13.2.2.3.1 Subject to Rules 14.3, the decisions and written reasons of the Appeal Panel shall be public. Unless there is agreement among the parties, the Appeal Panel shall:

a) issue to the parties an initial decision no later than fifteen (15) days from the completion of the appeal hearing; and

b) issue to the parties a reasoned decision (either unanimously or by a majority) that includes the full reasons for the decision and for any period of Ineligibility imposed, including (if applicable) a justification for why the maximum potential sanction was not imposed no later than forty-five (45) days from the completion of the appeal hearing.

13.2.2.3.2 The decision of the Appeal Panel is final and binding on the parties before the Appeal Panel with the exception that the decision may be appealed by WADA, the International Olympic Committee, the International Paralympic Committee and the relevant International Federation as provided in Rule 13.2.3.3. If no appeal is brought against the decision, then the decision shall be Publicly Disclosed, subject to Rule 14.3.

13.2.3 Persons Entitled to Appeal

13.2.3.1 Appeals Involving International-Level Athletes or International Events

In cases under Rule 13.2.1, the following parties shall have the right to appeal to CAS:
13.2.3.2 Appeals Involving Other Athletes or Other Persons

In cases under Rule 13.2.2, the following parties shall have the right to appeal:

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 CCES and (if different) the National Anti-Doping Organization of the Person’s country of residence or countries where the Person is a national or license holder;

e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and

f) WADA.

For cases under Rule 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to CAS with respect to the decision of the Appeal Panel.

Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organization whose decision is being appealed and the information shall be provided if CAS so directs.

13.2.3.3 Duty to Notify

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

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

13.2.3.5 Appeal from Decisions under Rule 12

A decision by the CCES or by any other body to impose discipline pursuant to Rule 12 may be appealed by the affected *Sport Organization*, *Athlete* or other *Person* exclusively to the Doping Appeal Panel.

13.2.4 Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to the Appeal Tribunal under the CADP are specifically permitted. Any party with a right to appeal under this Rule 13 must file a cross appeal or subsequent appeal at the latest with the party’s answer.

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

13.3 Failure to Render a Timely Decision

Where, in a particular case, the *Hearing Panel* 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 *Hearing Panel* had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA’s costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by the CCES. The CCES may obtain a reimbursement of the fees paid to WADA by any other entity, *Sport Organization* or *Person* to whom the delay can be attributed.

[Comment to Rule 13.3: Given the different circumstances of each anti-doping rule violation investigation, Results Management and hearing process, it is not feasible to establish a fixed time period for the Hearing Panel to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with the Hearing Panel and give the Hearing Panel an opportunity to explain why it has not yet rendered a decision.]

13.4 Appeals Relating to TUEs

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

13.4.1 Appeals Related to Medical Reviews

Medical review decisions may be appealed exclusively as provided in Rule 4.6.

13.5 Notification of Appeal Decisions

The *Anti-Doping Organization* that is a party to an appeal shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Rule 13.2.3 as provided under Rule 14.
13.6 Time for Filing Appeals

[Comment to Rule 13.6: Whether governed by CAS rules or the CADP, a party’s deadline to appeal does not begin running until receipt of the decision. For that reason, there can be no expiration of a party’s right to appeal if the party has not received the decision.]

13.6.1 Appeals to CAS

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.

13.6.2 Appeals to the Appeal Tribunal

The time to file an appeal to the Appeal Tribunal is set out in Rule 13.2.2. However, the following shall apply in connection with appeals filed by an appellant entitled to appeal but who was not a party to the proceedings having led to the decision subject to appeal:

a) within fifteen (15) days from notice of the decision, such appellants shall have the right to request from the CCES a copy of the case file on which the decision was based;

b) if such a request is made within the fifteen-day (15) period, then the appellant making such request shall have twenty-one (21) days from receipt of the file to file an appeal to the Appeal Tribunal.

13.6.2.1 Hearings pursuant to this Rule should be completed expeditiously and in all cases within three (3) months of the date of the appointment of the Appeal Panel, save where exceptional circumstances apply.

13.6.2.2 The Appeal Panel shall expedite its proceedings when fairness so requires and hearings held in connection with Events may be conducted on an expedited basis.
The above notwithstanding, the filing deadline for an appeal or intervention filed by WADA shall be the later of:

a) twenty-one (21) days after the last day on which any other party in the case could have appealed, or

b) twenty-one (21) days after WADA’s receipt of the complete file relating to the decision.

