

# WDSF Anti-Doping Code

## 2012

(version 2011 unchanged)



## WDSF Anti-Doping Code 2012

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## **Art. 1: Fundamental Principles and Interdictions**

- I. Anti-doping is one of the objects included under Article 2 (c) and (d) of the WDSF STATUTES.
- II. Members of the WDSF are obliged to enforce this CODE within their own jurisdictions, as part of the terms of their membership in WDSF.
- III. This ANTI-DOPING CODE is an integral part of the WDSF STATUTES.
- IV. Doping contravenes the fundamental principles of DanceSport and medical ethics.
- V. Doping is prohibited.
- VI. Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Art. 1 VII of this CODE.
- VII. The following constitute anti-doping rule violations:
  1. The presence of a PROHIBITED SUBSTANCE or its METABOLITES or MARKERS in an ATHLETE'S SAMPLE. 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. As an exception to the general rule of Art. 1 VII 1, the PROHIBITED LIST or INTERNATIONAL STANDARDS may establish special criteria for the evaluation of PROHIBITED SUBSTANCES that can also be produced endogenously.
  2. USE or ATTEMPTED USE by an ATHLETE of a PROHIBITED SUBSTANCE or a PROHIBITED METHOD.
  3. Refusing, or failing without compelling justification, to submit to SAMPLE collection after notification as set out in Art. 4 II 2 or otherwise evading SAMPLE collection.
  4. Violation of Art. 4 II 4 a) regarding ATHLETE availability for OUT-OF-COMPETITION TESTING, including failure to file required whereabouts information and missed tests which are declared based on the WDSF Whereabouts and OOC Procedure in accordance with the INTERNATIONAL STANDARD FOR TESTING. Any combination of three missed tests and/or filing failures within a rolling period of eighteen-months shall constitute an anti-doping rule violation.
  5. TAMPERING, or ATTEMPTED TAMPERING with any part of DOPING CONTROL.
  6. POSSESSION of PROHIBITED SUBSTANCES and METHODS:
    - a) 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 OUT-OF-COMPETITION unless the ATHLETE establishes that the POSSESSION is pursuant to

## Art. 2: Definitions

- a therapeutic use exemption granted in accordance with Art. 3 III (Therapeutic Use Exemption) or other acceptable justification.
- b) POSSESSION by an ATHLETE SUPPORT PERSONNEL IN-COMPETITION of any PROHIBITED METHOD or any PROHIBITED SUBSTANCE, or POSSESSION by an 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 therapeutic use exemption granted to an ATHLETE in accordance with Art. 3 III (Therapeutic Use Exemption) or other acceptable justification.
7. TRAFFICKING or ATTEMPTED TRAFFICKING in any PROHIBITED SUBSTANCE or PROHIBITED METHOD.
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.

## Art. 2: Definitions

### I. Definitions of Terms relating to the World Anti-Doping Code (WADC)

"WADA" is the abbreviation for the World Anti-Doping Agency; "CAS" is the abbreviation for The Court of Arbitration for Sport (Lausanne).

1. "ADAMS" means "Anti-Doping Administration and Management System" and is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.
2. "Adverse analytical finding" means a report from a laboratory or other WADA-approved entity that, consistent with the INTERNATIONAL STANDARD for Laboratories and related Technical Documents, identifies in a SAMPLE the presence of a PROHIBITED SUBSTANCE or its METABOLITES or MARKERS (including elevated quantities of endogenous substances) or evidence of the USE of a PROHIBITED METHOD.
3. "Anti-Doping Organization" is 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.

## Art. 2: Definitions

4. a) "Athlete" means any PERSON who participates in sport at the international level (as defined by each INTERNATIONAL FEDERATION) or 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 WORLD ANTI-DOPING CODE. All provisions of the WORLD ANTI-DOPING CODE, including, for example, TESTING and therapeutic use exemptions, must be applied to international- and national-level competitors.
- b) 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 calibre competitors. NATIONAL ANTI-DOPING ORGANIZATIONS are not required, however, to apply all aspects of the WORLD-ANTI-DOPING CODE to such PERSONS. Specific national rules may be established for DOPING CONTROL for non-international-level or non-national-level competitors without being in conflict with the WORLD ANTI-DOPING CODE. Thus, a country could elect to test recreational-level competitors but not require therapeutic use exemptions 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 therapeutic use exemptions or whereabouts information.
- c) For purposes of Art. 1 VII 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.
5. "Athlete support personnel" means any coach, trainer, manager, agent, team staff, official, medical, para-medical personnel, parent or any other PERSON working with, treating or assisting an ATHLETE participating in or preparing for sports COMPETITION.
6. "Attempt" means 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.
7. "Atypical Finding" means 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.
8. "Code" means the WDSF Anti-Doping Code.

