

INTERNATIONAL BOXING ASSOCIATION

Anti-Doping Rules

Effective from January 1, 2009



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DEFINITIONS

Adverse Analytical Finding. A report from a laboratory or other approved Testing entity that identifies in a *Sample* the presence of a Prohibited Substance or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the Use of a *Prohibited Method*.

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

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

[Comment to Athlete: This definition makes it clear that all international and national-caliber 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 AIBAs and National Anti-Doping Organizations, respectively. At the national level, anti-doping rules adopted pursuant to the Code shall apply, at a minimum, to all persons on national teams and all persons qualified to compete in any national championship in any sport. That does not mean, however, that all such Athletes must be included in a National Anti-Doping Organization's Registered Testing Pool. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping control program beyond national-caliber athletes to competitors at lower levels of competition. Competitors at all levels of competition should receive the benefit of anti-doping information and education.]

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

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

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

CAS. The Court of Arbitration for Sport.

Code. The World Anti-Doping Code.

Competition. A single race, match, game or singular athletic contest. For example, a basketball game or the finals of the Olympic 100-meter dash in athletics. For stage races and other athletic contests where prizes

are awarded on a daily or other interim basis the distinction between a Competition and an Event will be as provided in the rules of the applicable *InterNational Federation*.

Consequences of anti-doping rule violations. 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 for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.9; [and (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).]

Disqualification. See Consequences of anti-doping rule violations, above.

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

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

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

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

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

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

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

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

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

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

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

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

Metabolite. Any substance produced by a biotransformation process.

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

National Anti-Doping Organization. The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which

may be designated by multiple countries to serve as regional Anti-Doping Organization for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee.

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

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

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

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

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

No Significant Fault or Negligence. The *Athlete's* establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation.

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

Participant. Any *Athlete* or *Athlete Support Personnel*.

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

Possession. The actual, physical possession, or the constructive possession (which shall be found only if the *Person* has exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists); provided, however, that if the *Person* does not have exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive possession shall only be found if the *Person* knew about the presence of the Prohibited Substance/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: Under this definition, 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 steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the steroids were in the cabinet and that the Athlete intended to exercise control over the steroids.]

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

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

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

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

Provisional Suspension. See Consequences above.

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

Registered Testing Pool. The pool of top level *Athletes* established separately by each *InterNational Federation* and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that *InterNational Federation's* or *National Anti-Doping Organization's* test distribution plan.

Retroactive TUE. As defined in the *International Standard* for Therapeutic Use Exemptions.

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

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

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

Specified Substances. As defined in Article 4.2.2.

Substantial Assistance. For purposes of Article 10.5.3, a *Person* providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an Anti-Doping Organization or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

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

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

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

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

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

TUE. As defined in Article 2.6.1.

TUE Panel. As defined in Article 4.4.3.

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.

AIBA ANTI-DOPING RULES

INTRODUCTION

Preface

AIBA accepted the revised 2009 World Anti-Doping Code (the “Code”) on _____, These Anti-Doping Rules are adopted and implemented in conformance with AIBA’s responsibilities under the Code, and are in furtherance of AIBA’s continuing efforts to eradicate doping in the sport of boxing.

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

Fundamental Rationale for the Code and AIBA’s Anti-Doping Rules

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

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity
- Doping is fundamentally contrary to the spirit of sport.

Scope

These Anti-Doping Rules shall apply to AIBA, each *National Federation* of AIBA, and each Participant in the activities of AIBA or any of its *National Federations* by virtue of the Participant’s membership, accreditation, or participation in AIBA, its *National Federations*, or their activities or Events. The *National Federation* must guarantee that all *Athletes* registered for a AIBA Licence accept the Rules of the AIBA, including these AIBA Anti-Doping Rules.

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

These Anti-Doping Rules shall apply to all Doping Controls over which AIBA and its *National Federations* have jurisdiction.

All *Athletes* shall submit to Doping Control carried out by AIBA in-competition, out-of-competition, announced or unannounced. The Boxer shall submit to Doping Control whenever requested by an authorised official.

In order to be eligible to compete or participate in, or otherwise be accredited at an International Competition, *Athletes* (and where applicable) *Athlete* support *Personnel* and other *Persons* must have signed a prior written "Acknowledgement and Agreement" official AIBA form for this AIBA's Anti-Doping Rules. This official AIBA form shall be produced by the AIBA Anti-Doping Administrator. In guaranteeing the eligibility of its *Athletes* for International Competition, *National Federations* guarantee that the *Athletes* have signed a written acknowledgement and agreement in the required form and that a copy of the signed agreement has to be sent to AIBA Anti-Doping Administrator.

AIBA Anti-Doping Organisation

AIBA shall principally act under these AIBA's Anti-Doping Rules by the following *Person(s)* or bodies:

- a) the Executive Committee
- b) the Medical Commission
- c) the Doping Control Sub-Commission
- d) the AIBA TUE Panel
- e) the AIBA Doping Hearing Panel
- f) the AIBA Anti-Doping Administrator

The Executive Committee

The Executive meeting has a duty to the AIBA Congress to oversee and supervise the activities of AIBA in accordance with its Objects. One of these Objects is to promote a true AIBA spirit.

The Executive Committee has specific powers under the Articles of Association (see AIBA Statutes Chapter 5 / B / Article 37)

The Executive Committee has the power:

- to approve, reject or amend the AIBA's Anti-Doping Rules
- to pronounced provisional suspensions
- to appoint an AIBA Doping Hearing Panel and an AIBA TUE Panel
- to reduce the period of ineligibility in an individual case where the *Athlete* has provided substantial assistance to AIBA which results in AIBA discovering or establishing an anti-doping rule violation by another *Person* involving possession under Article 2.6.
- to withhold some or all funding or other non financial support to *National Federations* that are not in compliance with these AIBA's Anti-Doping Rules
- to request *National Federations* to reimburse AIBA for all costs related to a violation of these AIBA's Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *National Federation*
- to take additional disciplinary action against *National Federations* with respect to recognition, the eligibility of its officials and *Athletes* to participate in International Events and fines based on the Rules.

The Medical Commission

The Medical Commission is appointed as Commission of the Executive Committee to make recommendations in the first place to the Executive Committee with regard to the physical well being of *Athletes* and collect information on medical matters relating to boxing. It:

- shall consist of its Chairman, or Vice-Chairman, Secretary and Members; the AIBA Medical Commission is built around 14 core Members (all of whom shall be qualified Doctors of Medicine) who shall meet at least once a year.
- shall report to the Executive Committee on its activities before each Executive Committee meeting. It shall communicate with AIBA Headquarters on all anti-doping and related matters through the AIBA Anti-Doping Department.

The Doping Control Sub-Commission

The DCSC is appointed as a Sub-Commission of the AIBA Medical Commission and shall have responsibility for the following further specific tasks under these AIBA's Anti-Doping Rules:

- publishing the AIBA's Anti-Doping Rules and amendments to the Rules, as often as may be required. The AIBA's Anti-Doping Rules shall comprise, either directly or by reference, the following documents issued by WADA: the *Prohibited List*, the *International Standard for Testing*, the *International Standard for Laboratories* and the *International Standard for Therapeutic Use Exemptions* together with any additions to such documents, or further procedures or guidelines, that may be deemed necessary to comply with these AIBA's Anti-Doping Rules or otherwise pursue the AIBA's Anti-Doping Programme. The AIBA's Anti-Doping Rules, and any proposed amendment to them, unless otherwise stated in the Rules, must be approved by the Executive Committee. Upon giving its approval, the Executive Committee shall fix a date on which the AIBA's Anti-Doping Rules, or any proposed amendment to them, shall take effect. The AIBA Headquarters shall notify the *National Federations* of this date and shall publish the AIBA's Anti-Doping Rules, and any proposed amendment to them, on the AIBA's website.
- advising the AIBA Medical Commission on amendments to these AIBA's Anti-Doping Rules as may be necessary from time to time,
- planning, implementing and monitoring anti-doping information and anti-doping education programmes,
- advising on sport-specific information in regard to the specificity of the sport and the type of performance enhancing substances
- reviewing the *WADA Prohibited List* in relation to specific knowledge about all disciplines of boxing
- The Doping Control Sub-Commission shall report to the Chair of the AIBA Medical Commission Committee on its activities before each Executive Committee meeting. It shall communicate with AIBA Headquarters on all anti-doping and related matters through the AIBA Anti-Doping Department. The report will be part of the Medical Commission report.