RULE 14 CONFIDENTIALITY AND REPORTING

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

14.1.1 Notification of Anti-Doping Rule Violations to Athletes and other Persons

Notification to Athletes or other Persons of anti-doping rule violations asserted against them shall occur as provided under Rule 7 and 14. Notification to an Athlete or other Person who is a member of a Sport Organization or a Participant in a Sport Organization’s activities may be accomplished by delivery of the notification to the Sport Organization.

14.1.2 Notification of Anti-Doping Rule Violations to National Anti-Doping Organizations, International Federations and WADA

Notification of the assertion of an anti-doping rule violation to the Athlete’s or other Person’s National Anti-Doping Organization, if different from the CCES, International Federation and WADA shall occur as provided under Rules 7 and 14, simultaneously with the notification to the Athlete or other Person.

If at any point during Results Management up until the anti-doping rule violation assertion, the CCES 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 Rule 13.2.3.

14.1.3 Content of an Anti-Doping Rule Violation Assertion Notification

Notification of an asserted 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 violations other than under Rule 2.1 shall also include the rule violated and the basis of the asserted violation.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in a notification of an asserted anti-doping rule violation pursuant to Rule 14.1.1, the Athlete’s or other Person’s National Anti-Doping Organization, if different from the CCES, International Federation and WADA shall be regularly updated on the status and findings of any
14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those Persons with a need to know (which would include the appropriate personnel at the Canadian Olympic Committee, the Canadian Paralympic Committee, the Sport Organization, and team in a Team Sport) until the CCES has made Public Disclosure or has failed to make Public Disclosure as required in Rule 14.3.

14.1.6 Protection of Confidential Information

The CCES 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 Rule 14.3, and shall include provisions in any contract entered into between the CCES and any of its employees (whether permanent or otherwise), contractors, agents and consultants, and any Delegated Third Parties, for the protection of such confidential information as well as for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information.

14.2 Notice of Anti-Doping Rule Violation or violations of Ineligibility or Provisional Suspension

14.2.1 Anti-doping rule violation decisions or decisions related to violations of Ineligibility or Provisional Suspension rendered pursuant to Rule 7.6, 8.2, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, the CCES shall provide a short English or French summary of the decision and the supporting reasons.

14.2.2 An Anti-Doping Organization having a right to appeal a decision received pursuant to Rule 14.2.1 may, within fifteen (15) days of receipt, request access to the full case file pertaining to the decision.

14.3 Public Disclosure

14.3.1 After notification 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 Rule 14.1.2, the identity of any Athlete or other Person who is notified of an asserted 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 the CCES.

14.3.2 No later than twenty (20) days after it has been determined in an appellate decision under Rule 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance
with Rule 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 Rule 10.8, or a new period of Ineligibility, or reprimand, has been imposed under Rule 10.14.3, the CCES 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 CCES must also Publicly Disclose within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.

[Comment to Article 14.3.2: Where Public Disclosure as required by Rule 14.3.2 would result in a breach of other applicable laws, the CCES' failure to make the Public Disclosure will not result in a determination of non-compliance with Code as set forth in Article 4.1 of the International Standard for the Protection of Privacy and Personal Information.]

14.3.3 After an anti-doping rule violation has been determined to have been committed in an appellate decision under Rule 13.2.1 or 13.2.2 or such appeal has been waived, or in a hearing in accordance with Rule 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 Rule 10.8, the CCES may make public such determination or decision and may comment publicly on the matter.

14.3.4 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the fact that the decision has been appealed may be Publicly Disclosed. However, the decision itself and the underlying facts may not be Publicly Disclosed except with the consent of the Athlete or other Person who is the subject of the decision. The CCES shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

14.3.5 Publication shall be accomplished at a minimum by placing the required information on the CCES' website or publishing it through other means and leaving the information up for the longer of one (1) month or the duration of any period of Ineligibility.