## Art. 2: Definitions

9. "Competition" means a single race, match, game or singular athletic contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For 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 relevant rules of WDSF.
10. "Consequences of Anti-Doping Rules 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 Art. 8 VIII; 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 Art. 9.
11. "Disqualification": see "Consequences of Anti-Doping Rules Violations" above.
12. "Doping Control" means 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, therapeutic use exemptions, results management and hearings.
13. "Event" means a series of individual COMPETITIONS conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships, or Pan American Games).
14. "Event Period" means the time between the beginning and end of an EVENT, as established by the ruling body of the EVENT.
15. "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, unless provided otherwise in this CODE.
16. "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.
17. "Ineligibility": see "Consequences of Anti-Doping Rules Violations" above.
18. "Individual Sport" means any sport that is not a TEAM SPORT.

## Art. 2: Definitions

19. "International Event" means 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.
20. "International-Level Athlete" are ATHLETES designated by one or more International Federations as being within the REGISTERED TESTING POOL for an International Federation.
21. "International Standard" is a standard adopted by WADA in support of the WADC. 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.
22. "Major Event Organizations" are 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.
23. "Marker" is a compound, group of compounds or biological parameters that indicates the USE of a PROHIBITED SUBSTANCE or PROHIBITED METHOD.
24. "Metabolite" means any substance produced by a biotransformation process.
25. "Minor" means a natural PERSON who has not reached the age of majority as established by the applicable laws of his or her country of residence.
26. "National Anti-Doping Organization": The entity or entities 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 or authorities, the entity shall be the country's NATIONAL OLYMPIC COMMITTEE or its designee.
27. "National Event" is a sport EVENT involving international or national-level ATHLETES that is not an INTERNATIONAL EVENT.
28. "National Olympic Committee" is the organization recognized by the International Olympic Committee. The term 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.

## Art. 2: Definitions

29. "No Advance Notice" means 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.
30. "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.
31. "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.
32. "Out-of-Competition": Any DOPING CONTROL which is not IN-COMPETITION.
33. "Participant" means any ATHLETE or ATHLETE SUPPORT PERSONNEL.
34. "Person" means a natural person or an organization or other entity.
35. "Possession" means the actual, physical possession, or the constructive possession (which shall be found only if the PERSON has exclusive control over the PROHIBITED SUBSTANCE or PROHIBITED METHOD or the premises in which the PROHIBITED SUBSTANCE or PROHIBITED METHOD exists); provided, however, that if the PERSON does not have exclusive control over the PROHIBITED SUBSTANCE or PROHIBITED METHOD or the premises in which a PROHIBITED SUBSTANCE or PROHIBITED METHOD exists, constructive POSSESSION shall only be found if the PERSON knew about the presence of the PROHIBITED SUBSTANCE or PROHIBITED METHOD and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on POSSESSION if, prior to receiving notification of any kind that the PERSON has committed an anti-doping rule violation, the PERSON has taken concrete action demonstrating that the PERSON never intended to have POSSESSION and has renounced POSSESSION by explicitly declaring it to an ANTI-DOPING ORGANIZATION. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a PROHIBITED SUBSTANCE or PROHIBITED METHOD constitutes POSSESSION by the PERSON who makes the purchase.
36. "Prohibited List" means the WADA-List identifying the PROHIBITED SUBSTANCES and PROHIBITED METHODS as referred to in Art. 2 III.
37. "Prohibited Method" means any method so defined on the PROHIBITED LIST. See also "Specified Substances".
38. "Prohibited Substance" means any substance so defined on the PROHIBITED LIST. See also "Specified Substances".

## Art. 2: Definitions

39. "Provisional Hearing" means, for purposes of Art. 5 (Results Management), an expedited abbreviated hearing occurring prior to a hearing under Art. 9 III that provides the ATHLETE with notice and opportunity to be heard in either written or oral form.
40. "Provisional Suspension": see "Consequences of Anti-Doping Rule Violations" above.
41. "Publicly Disclose or Publicly Report" means to disseminate or distribute information to the general public or PERSONS beyond those PERSONS entitled to earlier notification in accordance with Articles 5, 9 III and 10.
42. "Registered Testing Pool" is 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 Organization's test distribution plan. For WDSF this is the LIST OF ATHLETES subject to OUT-OF-COMPETITION TESTING according to Art. 4 I 2.
43. "Sample or Specimen" means any biological material collected for the purposes of DOPING CONTROL.
44. "Signatories" are those entities signing the World Anti-Doping Code and agreeing to comply with the World Anti-Doping 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. WDSF is a SIGNATORY.
45. "Specified Substances": For purposes of the application of Art. 8, all PROHIBITED SUBSTANCES shall be "SPECIFIED SUBSTANCES" except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the PROHIBITED LIST. PROHIBITED METHODS shall not be Specified Substances.
46. "Substantial Assistance": For purposes of Art. 8 V 3, a PERSON providing SUBSTANTIAL ASSISTANCE must:
- a) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and
  - b) 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.

## Art. 2: Definitions

47. "Tampering" means 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.
48. "Target Testing" means the 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.
49. "Team Sport" means a sport in which the substitution of players is permitted during a COMPETITION.
50. "Testing" means the parts of the DOPING CONTROL process involving test distribution planning, SAMPLE collection, SAMPLE handling, and SAMPLE transport to the laboratory.
51. "Trafficking" means 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.
52. "UNESCO Convention" means the International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on October 19, 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.
53. "Use" means the utilization, application, ingestion, injection or consumption by any means whatsoever of any PROHIBITED SUBSTANCE or PROHIBITED METHOD.
54. "WADC" means the World Anti-Doping Code.