The AIBA TUE Panel

The AIBA TUE Panel shall be appointed by the Executive Committee on recommendation of the AIBA Medical Commission and shall consider requests for TUEs. Upon AIBA's receipt of a TUE request, the Chair of the TUE Panel shall appoint three members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such request in accordance with the *International Standard for TUEs* and render a decision on such request, which shall be the final decision of AIBA.

The AIBA Hearing Panel

The AIBA Hearing Panel shall be appointed by the Executive Committee. The Panel must consist of a Chair, the AIBA DCSC chairman and four other experts with experience in anti-doping. The Chair shall be a lawyer.

When sitting in judgement of a doping case, no panel member from the same continent shall sit in the decision panel.

The AIBA Hearing Panel:

- must adjudicate when it appears, following the Results Management process described in Article 7 that these AIBA's Anti-Doping Rules have been violated in connection with AIBA Testing or Testing at an International Event
- must consist of a Chair, the AIBA DCSC Chairman and three other members to hear each case. At least one appointed member shall be a lawyer and appointed members shall have had no prior involvement with the case and shall not have the same nationality as the *Athlete* or other *Person* alleged to have violated these AIBA's Anti-Doping Rules.
- upon request from AIBA – shall conduct a hearing at the responsibility and at the expense of the *National Federation* if the completion of the national hearing is delayed beyond three months.

The AIBA Anti-Doping Administrator

The AIBA Anti-Doping Administrator is the head of AIBA's Anti-Doping Department. He shall have responsibility for implementing the anti-doping programme which has been established by the Doping Control Sub-Commission. He shall report to the Medical Commission and to the Doping Control Sub-Commission in this regard at least twice a year at the time of the Medical Commission and Doping Control Sub-Commission meetings and, more regularly, if called upon to do so.

The AIBA Anti-Doping Administrator shall have responsibility for the day to day administration of doping cases arising under there AIBA's Anti-Doping Rules. In particular, the AIBA Anti-Doping Administrator shall be the *Person* responsible, where applicable, for conducting the results management process in accordance with the AIBA's Anti-Doping Rules.

Where doping control is the responsibility of the AIBA Anti-Doping Administrator under Article 7.1, the *Athlete* shall be suspended by the AIBA Anti-Doping Administrator after consultation of the AIBA DCSC Chair.

The AIBA Anti-Doping Administrator may at any time in the course of his work seek an advisory opinion from the *ChairPerson* of the Medical Commission and the *ChairPerson* of the Doping Control Sub-Commission, from the AIBA TUE Panel, from the AIBA Doping Hearing Panel or from such other *Person* as he considers to be appropriate.

The AIBA Anti-Doping Administrator shall participate at any international competition or meeting needed for the administration of doping cases and the fight against doping.

These Anti-Doping Rules have been duly passed by the Executive Committee further to, and in accordance with, the regulations. They shall take effect from 01.01.2009 i.e. in relation to all samples provided, or (where no *Sample* is provided) to al anti-doping rule violations committed, on or after that date. They shall not be applied retrospectively to doping matters pending at 01.01.2009.

In the event of any conflict between the different language versions of theses Anti-Doping Rules, the English version shall be considered as the definitive version.

ARTICLE 1 DEFINITION OF DOPING

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

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

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

The following constitute anti-doping rule violations:

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

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

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by either of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *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*.

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

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

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

2.2.1 It is each *Athlete's Personal* duty to ensure that no *Prohibited Substance* enters his or her body. 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 of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was Used or Attempted to be Used for an anti-doping rule violation to be committed.

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

2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing* set out in the *International Standard for Testing*, including failure to file whereabouts information in accordance with Article 11.3 of the *International Standard for Testing* (a "Filing Failure") and failure to be available for Testing at the declared whereabouts in accordance with Article 11.4 of the *International Standard for Testing* (a "Missed Test").

Any combination of three Missed Tests and/or Filing Failures committed within an eighteen-month period, as declared by AIBA or any other Anti-Doping Organization with jurisdiction over an *Athlete*, shall constitute an anti-doping rule violation.

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

2.6 Possession of *Prohibited Substances and Methods*

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

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

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

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

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

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

3.2 Methods of Establishing Facts and Presumptions

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

- 3.2.1** WADA-accredited laboratories 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* 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* occurred which could reasonably have caused the Adverse Analytical Finding, then AIBA or its *National Federation* shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.
- 3.2.2** Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the Adverse Analytical Finding or other anti-doping rule violation occurred, then AIBA or its *National Federation* shall have the burden to establish that such a departures did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.
- 3.2.3** The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *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.
- 3.2.4** The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in *Person* or telephonically as directed by the tribunal) and to answer questions either from the hearing panel or from the Anti-Doping Organization asserting the anti-doping rule violation.

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

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

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

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

4.2.1 *Prohibited Substances and Prohibited Methods*

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication of the *Prohibited List* by WADA without requiring any further action by

AIBA. As described in Article 4.2 of the *Code*, AIBA may upon the recommendation of its Anti-Doping Sub-Commission (dcsb) request that WADA expand the Prohibited List for the sport of Boxing or certain disciplines within the sport of Boxing. AIBA may also upon the recommendation of its Medical Commission request that WADA include additional substances or methods, which have the potential for abuse in the sport of Boxing, in the monitoring program described in Article 4.5 of the *Code*. As provided in the *Code*, WADA shall make the final decision on such requests by AIBA.

4.2.2 Specified Substances

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

4.2.3 New Classes of Prohibited Substances

In the event WADA expands the *Prohibited List* by adding a new class of *Prohibited Substances* in accordance with Article 4.1 of the *Code*, WADA's Executive Committee shall determine whether any or all *Prohibited Substances* within the new class of *Prohibited Substances* shall be considered Specified Substances under Article 4.2.2.

[Comment to Article 4.2.1: There will be one Prohibited List. The substances which are prohibited at all times would include masking agents and those substances which, when Used in training, may have long term performance enhancing effects such as anabolics. All substances and methods on the Prohibited List are prohibited In-Competition. Out-of-Competition Use (Article 2.2) of a substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the substance or its Metabolites is reported for a Sample collected In-Competition (Article 2.1).]

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

4.3 Criteria for Including Substances and Methods on the Prohibited List

As provided in Article 4.3.3 of the *Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

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

4.4 Therapeutic Use

4.4.1 *Athletes* with a documented medical condition requiring the use of a Prohibited Substance or a *Prohibited Method* must first obtain a TUE. The presence of a Prohibited Substance or its *Metabolites* or *Markers* (Article 2.1), Use or Attempted

Use of a Prohibited Substance or a *Prohibited Method* (Article 2.2), Possession of *Prohibited Substances* or *Prohibited Methods* (Article 2.6) or administration of a Prohibited Substance or *Prohibited Method* (Article 2.8) consistent with the provisions of an applicable TUE issued pursuant to the *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

- 4.4.2** Subject to Article 4.4.3, *Athletes* included by AIBA in its *Registered Testing Pool* and other *Athletes* participating in any International Event must obtain a TUE from AIBA (regardless of whether the *Athlete* previously has received a TUE at the national level). The application for a TUE must be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 21 days before the *Athlete's* participation in the Event.
- 4.4.3** The only exception to Article 4.4.2 is that, in accordance with Article 7.13 of the *International Standard* for Therapeutic Use Exemptions, *Athletes* not in AIBA's *Registered Testing Pool* who inhale Glucocorticosteroids and/or formoterol, salbutamol, salmeterol or terbutaline to treat asthma or one of its clinical variants do not need a TUE in advance of participating in an International Event unless so specified by AIBA. Instead, if necessary, any such *Athlete* may apply for a Retroactive TUE after the Event in accordance with Article 7.13 of the *International Standard* for Therapeutic Use Exemptions and Article 7.1.3 of these Anti-Doping Rules.
- 4.4.4** TUE's granted by AIBA shall be reported to the *Athlete's National Federation* and to WADA. Other *Athletes* subject to Testing who need to use a Prohibited Substance or a *Prohibited Method* for therapeutic reasons must obtain a TUE from their *National Anti-Doping Organization* or other body designated by their *National Federation*, as required under the rules of the *National Anti-Doping Organization/other body*. *National Federations* shall promptly report any such TUE's to AIBA and WADA.
- 4.4.5** The AIBA Executive shall appoint a panel of physicians to consider requests for TUE's (the "TUE Panel"). Upon AIBA's receipt of a TUE request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such request in accordance with the *International Standard* for Therapeutic Use Exemptions and render a decision on such request, which shall be the final decision of AIBA.
- 4.4.6** WADA, at the request of an *Athlete* or on its own initiation, may review the granting or denial of any TUE by AIBA. If WADA determines that the granting or denial of a TUE did not comply with the *International Standard* for Therapeutic Use Exemptions in force at the time then WADA may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 13.