14.3.6 Except as provided in Rules 14.3.1 and 14.3.3, 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.

14.3.7 The mandatory Public Disclosure required in Rule 14.3.2 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor, Protected Person or Recreational Athlete. Any optional Public Disclosure by the CCES in a case involving a Minor, Protected Person or Recreational Athlete shall be proportionate to the facts and circumstances of the case. The CCES’
decision regarding the nature and extent of any optional Public Disclosure in a case involving a Minor, Protected Person or Recreational Athlete may be appealed under Rule 13.

14.4 **Statistical Reporting**

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

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

To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable Doping Control information among Anti-Doping Organizations, the CCES 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).

14.5.1 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 CCES shall report all In-Competition and Out-of-Competition tests to WADA by entering the Doping Control forms into ADAMS in accordance with the requirements and timelines contained in the International Standard for Testing and Investigations.

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

14.5.3 To facilitate WADA’s oversight and appeal rights for Results Management, the CCES 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 asserted 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.

14.5.4 The information described in this Rule will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete’s National Anti-
14.6 Data Privacy

The Rules incorporate into the CADP the International Standard for the Protection of Privacy and Personal Information (as it may exist from time to time), which is published and revised by WADA as described in Article 14 of the Code.

[Comment to Rule 14.6: The current International Standard for the Protection of Privacy and Personal Information is available on WADA’s website or see Appendix 3: Documents Index.]

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

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

14.6.3 When performing its obligations under the Code and the CADP, the CCES may collect, store, process or disclose personal information relating to Athletes, other Persons and third parties. Third parties, including law enforcement and border services agencies in Canada and elsewhere, may on the basis of consent share the personal information of Athletes or other Persons with the CCES to assist in the enforcement of the CADP. The CCES shall ensure that in all cases when it processes personal information it complies with applicable data protection and privacy laws with respect to its handling of such personal information, as well as the International Standard for the Protection of Privacy and Personal Information that WADA has adopted to ensure Athletes and non-Athletes are fully informed of, and where necessary agree to, the handling of their personal information in connection with Anti-Doping Activities arising under the Code.

14.6.4 Without limiting the foregoing, the CCES 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 the CCES 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 the CCES 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.

RULE 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, a Doping Panel, an Appeal Panel or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon the CCES and all Sport Organizations in Canada, 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 Rule 7.4.3) automatically prohibits the Athlete or other Person from participation (as described in Rule 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 Rule 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 Rule 10.10 for a specified period automatically Disqualifies all results obtained within the authority of any Signatory during the specified period.

15.1.2 The CCES and all Sport Organizations in Canada shall recognize and implement a decision and its effects as required by Rule 15.1.1, without any further action required, on the earlier of the date the CCES 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, a hearing body, an appellate body or CAS to suspend, or lift, Consequences shall be binding upon the CCES, and all Sport Organizations in Canada, without any further action required, on the earlier of the date the CCES receives actual notice of the decision or the date the decision is placed into ADAMS.

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

[Comment to Rule 15.1.4: By way of example, where the rules of the Major Event Organization give the Athlete or other Person the option of choosing an expedited CAS appeal or a CAS appeal under normal CAS procedure, the final decision or adjudication by the Major Event Organization is binding on other Signatories regardless of whether the Athlete or other Person chooses the expedited appeal option.]

15.2 Implementation of Other Decisions by Anti-Doping Organizations

The CCES and any Sport Organization in Canada may decide to respect and implement other anti-doping decisions rendered by Anti-Doping Organizations not described in Rule 15.1.1 above, such as a Provisional Suspension prior to a Provisional Hearing or acceptance of such by the Athlete or other Person.

[Comment to Rules 15.1 and 15.2: Anti-Doping Organization decisions under Rule 15.1 are implemented automatically by other Signatories without the requirement of any decision or further action on the Signatories’ part. For example, when a National Anti-Doping Organization decides to Provisionally Suspend an Athlete, that decision is given automatic effect at the International Federation level. To be clear, the “decision” is the one made by the National Anti-Doping Organization, there is not a separate decision to be made by the International Federation. Thus, any claim by the Athlete that the Provisional Suspension was improperly imposed can only be asserted against the National Anti-Doping Organization. Implementation of Anti-Doping Organizations’ decisions under Rule 15.2 is subject to each Signatory’s discretion. A Signatory’s implementation of a decision under Rule 15.1 or Rule 15.2 is not appealable separately from any appeal of the underlying decision. The extent of recognition of TUE decisions of other Anti-Doping Organizations shall be determined by Rule 4.4 and the International Standard for Therapeutic Use Exemptions.]