ARTICLE 5 TESTING

5.1 Authority to Test

All *Athletes* under the jurisdiction of a *National Federation* shall be subject to In-Competition Testing by AIBA, the *Athlete's National Federation*, and any other Anti-Doping Organization responsible for Testing at a Competition or Event in which they participate. All *Athletes* under the jurisdiction of a *National Federation*, including *Athletes* serving a period of ineligibility or a Provisional Suspension, shall also be subject to *Out-of-Competition Testing* at any time or place, with or without advance notice, by AIBA, WADA, the *Athlete's National Federation*, the *National Anti-Doping Organization* of any country where the *Athlete* is present, the IOC during the Olympic Games, and the IPC during Paralympic Games. Target Testing will be made a priority.

[Comment to Article 5.1: Target Testing is specified because random Testing, or even weighted random Testing, does not ensure that all of the appropriate Athletes will be tested (e.g., world-class Athletes, Athletes whose performances have dramatically improved over a short period of time, Athletes whose coaches have had other Athletes test positive, etc.). Obviously, Target Testing must not be used for any purposes other than legitimate Doping Control. The Code makes it clear that Athletes have no right to expect that they will be tested only on a random basis. Similarly, it does not impose any reasonable suspicion or probable cause requirement for Target Testing]

5.2 Responsibility for AIBA Testing

- 5.2.1 The AIBA Medical Commission shall be responsible for drawing up a test distribution plan for the sport of boxing in accordance with Article 4 of the *International Standard* for Testing, and for the implementation of that plan, including overseeing all Testing conducted by or on behalf of AIBA. Testing may be conducted by members of the AIBA Doping Control Sub-Commission (DCSC) or by other suitably qualified *Persons* so authorised by AIBA.
- 5.2.2 AIBA and its *National Federations* may delegate testing under this Rule to any *National Federation*, WADA, governmental agency, National Anti-Doping organisation or other third party which they deem to be suitably qualified for the purpose.
- 5.2.3 AIBA shall have responsibility for initiating and directing in-competition testing at the following International Competitions:- World Cup- World Championships
- 5.2.4 If AIBA has delegated testing under article 5.2.2 above, it may appoint a representative to attend at the International Competition in question to ensure that these Anti-Doping Rules are being properly applied.
- 5.2.5 In consultation with the relevant *National Federation* and NADO, AIBA may conduct, or assist in the conduct of, doping controls at a *National Federation's* National Championships. In consultation with the relevant Continental Bureau, AIBA may conduct, or assist in the conduct of, doping controls at an Area Association's Area Championships.
- 5.2.6 In all other cases (except where doping control is carried out under the rules of another international sports organisation ruling body), the *National Federation* conducting the controls, or in whose Country or Territory a competition is held, shall be responsible for initiating and directing in-competition testing. If the *National Federation* has delegated its testing under article 5.2.2 above, it is the *National Federation's* responsibility to ensure that such testing carried out in its country or Territory complies with these Anti-Doping Rules.
- 5.2.7 AIBA shall focus its *Out-of-Competition Testing* primarily on International-Level Athletes and Athletes preparing to compete in International Competitions. However, it may, at its discretion, conduct *Out-of-Competition Testing* on any Athlete at any time. In most cases, testing shall be carried out without notice to the Athlete or his Athlete support Personnel or *National Federation*.

5.3 Testing Standards

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

- 5.3.1 Blood (or other non-urine) Samples may be used to detect *Prohibited Substances* or *Prohibited Methods*, for screening procedure purposes, or for longitudinal hematological profiling ("the passport"). If the *Sample* is collected for screening only, it will have no consequences for the Athlete other than to identify him/her for a urine test under these anti-doping rules. In these circumstances, the AIBA may decide at its own discretion which blood parameters are to be measured in the screening *Sample* and what levels of those parameters will be used to indicate that an Athlete

should be selected for a urine test. If however, the *Sample* is collected for longitudinal hematological profiling (“the passport”), it may be used for anti-doping purposes in accordance with Article 2.2 of the *Code*.

5.4 Coordination of Testing

AIBA and *National Federations* shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in Testing.

5.5 Athlete Whereabouts Requirements

5.5.1 AIBA has a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of the *International Standard* for Testing, and shall publish the criteria for *Athletes* to be included in this *Registered Testing Pool* as well as a list of the *Athletes* meeting those criteria for the period in question. AIBA shall review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. Each *Athlete* in the *Registered Testing Pool*

- a) shall file quarterly reports with AIBA on forms provided by AIBA which specify on a daily basis the locations and times where the *Athlete* will be residing training, and competing. advise AIBA of his/her whereabouts on a quarterly basis, in the manner set out in Article 11.3 of the *International Standard* for Testing;
- b) *Athletes* shall update that information as necessary so that it is current at all times, in accordance with Article 11.4.2 of the *International Standard* for Testing, so that it remains accurate and complete at all times; and
- c) shall make him/herself available for Testing at such whereabouts, in accordance with Article 11.4 of the *International Standard* for Testing. The ultimate responsibility for providing whereabouts information rests with each *Athlete*, however, it shall be the responsibility of each *National Federation* to use its best efforts to assist AIBA in obtaining whereabouts information as requested by AIBA.

5.5.1.1 Members of the AIBA Registered Testing Pool are:

- In the Olympic Qualification Period, every *Athlete* who has obtained a quota place for his country, independently if he will be participating in the Olympic Games
- The senior medal winners of the latest World Cup, World & Continental Championships
- The senior medal winners of the Previous Olympic Games
- The AIBA Medical Commission can include any other *Athlete*, member of a National team, in the Registered Testing Pool by written notice to the National Federation and the *Athlete* concerned.
- If a *Athlete* no longer fulfils any of the above criteria, he will remain in the Registered Testing Pool until the end of the Calendar year.
- The list of *Athletes* in the Registered Testing Pool shall be available on the AIBA Website.

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

- 5.5.2** Any *Athlete's* failure to advise AIBA of his/her whereabouts shall be deemed a Filing Failure for purposes of Article 2.4 where the conditions of Article 11.3.5 of the *International Standard* for Testing are met.
- 5.5.3** Any *Athlete's* failure to be available for Testing at his/her declared whereabouts shall be deemed a Missed Test for purposes of Article 2.4 where the conditions of Article 11.4.3 of the *International Standard* for Testing are met.
- 5.5.4** Each *National Federation* shall also assist its *National Anti-Doping Organization* in establishing a national level *Registered Testing Pool* of top level national *Athletes* to whom the whereabouts requirements of the *International Standard* for Testing shall also apply. Where those *Athletes* are also in the AIBA's *Registered Testing Pool*, the AIBA and the *National Anti-Doping Organization* will agree (with the assistance of WADA if required) on which of them will take responsibility for receiving whereabouts filings from the *Athlete* and sharing it with the other (and with other Anti-Doping Organizations) in accordance with Article 5.5.5.
- 5.5.5** Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with WADA and other Anti-Doping Organizations having jurisdiction to test an *Athlete* in accordance with Articles 11.7.1(d) and 11.7.3(d) of the *International Standard* for Testing, including the strict condition that it be used only for Doping Control purposes.

5.6 Retirement and Return to Competition

- 5.6.1** An *Athlete* who has been identified by AIBA for inclusion in AIBA's *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the *International Standard* for Testing unless and until the *Athlete* gives written notice to AIBA that he or she has retired or until he or she no longer satisfies the criteria for inclusion in AIBA's *Registered Testing Pool* and has been so informed by AIBA.
- 5.6.2** An *Athlete* who has given notice of retirement to AIBA may not resume competing unless he or she notifies AIBA at least six months before he or she expects to return to competition and makes him/herself available for unannounced *Out-of-Competition Testing*, including (if requested) complying with the whereabouts requirements of the *International Standard* for Testing, at any time during the period before actual return to competition.
- 5.6.3** *National Federations*/National Anti-Doping Organizations may establish similar requirements for retirement and returning to competition for *Athletes* in the national *Registered Testing Pool*.

5.7 Selection of Athletes to be Tested

- 5.7.1** At International Events, the Chair of the AIBA DCSC/or the responsible of DCSC, together with the Chair of the Medical Commission at international events shall determine the number of finishing placement tests, random tests and target tests to be performed.

5.7.1.1 The following *Athletes* shall be tested at International Events.

Each Individual *Athlete* finishing in one of the top three placements in all weight categories in the Competition, plus one other Boxer in the Competition selected at random. The AIBA Medical Commission shall target a certain number of *Athletes* not necessarily linked to final placements in order to

maximize the diversity of *Athletes* tested or based on information provided by the WADA Clearinghouse on previous tests.

The minimum number of tests for a World Championships shall be 20. The number of tests will be determined by the AIBA Medical Commission in cooperation with the Organising Committee of the World Championships.

5.7.1.2 At Continental Championships, each Continental Association shall determine the number of *Athletes* selected for testing in each Continental Championship and shall submit their plan to the AIBA Medical Commission prior to the championship.

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

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

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

5.8 National Federations and the organizing committees for National Federation Events shall provide access to Independent Observers at Events as directed by AIBA. AIBA and their Continental Associations shall provide access to Independent Observers at their respective International Events.

ARTICLE 6 ANALYSIS OF SAMPLES

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

6.1 Use of Approved Laboratories

AIBA shall send *Doping Control Samples* for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the *Sample* analysis shall be determined exclusively by AIBA.

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

6.2 Purpose of Collection and Analysis of Samples

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

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

6.3 Research on Samples

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

6.4 Standards for Sample Analysis and Reporting

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

6.5 Retesting Samples

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

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

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests Initiated by AIBA

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

7.1.1 The results from all analyses must be sent to AIBA in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential. AIBA will be starting to use ADAMS, a database management tool developed by WADA

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

7.1.2 Upon receipt of an A *Sample* Adverse Analytical Finding, the AIBA Anti-Doping Administrator shall conduct a review to determine whether:

- (a) the Adverse Analytical Finding is consistent with an applicable TUE, or
- (b) there is any apparent departure from the *International Standard for Testing or International Standard for Laboratories* that caused the Adverse Analytical Finding.

7.1.3 In the following circumstances:

- a) The Adverse Analytical Finding is for a Glucocorticosteroid, formoterol, salbutamol, salmeterol or terbutaline; and
- b) The *Sample* in question was provided by an *Athlete* who is not in AIBA's *Registered Testing Pool*, during his/her participation in an International Event for which (in accordance with Article 7.13 of the *International Standard for Therapeutic Use Exemptions* and Article 4.4.3 of these Anti-Doping Rules AIBA does not require a TUE for asthma medication in advance;

then, before the matter is referred to AIBA under Article 7.1, the *Athlete* shall be given an opportunity to apply to the TUE Committee for a Retroactive TUE in accordance with Article 7.13 of the *International Standard* for Therapeutic Use Exemptions. The result of that application shall be forwarded to AIBA for consideration in its review of the Adverse Analytical Finding under Article 7.1.2.

- 7.1.1** If the initial review of an Adverse Analytical Finding under Article 7.1.2 does not reveal an applicable TUE, or departure from the *International Standard* for Testing or the *International Standard* for Laboratories that caused the Adverse Analytical Finding, AIBA Anti-Doping Administrator shall promptly notify the *Athlete* of:
- (a) the Adverse Analytical Finding;
 - (b) the anti-doping rule violated;
 - (c) the *Athlete's* right to promptly request the analysis of the B *Sample* or, failing such request, that the B *Sample* analysis may be deemed waived;
 - (d) the scheduled date, time and place for the B *Sample* analysis (which shall be within the time period specified in the *International Standard* for Laboratories) if the *Athlete* or AIBA chooses to request an analysis of the B *Sample*;
 - (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the B *Sample* opening and analysis at the scheduled date, time and place if such analysis is requested; and
 - (f) the *Athlete's* right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the *International Standard* for Laboratories. AIBA Anti-Doping Administrator shall also notify the *Athlete's National Anti-Doping Organization* and WADA. If AIBA decides not to bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the *Athlete*, the *Athlete's National Anti-Doping Organization* and WADA.
- 7.1.2** Where requested by the *Athlete* or AIBA, arrangements shall be made for Testing the B *Sample* within the time period specified in the *International Standard* for Testing. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. AIBA may nonetheless elect to proceed with the B *Sample* analysis.
- 7.1.3** The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard* for Laboratories. Also a representative of the *Athlete's National Federation* as well as a representative of AIBA shall be allowed to be present.
- 7.1.4** If the B *Sample* proves negative, then (unless AIBA takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Athlete*, his *National Federation*, and AIBA shall be so informed.
- 7.1.5** If a Prohibited Substance or the Use of a *Prohibited Method* is identified, the findings shall be reported to the *Athlete*, his *National Federation*, AIBA Anti-Doping Administrator, DCSC chair, and to WADA.
- 7.1.6** For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, the AIBA Anti-Doping Administrator shall conduct any necessary follow-up investigation and, at such time as it is satisfied that an anti-doping rule violation

has occurred, it shall then promptly notify the *Athlete* of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.2 Results Management for Atypical Findings

- 7.2.1** As provided in the International Standards, in certain circumstances laboratories are directed to report the presence of *Prohibited Substances* that may also be produced endogenously as Atypical Findings that should be investigated further.
- 7.2.2** If a laboratory reports an Atypical Finding in respect of a *Sample* collected from an *Athlete* by or on behalf of AIBA, the AIBA Anti-Doping Administrator shall conduct a review to determine whether: (a) the Atypical Finding is consistent with an applicable TUE that has been granted as provided in the *International Standard* for Therapeutic Use Exemptions, or (b) there is any apparent departure from the *International Standard* for Testing or *International Standard* for Laboratories that caused the Atypical Analytical Finding.
- 7.2.3** If the initial review of an Atypical Finding under Article 7.2.2 reveals an applicable TUE or departure from the *International Standard* for Testing or the *International Standard* for Laboratories that caused the Atypical Finding, the entire test shall be considered negative and the *Athlete*, his *National Federation*, and AIBA shall be so informed.
- 7.2.4** If the initial review of an Atypical Finding under Article 7.2.2 does not reveal an applicable TUE or departure from the *International Standard* for Testing or the *International Standard* for Laboratories that caused the Atypical Finding, AIBA shall conduct the follow-up investigation required by the International Standards. If, once that investigation is completed, it is concluded that the Atypical Finding should be considered an Adverse Analytical Finding, AIBA shall pursue the matter in accordance with Article 7.1.3.
- 7.2.5** AIBA will not provide notice of an Atypical Finding until it has completed its investigation and has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exists:
- a) If AIBA determines the B *Sample* should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the B *Sample* analysis after notifying the *Athlete*, with such notice to include a description of the Atypical Finding and the information described in Article 7.1.3(c) to (f).
 - b) If AIBA receives a request, either from a Major Event Organization shortly before one of its International Events or from a sports organization responsible for meeting an imminent deadline for selecting team members for an International Event, to disclose whether any *Athlete* identified on a list provided but the Major Event Organization or sports organization has a pending Atypical Finding, AIBA shall so identify any such *Athlete* after first providing notice of the Atypical Finding to the *Athlete*.