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 the CCES and any Sport Organization in Canada, if the CCES 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.

[Comment to Rule 15.3: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, Signatories should attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in the Athlete’s body but the period of Ineligibility applied is shorter than the period provided for in the Code, then all Signatories should recognize the finding of an anti-doping rule violation and the Athlete’s National Anti-Doping Organization should conduct a hearing consistent with Rule 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed. A Signatory’s implementation of a decision or its decision not to implement a decision under Rule 15.3, is appealable under Rule 13.]

RULE 16 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 Rule 7, or notification has been reasonably attempted, within ten (10) years from the date the violation is asserted to have occurred.

*Italicized* terms are defined in Appendix 1
RULE 17  EDUCATION

The CCES shall plan, implement, evaluate and promote Education in line with the requirements of Article 18.2 of the Code and the International Standard for Education.

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

17.1 Education Programs

These Education programs, detailed in the Adoption Contract between the CCES and the Sport Organization, shall provide Athletes and other Persons with updated and accurate information on at least the following issues:

a) substances and methods on the Prohibited List;
b) anti-doping rule violations and Consequences;
c) health and social Consequences of doping;
d) Sample collection procedures;
e) Athletes’ rights and responsibilities;
f) Athlete Support Personnel;
g) TUEs;
h) managing the risks of nutritional supplements;
i) the harm of doping to the spirit of sport; and
j) applicable whereabouts requirements.

17.2 True Sport

Educational programs aim to prevent doping through the teaching and promotion of a values-based and principle-driven approach to sport. Curriculum and resources are aimed at the development of individual beliefs, attitudes and life skills, and the establishment of environments that are strongly supportive of doping-free sport. The intention is to have a positive and long-term influence on the choices made by Athletes, Athlete Support Personnel and other Persons. These programs will be directed at Athletes, particularly youth, and be appropriate to their age and stage of development and offered in their schools and sports clubs. They will also be directed to parents, media and Athlete Support Personnel including, sport officials, coaches and medical personnel.

17.3 Codes of Conduct

The CCES shall encourage competent professional associations and institutions to develop and implement appropriate codes of conduct, best practices, ethical guidelines and sanctions related to anti-doping which are consistent with the CADP.
RULE 18 AMENDMENT AND INTERPRETATION OF THE CADP

18.1 Amendment

The Rules may be amended from time to time by the CCES.

18.1.1 The portions of the CADP that reflect the “mandatory in substance” requirements contained in the Code may be revised by the CCES on advance notice to Sport Organizations, other Stakeholders and Governments. The length of the advance notice shall be no longer than as specified by WADA.

18.1.2 The portions of the CADP that do not reflect the “mandatory in substance” requirements contained in the Code and are thus entirely unique to the Canadian anti-doping effort may be added to or changed by the CCES through a process that involves consultation with, substantial agreement among and on three (3) months’ notice to, Sport Organizations, other Stakeholders and Governments.

18.2 The Code and International Standards

The Code and the International Standards shall be considered integral parts of the Rules and shall prevail in case of conflict.

18.3 Code Provisions

The Rules have been created pursuant to the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The Introduction shall be considered an integral part of the Rules.

18.4 Effective Date

18.4.1 These Anti-Doping Rules shall enter into force on 1 January 2021 (the “Effective Date”). They repeal the version of the CADP that came into effect on 1 January 2015.

18.4.2 These Anti-Doping Rules shall not apply retroactively to matters pending before the Effective Date. However:

18.4.2.1 Anti-doping rule violations taking place prior to the Effective Date count as "first violations" or "second violations" for purposes of determining sanctions under Rule 10 for violations taking place after the Effective Date.

18.4.2.2 Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in these Anti-Doping Rules, unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Rule 10.9.4 and the statute of limitations set forth in Rule 16 are procedural rules, not substantive rules, and should be applied retroactively.
along with all of the other procedural rules in these Anti-Doping Rules (provided, however, that Rule 16 shall only be applied retroactively if the statute of limitation period has not already expired by the Effective Date).

18.4.2.3 Any Rule 2.4 whereabouts failure (whether a filing failure or a missed test, as those terms are defined in the International Standard for Results Management) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the International Standard for Results Management, but it shall be deemed to have expired twelve (12) months after it occurred.