7.3 Results Management for Tests Initiated During Other International Events

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

7.4 Results Management for Tests initiated by National Federations

Results management conducted by *National Federations* shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Article 7. Results of all Doping Controls shall be reported to AIBA DCSC Chair,

AIBA Anti-Doping Administrator and to WADA within 14 days of the conclusion of the *National Federation's* results management process. The relevant *Person* or body of the *National Federation* shall keep AIBA Anti-Doping Administrator updated on the process at all time. Requests for assistance or information in conducting the results management process may be made to the AIBA Anti-Doping Administrator at any time. Any apparent anti-doping rule violation by an *Athlete* who is a member of that *National Federation* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *National Federation* or national law. Apparent anti-doping rule violations by *Athletes* who are members of another *National Federation* shall be referred to the *Athlete's National Federation* for hearing.

7.5 Results Management for Whereabouts Violations

- 7.5.1** Results management in respect of an apparent Filing Failure by an *Athlete* in AIBA's *Registered Testing Pool* shall be conducted by AIBA in accordance with Article 11.6.2 of the *International Standard* for Testing (unless it has been agreed in accordance with Article 5.5.4 that the *National Federation* or *National Anti-Doping Organization* shall take such responsibility).
- 7.5.2** Results management in respect of an apparent Missed Test by an *Athlete* in AIBA's *Registered Testing Pool* as a result of an attempt to test the *Athlete* by or on behalf of AIBA shall be conducted by AIBA in accordance with Article 11.6.3 of the *International Standard* for Testing. Results management in respect of an apparent Missed Test by such *Athlete* as a result of an attempt to test the *Athlete* by or on behalf of another Anti-Doping Organization shall be conducted by that other Anti-Doping Organization in accordance with Article 11.7.6(c) of the *International Standard* for Testing.
- 7.5.3** Where, in any eighteen-month period, an *Athlete* in AIBA's *Registered Testing Pool* is declared to have three Filing Failures, or three Missed Tests, or any combination of Filing Failures or Missed Tests adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other Anti-Doping Organization, AIBA shall bring them forward as an apparent anti-doping rule violation.

7.6 Provisional Suspensions

- 7.6.1** If analysis of an A *Sample* has resulted in an Adverse Analytical Finding for a Prohibited Substance that is not a Specified Substance, and a review in accordance with Article 7.1.2 does not reveal an applicable TUE or departure from the *International Standard* for Testing or the *International Standard* for Laboratories that caused the Adverse Analytical Finding, AIBA shall Provisionally Suspend the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.
- 7.6.2** In any case not covered by Article 7.6.1 where AIBA decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, the AIBA Executive Committee, after consultation with the AIBA DCSC Chair and the AIBA Medical Commission, may Provisionally Suspend the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.
- 7.6.3** Where a Provisional Suspension is imposed, whether pursuant to Article 7.6.1 or Article 7.6.2, the *Athlete* shall be given either (a) an opportunity for a Provisional Hearing before imposition of the Provisional Suspension or on a timely basis after imposition of the Provisional Suspension; or (b) an opportunity for an expedited hearing in accordance with Article 8 (Right to a Fair Hearing) on a timely basis after imposition of a Provisional Suspension. *National Federations* shall impose Provisional Suspensions in accordance with the principles set forth in this Article 7.6.
- 7.6.4** If a Provisional Suspension is imposed based on an Adverse Analytical Finding in respect of an A *Sample*, and any subsequent analysis of the B *Sample* analysis does

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

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

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

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

7.5 Retirement from Sport

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

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

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings arising out of AIBA Testing or Tests at International Events, for sanctioning beyond disqualification

8.1.1 The AIBA Executive Committee shall appoint a standing panel consisting of a Chair, the DCSC Chairman and three other experts with experience in anti-doping (“AIBA Doping Hearing Panel”). The Chair shall be a lawyer. Each panel member shall be otherwise independent of his National Member Association in so far as he is not an elected officer, employee, consultant or holds a position of responsibility within a Member Association. Each panel member shall serve a term of four years.

8.1.2 When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with AIBA Testing or Testing at an International Event then the case shall be assigned to the AIBA Doping Hearing Panel for adjudication.

8.1.3 The Chair of the AIBA Doping Hearing Panel shall appoint three members from the panel (which may include the Chair) to hear each case. At least one appointed member shall be a lawyer. The appointed members shall have had no prior

involvement with the case and shall not have the same nationality as the *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules.

- 8.1.4 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7. Hearings held in connection with Events may be conducted on an expedited basis.
- 8.1.5 The *National Federation* of the *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.
- 8.1.6 AIBA Anti-Doping Administrator shall keep *WADA* fully apprised as to the status of pending cases and the result of all hearings.
- 8.1.7 An *Athlete* or other *Person* may forego a hearing by acknowledging the Anti-Doping Rule violation and accepting Consequences consistent with Articles 9 and 10 as proposed by AIBA. The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge AIBA's assertion that an anti-doping rule violation has occurred within [Period of Time]. Where no hearing occurs, AIBA shall submit to the *Persons* described in Article 13.2.3 a reasoned decision explaining the action taken.
- 8.1.8 Decisions of the AIBA Doping Hearing Panel may be appealed to Court of Arbitration for Sport as provided in Article 13.

8.2 Hearings Arising Out of National Testing

- 8.2.1 When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with Testing other than in connection with AIBA Testing or Testing at an International Event, the *Athlete* or other *Person* involved shall be brought before a disciplinary panel of the *Athlete* or other *Person's National Federation* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what Consequences should be imposed.
- 8.2.2 Hearings pursuant to this Article 8.2 shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with Events may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, AIBA may elect to bring the case directly before the AIBA Doping Hearing Panel at the responsibility and at the expense of the *National Federation*.
- 8.2.3 When a boxer is notified that his explanation has been rejected and that he is to be provisionally suspended in accordance with Article 7.4, he shall also be told of his right to request a hearing. If the *Athlete* fails to confirm in writing to his *National Federation* or other relevant body within fourteen (14) days of such notice that he wishes to have a hearing, he will be deemed to have waived his right to a hearing and to have accepted that he committed the anti-doping rule violation in question. This fact shall be confirmed in writing to the AIBA Anti-Doping Administrator by the *National Federation* within five (5) working days.
- 8.2.4 If a hearing is requested by an *Athlete*, it shall be convened without delay and the hearing held within three (3) months of the date of notification of the *Athlete's* request to the *National Federation*. *National Federations* shall keep the AIBA Anti-Doping Administrator fully informed as to the status of all cases pending hearing and of all hearing dates as soon as they are fixed. AIBA's attendance at a hearing, or any other

involvement in a case, shall not affect its right to appeal the *National Federation's* decision to CAS pursuant to Article 13.

- 8.2.5** The *Athlete's* hearing shall take place before the relevant hearing body constituted or otherwise authorised by the *National Federation*. The relevant hearing shall respect Article 8.3.
- 8.2.6** At the hearing of the *Athlete's* case, the relevant tribunal shall consider first whether or not an anti-doping rule violation has been committed.
- 8.2.7** If the relevant tribunal of the *National Federation* considers that an anti-doping rule violation has not been committed, this decision shall be notified to AIBA Anti-Doping Administrator in writing within five (5) working days of the decision being made (together with a copy of the written reasons for such decision). The case shall then be reviewed by the AIBA Hearing Panel which shall decide whether or not it should be referred to arbitration before CAS pursuant to Article 13. If the AIBA Hearing Panel does so decide, it may at the same time re-impose, where appropriate, the *Athlete's* provisional suspension pending resolution of the appeal by CAS.
- 8.2.8** *National Federations* shall keep AIBA Anti-Doping Administrator, DCSC Chair, AIBA Medical Commission Chair, AIBA and WADA fully apprised as to the status of pending cases and the results of all hearings.
- 8.2.9** AIBA Anti-Doping Administrator, DCSC Chair, AIBA Medical Commission Chair, AIBA and WADA shall have the right to attend hearings as an observer.
- 8.2.10** The Boxer or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting Consequences consistent with Articles 9 and 10 as proposed by the *National Federation*.
- 8.2.11** Decisions by *National Federations*, whether as the result of a hearing or the *Athlete* or other *Person's* acceptance of Consequences, may be appealed as provided in Article 13.
- 8.2.12** Hearing decisions by the *National Federation* shall not be subject to further administrative review at the national level except as provided in Article 13 or required by applicable national law.

8.3 Principles for a Fair Hearing All hearings pursuant to either Article 8.1 or 8.2 shall respect the following principles:

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

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these Anti-Doping Rules in Individual Sports in connection with an In-Competition test automatically leads to Disqualification of the result obtained in that Competition with all resulting consequences, including forfeiture of any medals, points and prizes.

[Comment to Article 9: When an Athlete wins a gold medal with a Prohibited Substance in his or her system, that is unfair to the other Athletes in that Competition regardless of whether the gold medalist was at fault in any way. Only a “clean” Athlete should be allowed to benefit from his or her competitive results.]

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 AIBA.]

ARTICLE 10 SANCTIONS ON INDIVIDUALS

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

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

[Comment to Article 10.1: Whereas Article 9 (Automatic Disqualification of Individual Results) Disqualifies the result in a single Competition in which the Athlete tested positive, this Article may lead to Disqualification of all results in all races during the Event. Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the severity of the Athlete's anti-doping rule violation and whether the Athlete tested negative in the other Competitions.]

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

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

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

First violation: Two (2) years' Ineligibility.

[Comment to Article 10.2: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete's career is short (e.g., artistic gymnastics) a two year Disqualification has a much more significant effect on the Athlete than in sports where careers are traditionally much longer (e.g., equestrian and shooting); in Individual Sports, the Athlete is better able to maintain competitive skills through solitary practice during Disqualification than in other sports where practice as part of a team is more important. A primary argument in favor of harmonization

is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting bodies to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between AIBAs and National Anti-Doping Organizations.]

10.3 Ineligibility for Other Anti-Doping Rule Violations

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

- 10.3.1** For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (Tampering with Doping Control), the Ineligibility period shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in Article 10.6, are met.
- 10.3.2** For violations of Article 2.7 (Trafficking) or Article 2.8 (Administration of Prohibited Substance or *Prohibited Method*), the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility unless the conditions provided in Article 10.5 are met. An anti-doping rule violation involving a Minor shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than Specified Substances shall result in lifetime Ineligibility for such *Athlete Support Personnel*. In addition, significant violations of such Articles which also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

[Comment to Article 10.3.2: Those who are involved in doping 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 credentials, membership and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.]

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

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

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

Where an *Athlete* or other *Person* can establish how a Specified Substance entered his or her body or came into his or her possession and that such Specified Substance was not intended to enhance the *Athlete's* sport performance or mask the use of a performance-enhancing substance, the period of Ineligibility found in Article 10.2 shall be replaced with the following:

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

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

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

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

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

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

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

10.5.1 No Fault or Negligence

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

10.5.2 No Significant Fault or Negligence

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

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

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

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

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

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

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

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

The AIBA Doping Hearing Panel may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case where the Athlete or other Person has provided Substantial Assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in the Anti-Doping Organization discovering or establishing an anti-doping rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another Person. After a final appellate decision under Article 13 or the expiration of time to appeal, AIBA may only suspend a part of the applicable period of Ineligibility with the approval of WADA. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on

the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the Substantial Assistance provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than 8 years. If AIBA suspends any part of the period of Ineligibility under this Article, it shall promptly provide a written justification for its decision to each Anti-Doping Organization having a right to appeal the decision. If AIBA subsequently reinstates any part of the suspended period of Ineligibility because the *Athlete* or other *Person* has failed to provide the Substantial Assistance which was anticipated, the *Athlete* or other *Person* may appeal the reinstatement pursuant to Article 13.2.

[Comment to Article 10.5.3: 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.

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

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

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

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

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

[Comment to Article 10.5.4: This Article is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping 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 knows he or she is about to be caught.]

10.5.5 Where an Athlete or Other Person Establishes Entitlement to Reduction in Sanction under More than One Provision of this Article

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

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

Example 1.

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

Application of Article 10:

- 1. The basic sanction would be two years under Article 10.2. (Aggravating circumstances (Article 10.6) would not be considered because the Athlete promptly admitted the violation. Article 10.4 would not apply because a steroid is not a Specified Substance.)*
- 2. Based on No Significant Fault alone, the sanction could be reduced up to one-half of the two years. Based on Substantial Assistance alone, the sanction could be reduced up to three-quarters of the two years.*
- 3. Under Article 10.5.5, in considering the possible reduction for No Significant Fault and Substantial Assistance together, the most the sanction could be reduced is up to three-quarters of the two years. Thus, the minimum sanction would be a six-month period of Ineligibility.*
- 4. Under Article 10.9.2, because the Athlete promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any event the Athlete would have to serve at least one-half of the Ineligibility period (minimum three months) after the date of the hearing decision.*

Example 2.

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

Application of Article 10:

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

2. *Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the maximum four years.*
3. *Article 10.5.5 does not apply.*
4. *Under Article 10.9.2, the period of Ineligibility would start on the date of the hearing decision.*

Example 3.

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

Application of Article 10:

1. *Because the Adverse Analytical Finding involved a Specified Substance and the Athlete has satisfied the other conditions of Article 10.4, the basic sanction would fall in the range between a reprimand and two years Ineligibility. The hearing panel would assess the Athlete's fault in imposing a sanction within that range. (Assume for illustration in this example that the panel would otherwise impose a period of Ineligibility of eight months.)*
2. *Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the eight months. (No less than two months.) [No Significant Fault (Article 10.2) would not be applicable because the Athlete's degree of fault was already taken into consideration in establishing the eight-month period of Ineligibility in step 1.]*
3. *Article 10.5.5 does not apply.*
4. *Under Article 9.2, because the Athlete promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any event, the Athlete would have to serve at least half of the Ineligibility period after the date of the hearing decision. (Minimum one month.)*

Example 4.

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

Application of Article 10:

1. *While the intentional Use of multiple Prohibited Substances to enhance performance would normally warrant consideration of aggravating circumstances (Article 10.6), the Athlete's spontaneous admission means that Article 10.6 would not apply. The fact that the Athlete's Use of Prohibited Substances was intended to enhance performance would also eliminate the application of Article 10.4 regardless of whether the Prohibited Substances Used were Specified Substances. Thus, Article 10.2 would be applicable and the basic period of Ineligibility imposed would be two years.*
2. *Based on the Athlete's spontaneous admissions (Article 10.5.4) alone, the period of Ineligibility could be reduced up to one-half of the two years. Based on the Athlete's Substantial Assistance (Article 10.5.3) alone, the period of Ineligibility could be reduced up to three-quarters of the two years.*
3. *Under Article 10.5.5, in considering the spontaneous admission and Substantial Assistance together, the most the sanction could be reduced would be up to three-quarters of the two years. (The minimum period of Ineligibility would be six months.)*

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

10.6 Aggravating Circumstances Which May Increase the Period of Ineligibility

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

An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by AIBA.

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

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

10.7 Multiple Violations

10.7.1 Second Anti-Doping Rule Violation

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

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

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

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

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

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

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

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

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

[Comment to Article 10.7.1: The table is applied by locating the Athlete or other Person's first anti-doping rule violation in the left-hand column and then moving across the table to the right to the column representing the second violation. By way of example, assume an Athlete receives the standard period of Ineligibility for a first violation under Article 10.2 and then commits a second violation for which he receives a reduced sanction for a Specified Substance under Article 10.4. The table is used to determine the period of Ineligibility for the second violation. The table is applied to this example by starting in the left-hand column and going down to the fourth row which is "St" for standard sanction, then moving across the table to the first column which is "RS" for reduced sanction for a Specified Substance, thus resulting in a 2-4 year range for the period of Ineligibility for the second violation. The Athlete or other Person's degree of fault shall be the criterion considered in assessing a period of Ineligibility within the applicable range.]