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

18.4.2.5 For purposes of assessing the period of Ineligibility for a second violation under Rule 10.9.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility which would have been assessed for that first violation had these Anti-Doping Rules been applicable, shall be applied.

[Comment to Rule 18.4.2.5: Other than the situation described in Rule 18.4.2.5, where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date and the period of Ineligibility imposed has been completely served, these Anti-Doping Rules may not be used to re-characterize the prior violation.]

18.4.2.6 Changes to the Prohibited List and Technical Documents relating to substances or methods on the Prohibited List shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a Prohibited Substance or Prohibited Method has been removed from the Prohibited List, an Athlete or other Person currently serving a period of Ineligibility on account of the formerly Prohibited Substance or Prohibited Method may apply to the CCES or other Anti-Doping Organization which had Results Management responsibility for the anti-doping rule violation to consider a reduction in the period of Ineligibility in light of the removal of the substance or method from the Prohibited List.
18.5 Official Text
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 of the Code, the English version shall prevail. The English and French language versions of the CADP are equally authoritative.

18.6 Comments
The comments annotating various provisions of the CADP and the Code shall be used to interpret the CADP.

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

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

18.9 Integral Elements of the Code and the CADP
18.9.1 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.
18.9.2 “Part A - Structure and Scope,” “Part B - Implementation,” and “Appendix 1 – Definitions” shall be considered integral parts of the CADP.

18.10 Time Periods
Where the term “days” is used in the Code or an International Standard it shall mean calendar days unless otherwise specified. Unless otherwise specified, time periods in the CADP are total consecutive days irrespective of weekends or holidays. When a deadline falls on a weekend or statutory holiday, the next business day shall be the deadline for the purpose of the CADP.
APPENDIX 1  DEFINITIONS

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

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 a Rule 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 Rule 2.8 and Rule 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*.

*Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International- or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International- and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.*

**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*.

*Italicized* terms are defined in Appendix 1
**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 Rule 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 Rule 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 Rule 14.

*Italicized* terms are defined in Appendix 1
Teams in *Team Sports* may also be subject to *Consequences* as provided in Rule 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 the CCES 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 the CCES, or individuals serving as independent contractors who perform *Doping Control* services for the CCES (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include *CAS* nor the *SDRCC*.

**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 Rule 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

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

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

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

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

**Fault**: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete’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*,

*Italicized* terms are defined in Appendix 1
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 Rule 10.6.1 or 10.6.2.

[Comment to Fault: The criteria for assessing an Athlete’s degree of Fault is the same under all Rules where Fault is to be considered. However, under Rule 10.6.2, no reduction of sanction is appropriate unless, when the degree of Fault is assessed, the conclusion is that No Significant Fault or Negligence on the part of the Athlete or other Person was involved.]

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

Hearing Panel: May be either the Doping Panel administered and constituted by the Doping Tribunal, the Appeal Panel administered and constituted by the Appeal Tribunal or another properly constituted hearing body, as the context requires.

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

[Comment to In-Competition: Having a universally accepted definition for In-Competition provides greater harmonization among Athletes across all sports, eliminates or reduces confusion among Athletes about the relevant timeframe for In-Competition Testing, avoids inadvertent Adverse Analytical Findings in between Competitions during an Event and assists in preventing any potential performance enhancement benefits from Substances prohibited Out-of-Competition being carried over to the Competition period.]

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**: The Appeal Tribunal and the Appeal Panel 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*.

*Comment to International-Level Athlete: Consistent with the International Standard for Testing and Investigations, the International Federation is free to determine the criteria it will use to classify Athletes as International-Level Athletes, e.g., by ranking, by participation in particular International Events, by type of license, etc. However, it must publish those criteria in clear and concise form, so that Athletes are able to ascertain quickly and easily when they will become classified as International-Level Athletes. For example, if the criteria include participation in certain International Events, then the International Federation must publish a list of those International Events.*

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

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

**Marker**: A compound, group of compounds or biological 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. In Canada, the National Anti-Doping Organization is the CCES.

**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 in Canada 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 in Canada.

**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. In Canada, National-Level Athletes are defined as set out in Rule 1.4.