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

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

Where an *Athlete* or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of Ineligibility under Article 10.5.3 or Article 10.5.4, the hearing panel shall first determine the otherwise applicable period of Ineligibility within the range established

in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of Ineligibility. The remaining period of Ineligibility, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of Ineligibility.

10.7.3 Third Anti-Doping Rule Violation

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

10.7.4 Additional Rules for Certain Potential Multiple Violations

For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if the AIBA (or its *National Federation*) can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7 (Results Management), or after AIBA (or its *National Federation*) made reasonable efforts to give notice, of the first anti-doping rule violation; if the AIBA (or its *National Federation*) cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Article 10.6).

If, after the resolution of a first anti-doping rule violation, AIBA discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then AIBA shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the *Athlete* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when AIBA discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

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

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

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

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

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

through the commencement of any Provisional Suspension or Ineligibility period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting consequences including forfeiture of any medals, points and prizes.

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

10.8.2 Allocation of Forfeited Prize Money.

Forfeited prize money shall be reallocated to other Athletes.

[Comment to Article 10.8.2: Nothing in AIBA's 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.]

10.9 Commencement of Ineligibility Period

Except as provided below, the period of Ineligibility shall start on the date of the hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed.

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

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

10.9.2 Timely Admission

Where the *Athlete* promptly (which, in all events, means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by AIBA, the period of Ineligibility may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of Ineligibility going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

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

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

10.9.4 If an *Athlete* voluntarily accepts a Provisional Suspension in writing from AIBA and thereafter refrains from competing, the *Athlete* 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's* voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 14.1.

[Comment to Article 10.9.4: 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.]

10.9.5 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension

regardless of whether the *Athlete* elected not to compete or was suspended by his or her team.

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

10.10 Status During Ineligibility

10.10.1 Prohibition against Participation during Ineligibility

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

An *Athlete* or other *Person* subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate in local sport events in a sport other than sports subject to the jurisdictions of AIBA and its *National Federations*, but only so long as the local sport event is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or International Event.

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

[Comment to Article 10.10.1: For example, an ineligible Athlete cannot participate in a training camp, exhibition or practice organized by his or her National Federation or a club which is a member of that National Federation. 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 Article 10.10.2. Sanctions in one sport will also be recognized by other sports (see Article 15).]

10.10.2 Violation of the Prohibition of Participation during Ineligibility

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

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

Where an Athlete Support Personnel or other Person substantially assists an Athlete in violating the prohibition against participation during Ineligibility, AIBA may appropriately impose sanctions under its own disciplinary rules for such assistance.]

10.10.3 Withholding of Financial Support during Ineligibility

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

10.11 Reinstatement Testing

As a condition to regaining eligibility at the end of a specified period of Ineligibility, an *Athlete* must, during any period of Provisional Suspension or Ineligibility, make him or herself available for *Out-of-Competition Testing* by AIBA, the applicable *National Federation*, and any other Anti-Doping Organization having Testing jurisdiction, and must comply with the whereabouts requirements of Article 11 of the *International Standard for Testing*. If an *Athlete* subject to a period of Ineligibility retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified AIBA and the applicable *National Federation* and has been subject to *Out-of-Competition Testing* for a period of time equal to the [longer of

- (a) the period set forth in Article 5.6 and
- (b) period of Ineligibility remaining as of the date the *Athlete* had retired.

During such remaining period of Ineligibility, a minimum of 2 tests must be conducted on the *Athlete* with at least three months between each test. The *National Federation* shall be responsible for conducting the necessary tests, but tests by any Anti-Doping Organization may be used to satisfy the requirement. The results of such tests shall be reported to AIBA. In addition, immediately prior to the end of the period of Ineligibility, an *Athlete* must undergo Testing by AIBA for the *Prohibited Substances* and Methods that are prohibited in *Out-of-Competition Testing*. Once the period of an *Athlete's* Ineligibility has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Federation* will then be necessary.

ARTICLE 11 CONSEQUENCES TO TEAMS

Article 11 intentionally left blank.

ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS

- 12.1 The AIBA Executive Committee has the authority to withhold some or all funding or other non financial support to *National Federations* that are not in compliance with these Anti-Doping Rules.
- 12.2 *National Federations* may be obligated by the AIBA Executive Committee to reimburse AIBA for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a

violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *National Federation*.

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

12.3.1 Four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period in testing conducted by AIBA or Anti-Doping Organizations other than the *National Federation* or its *National Anti-Doping Organization*. In such event AIBA may in its discretion elect to: (a) ban all officials from that *National Federation* for participation in any AIBA activities for a period of up to two years and/or (b) fine the *National Federation* in an amount up to CHF 10'000.- (Swiss Francs ten thousands). (For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)

12.3.2 More than one *Athlete* or other *Person* from a *National Federation* commits an Anti-Doping Rule violation during an International Event. In such event AIBA may fine that *National Federation* in an amount up to CHF 10'000.- (Swiss Francs ten thousands).

12.3.3 A *National Federation* has failed to make diligent efforts to keep AIBA informed about an *Athlete's* whereabouts after receiving a request for that information from AIBA. In such event AIBA may fine the *National Federation* in an amount up to CHF 1'000.- (Swiss Francs one thousand) per *Athlete* in addition to all of AIBA costs incurred in Testing that *National Federation's* *Athletes*.

12.4 AIBA may temporarily exclude the *National Federation Athletes* from any one or more International Competition if the *National Federation* does not give the requested information with AIBA after 2 reminders to do so.

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

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

13.1.1 WADA Not Required to Exhaust Internal Remedies

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

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

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

A decision that an anti-doping rule violation was committed, a decision imposing Consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Article 10.10.2 (prohibition of participation during Ineligibility); a decision that the AIBA or its *National Federation* lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences;; a decision by any *National Federation* not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Article 7.4; and a decision to impose a Provisional Suspension as a result of a Provisional Hearing or otherwise in violation of Article 7.4] may be appealed exclusively as provided in this Article 13.2. [Notwithstanding any other provision herein, the only *Person* that may appeal from a Provisional Suspension is the *Athlete* or other *Person* upon whom the Provisional Suspension is imposed.

13.2.1 Appeals Involving International-Level Athletes

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

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

13.2.2 Appeals Involving National-Level Athletes

In cases involving *Athletes* who do not have a right to appeal under Article 13.2.1, each *National Federation* shall have in place an appeal procedure that respects the following principles: a timely hearing, a fair and impartial hearing panel; the right to be represented by a counsel at the *Person's* expense; and a timely, written, reasoned decision. AIBA's rights of appeal with respect to these cases are set forth in Article 13.2.3 below.

[Comment to Article 13.2.2: AIBA may elect to comply with this Article by giving its national-level Athletes the right to appeal directly to CAS.]

13.2.3 Persons Entitled to Appeal

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS:

- (a) the *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) AIBA and any other Anti-Doping Organization under whose rules a sanction could have been imposed;
- (d) the International Olympic Committee as applicable, where the decision may have an effect in relation to the Olympic Games, including decisions affecting eligibility for the Olympic Games; and
- (e) WADA.

In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *National Federation's* rules but, at a minimum, shall include the following parties:

- (a) the *Athlete* or other *Person* who is the subject of the decision being appealed;
- (b) the other party to the case in which the decision was rendered;
- (c) AIBA; and

(d) WADA.

For cases under Article 13.2.2, WADA and AIBA shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

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

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

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

13.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Decisions by WADA reversing the grant or denial of a TUE may be appealed exclusively to CAS by the *Athlete*, AIBA, or *National Anti-Doping Organization* or other body designated by a *National Federation* which granted or denied the exemption. Decisions to deny TUE's, and which are not reversed by WADA, may be appealed by International-Level *Athletes* to CAS and by other *Athletes* to the national level reviewing body described in Article 13.2.2. If the national level reviewing body reverses the decision to deny a TUE, that decision may be appealed to CAS by WADA.

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

13.5 Appeal from Decisions Pursuant to Article 12

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

13.6 Time for Filing Appeals

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

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

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

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

ARTICLE 14 NATIONAL FEDERATIONS' INCORPORATION OF AIBA RULES, REPORTING AND RECOGNITION

14.1 Incorporation of AIBA Anti-Doping Rules

All *National Federations* shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each *National Federations* Rules. All *National Federations* shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each *National Federation* shall obtain the written acknowledgement and agreement, in the form attached as Appendix 2, of all *Athletes* subject to Doping Control and *Athlete Support Personnel* for such *Athletes*. Notwithstanding whether or not the required form has been signed, the Rules of each *National Federation* shall specifically provide that all *Athletes*, *Athlete Support Personnel* and other *Persons* under the jurisdiction of the *National Federation* shall be bound by these Anti-Doping Rules.

14.2 Statistical Reporting

- 14.2.1** *National Federations* shall report to AIBA's Anti-Doping Administrator within the first three (3) months of each year, results of all Doping Controls within their jurisdiction sorted by *Athlete* and identifying each date on which the *Athlete* was tested, the entity conducting the test, and whether the test was In-Competition or Out-of-Competition.
- 14.2.2** AIBA may periodically publish Testing data received from *National Federations* as well as comparable data from Testing under AIBA's jurisdiction. AIBA shall publish annually a general statistical report of its Doping Control activities during the calendar year with a copy provided to WADA.
- 14.2.3** Every *National Federation* shall report to AIBA Anti-Doping Administrator promptly the names of *Athletes* who have signed a written acknowledgement and agreement to these Anti-Doping Rules in order to be eligible to compete in International Competitions. A copy of the signed agreement shall in each case be forwarded by the *National Federation* to the AIBA Anti-Doping Administrator. If such a form is not signed by the *Athlete* prior to his arrival in the competition place, he must sign a form during the weigh-in session.

14.3 Doping Control Information Clearinghouse

When a *National Federation* has received an Adverse Analytical Finding on one of its *Athletes* it shall report the following information to AIBA and WADA within fourteen (14) days of the process described in Article 7.1.2 and 7.1.3: the *Athlete's* name, country, sport and discipline within the sport, whether the test was In-Competition or Out-of-Competition, the date of *Sample* collection and the analytical result reported by the laboratory. The *National Federation* shall also regularly update AIBA and WADA on the status and findings of any review or proceedings conducted pursuant to Article 7 (Results Management), Article 8 (Right to a Fair Hearing) or Article 13 (Appeals), and comparable information shall be provided to AIBA and WADA within 14 days of the notification described in Article

7.1.9, with respect to other violations of these Anti-Doping Rules. In any case in which the period of Ineligibility is eliminated under Article 10.5.1 (No Fault or Negligence) or reduced under Article 10.5.2 (No Significant Fault or Negligence), AIBA and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither AIBA nor WADA shall disclose this information beyond those *Persons* within their organisations with a need to know until the *National Federation* has made public disclosure or has failed to make public disclosure as required in Article 14.4 below.

14.4 Public Disclosure

- 14.4.1** Neither AIBA nor its *National Federation* shall publicly identify *Athletes* whose Samples have resulted in *Adverse Analytical Findings*, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged [or the *Athlete* has been Provisionally Suspended]. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days. AIBA or its *National Federation* must also report within 20 days appeal decisions on an anti-doping rule violation. AIBA or its *National Federation* shall also, within the time period for publication, send all hearing and appeal decisions to WADA.
- 14.4.2** In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the *Athlete* or other *Person* who is the subject of the decision. AIBA or its *National Federation* 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.
- 14.4.3** Neither AIBA nor its *National Federation* or WADA accredited laboratory, or official of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete*, other *Person* or their representatives.

14.5 Recognition of Decisions by AIBA and National Federations

Any decision of AIBA or a *National Federation* regarding a violation of these Anti-Doping Rules shall be recognized by all *National Federations*, which shall take all necessary action to render such results effective.

ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

Subject to the right to appeal provided in Article 13, the Testing, TUE's and hearing results or other final adjudications of any Signatory to the *Code* which are consistent with the *Code* and are within the Signatory's authority, shall be recognized and respected by AIBA and its *National Federations*. AIBA and its *National Federations* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

[Comment to Article 15: 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, AIBA or its National Federation 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 his body but the period of Ineligibility applied is shorter than the period provided for in the Code, then AIBA or its National Federation should recognize the finding of an anti-doping rule violation and they should conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed.]

ARTICLE 16 STATUTE OF LIMITATIONS

No action may be commenced under these Anti-Doping Rules against an *Athlete* or other *Person* for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight years from the date the violation occurred.

ARTICLE 17 AIBA COMPLIANCE REPORTS TO WADA

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

ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

- 18.1** These Anti-Doping Rules are by-laws under the AIBA Articles and Rules and may be amended from time to time by the AIBA Executive Committee.
- 18.2** Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 18.3** The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
- 18.4** The INTRODUCTION and the DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.
- 18.5** These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The comments annotating various provisions of the *Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.
- 18.6** Notice to an *Athlete* or other *Person* who is a member of a *National Federation* may be accomplished by delivery of the notice to the *National Federation* by registered post or courier mail.
- 18.7** These Anti-Doping Rules shall come into full force and effect on 1 January 2009 (the "Effective Date"). They shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:
- 18.7.1** Any case pending prior to the Effective Date, or brought after the Effective Date based on an anti-doping rule violation that occurred prior to the Effective Date, shall be governed by the predecessor to these Anti-Doping Rules in force at the time of the anti-doping rule violation, subject to any application of the principle of *lex mitior* by the hearing panel determining the case.
- 18.7.2** Any Article 2.4 whereabouts violation (whether a filing failure or a missed test) declared by AIBA under rules in force prior to the Effective Date that has not expired prior to the Effective Date and that would qualify as a whereabouts violation under Article 11 of the *International Standard* for Testing shall be carried forward and may be relied upon, prior to expiry, as one of the three Filing Failures and/or Missed Tests

giving rise to an anti-doping rule violation under Article 2.4 of these Anti-Doping Rules unless otherwise stated by AIBA, however:

- a. a filing failure that is carried forward in this manner may only be combined with (post-Effective Date) Filing Failures;
- b. a missed test that is carried forward in this manner may only be combined with (post-Effective Date) Missed Tests; and
- c. a filing failure or missed test declared by any Anti-Doping Organization other than AIBA and a *National Federation* prior to the Effective Date may not be combined with any Filing Failure or Missed Test declared under these Anti-Doping Rules.

18.7.3 Where a period of Ineligibility imposed by AIBA under rules in force prior to the Effective Date has not yet expired as of the Effective Date, the *Person* who is Ineligible may apply to AIBA for a reduction in the period of Ineligibility in light of the amendments made to the *Code* as from the Effective Date. To be valid, such application must be made before the period of Ineligibility has expired.

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

APPENDIX I - ACKNOWLEDGMENT AND AGREEMENT

I, as a member of [*National Federation*] and/or a participant in a [*National Federation* or AIBA] authorized or recognized event, hereby acknowledge and agree as follows:

I have received and had an opportunity to review the AIBA Anti-Doping Rules.

I consent and agree to comply with and be bound by all of the provisions of the AIBA Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all International Standards incorporated in the Anti-Doping Rules.

I acknowledge and agree that *National Federations* and AIBA have jurisdiction to impose sanctions as provided in the AIBA Anti-Doping Rules.

I also acknowledge and agree that any dispute arising out of a decision made pursuant to the AIBA Anti-Doping Rules, after exhaustion of the process expressly provided for in the AIBA Anti-Doping Rules, may be appealed exclusively as provided in Article 13 of the AIBA Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of International-Level *Athletes* is the Court of Arbitration for Sport.

I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.

I have read and understand this Acknowledgement and Agreement.

Date

Print Name (Last Name, First Name)

Date of Birth
(Day/Month/Year)

Signature (or, if a minor, signature of
legal guardian)