**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. In Canada, the National Olympic Committee is the Canadian Olympic Committee.

**Negligence**: See No Fault or Negligence, or No Significant Fault or Negligence below.

**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 Rule 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 Rule 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.

[Comment to Possession: Under this definition, anabolic steroids found in an Athlete’s car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the anabolic steroids were in the cabinet and that the Athlete intended to exercise control over them. The act of purchasing a Prohibited Substance alone constitutes Possession, even where, for example, the product does not arrive, is received by someone else, or is sent to a third party address.]
**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:

1. has not reached the age of sixteen (16) years;
2. 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
3. for reasons other than age has been determined to lack legal capacity under applicable national legislation.

[Comment to Protected Person: The Code treats Protected Persons differently than other Athletes or Persons in certain circumstances based on the understanding that, below a certain age or intellectual capacity, an Athlete or other Person may not possess the mental capacity to understand and appreciate the prohibitions against conduct contained in the Code. This would include, for example, a Paralympic Athlete with a documented lack of legal capacity due to an intellectual impairment. The term “open category” is meant to exclude competition that is limited to junior or age group categories.]

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

[Comment to Provisional Hearing: A Provisional Hearing is only a preliminary proceeding which may not involve a full review of the facts of the case. Following a Provisional Hearing, the Athlete remains entitled to a subsequent full hearing on the merits of the case. By contrast, an “expedited hearing”, as that term is used in Rule 7.4.3, is a full hearing on the merits conducted on an expedited time schedule.]

**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. In Canada, the CCES’ Registered Testing Pool is defined as set out in Rule 5.5 of these Anti-Doping Rules.

**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.

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

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

**Specified Method**: See Rule 4.2.2.

**Specified Substance**: See Rule 4.2.2.

**Sport Organization**: Any national, provincial or territorial sport governing body that has adopted the CADP or any such governing body’s affiliated members, clubs, teams, associations or leagues.
**Stakeholder:** A *Sport Organization* or other Canadian organization that is fully engaged and committed to the fight against doping in sport.

**Strict Liability:** The rule which provides that under Rule 2.1 and Rule 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.

**Student-Athlete:** Only for the purpose of the therapeutic *Use of Prohibited Substances* or *Prohibited Methods*, an individual who is an *Athlete* and a student competing in U SPORTS and/or Canadian Collegiate Athletic Association (CCAA) sport activities and who is not in the National Athlete Pool (NAP) for any sport.

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

**Substantial Assistance:** For purposes of Rule 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 Rule 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 body. 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 body, 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*.

[Comment to Tampering: For example, this Rule would prohibit altering identification numbers on a Doping Control form during Testing, breaking the B bottle at the time of B Sample analysis, altering a Sample by the addition of a foreign substance, or intimidating or attempting to intimidate a potential witness or a witness who has provided testimony or information in the Doping Control process. Tampering includes misconduct which occurs during the Results Management process. See Rule 10.9.3.3. However, actions taken as part of a Person’s legitimate defense to an anti-doping rule violation charge shall not be considered Tampering. Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organizations.]

**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.

**Testing Pool**: The tier below the Registered Testing Pool which includes Athletes from whom some whereabouts information is required in order to locate and Test the Athlete Out-of-Competition.

**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 Rule 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 Rules 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.
APPENDIX 2 DOCUMENTS INDEX

Below is a list of documents referenced within the CADP. It should be noted that this is not an exhaustive list.

WADA Documents

The CADP incorporates the mandatory portions of the World Anti-Doping Program, including the Code and the International Standards. The CADP incorporates the Athlete’s Anti-Doping Rights Act and, as applicable, portions of models of best practice and guidelines circulated from time to time by WADA.


WADA’s International Standards

- Prohibited List: https://www.wada-ama.org/en/content/what-is-prohibited

WADA’s Technical Documents

While there are additional Technical Documents which apply, the following are referenced specifically within the CADP.


Italicized terms are defined in Appendix 1

SDRCC Documents

The rules of the SDRCC as set out in the Canadian Sport Dispute Resolution Code shall apply to the proceedings of the Doping Tribunal except as matters are specifically addressed in the Rules.

• Canadian Sport Dispute Resolution Code: http://www.crdsc-sdrcc.ca/eng/dispute-resolution-code
APPENDIX 3  REVISION HISTORY

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