### II. **Definitions of WDSF related terms**

1. "Member" means a WDSF member organization.
2. "Anti-Doping Representative" is an official of the WDSF who is a member of the WDSF Presidium and who is appointed to that office from time to time by the WDSF Presidium.

## Art. 3: Scope

3. "Organizer" means any body or organization to which the WDSF Presidium has granted, delegated or licensed the right to organize a DanceSport EVENT according to the WDSF COMPETITION RULES, in regard to this EVENT.
4. "WDSF Anti-Doping Director" is a person appointed from time to time by the WDSF Presidium. WDSF ANTI-DOPING DIRECTORS organize, conduct and supervise doping controls at all WDSF granted DanceSport competitions, championships and EVENTS at which the WDSF ANTI-DOPING REPRESENTATIVE or the WDSF ANTI-DOPING DIRECTOR has decided to carry out doping controls, safeguarding WDSF's responsibilities and interests. The WDSF ANTI-DOPING DIRECTOR acts as contact person between WDSF, the ORGANIZER and the DCT, and instructs the ORGANIZER as required by the procedures of DOPING CONTROLS and this CODE.
5. "DCT" means Doping Control Team. A DCT consists of a male and a female person. It is assigned either:
  - a) by the official doping control body or NATIONAL ANTI-DOPING ORGANIZATION of the country where the tests are performed;
  - b) by WDSF at locations where such a body is not in charge, or
  - c) by WADA for OUT-OF-COMPETITION TESTING.

### III. List of Prohibited Substances and Prohibited Methods

1. The PROHIBITED LIST as defined in the World Anti-Doping Code and published by WADA from time to time is hereby incorporated as an integral part of this CODE. Revisions of the PROHIBITED LIST by WADA shall go into effect under the rules of this ANTI-DOPING CODE three (3) months after publication without requiring any further action by the WDSF.
2. The PROHIBITED LIST shall be constantly reviewed by the ANTI-DOPING REPRESENTATIVE, who may propose additions or amendments to it to WADA.

## Art. 3: Scope

### I. Application of the CODE

1. This CODE applies to all PARTICIPANTS in whatever capacity, adjudicators and organizers. WDSF shall have TESTING jurisdiction over all ATHLETES who are members or affiliates of WDSF and/or of an WDSF MEMBER or who participate in their EVENTS and/or COMPETITIONS.
2. Each MEMBER must inform its registered member dancers, trainers and functionaries about this ANTI-DOPING CODE, its PARTICIPANTS by handing them out a copy of this CODE. Any MEMBER that nominates a PARTICIPANT to any WDSF-granted DanceSport EVENT is deemed to have recognized this ANTI-DOPING CODE and to undertake to nominate to WDSF-granted DanceSport EVENTS only PARTICIPANTS who have agreed to comply with all of the duties set out in and flowing from this

### Art. 3: Scope

ANTI-DOPING CODE and who have signed the corresponding forms of consent (Appendix A to Art. 19 WDSF STATUTES). MEMBERS are liable to WDSF for any omission by them or their licensees to furnish WDSF with all information about participants' identities and particulars and demographic information, which are required under this CODE and any other rule or regulation of competent jurisdiction.

3. PARTICIPANTS must, before they take part in a WDSF-granted DanceSport EVENT, agree to comply with this ANTI-DOPING CODE by completing and signing the forms of consent as codified in Appendix A to Art. 19 of the WDSF STATUTES. Signed forms can either be sent by the PARTICIPANTS to the MEMBER who is nominating the PARTICIPANT or to the ORGANIZER of the DanceSport EVENT. In any case, the forms must then be forwarded to the ANTI-DOPING REPRESENTATIVE. At the DanceSport EVENT, the ANTI-DOPING DIRECTOR checks whether the PARTICIPANTS have signed the forms of consent. Missing forms can be signed by the ATHLETE at checking in for the DanceSport EVENT. The forms are administered by the ANTI-DOPING DIRECTOR. MEMBERS shall assist WDSF in gathering all information which is required under this CODE and any other rule or regulation of competent jurisdiction with respect to athletes who fail, refuse or neglect to sign such Forms of Consent as are required under this CODE and any other rule or regulation of competent jurisdiction.
4. At every WDSF-granted EVENT, a copy of this ANTI-DOPING CODE and of the WDSF COMPETITION RULES must be held ready for consultation.
5. All ATHLETES are subject to DOPING CONTROLS (urine analyses, blood tests and other authorized techniques for detecting prohibited substances or methods).
6. Notwithstanding the obligations of other PARTICIPANTS to comply with the provisions of this CODE, it is the personal responsibility of any ATHLETE subject to the provisions of this CODE to ensure that he/she does not use or allow the use of any PROHIBITED SUBSTANCE or any PROHIBITED METHOD.
7. No ATHLETE shall be allowed to compete in his/her national championships, nor shall a MEMBER nominate an ATHLETE to an WDSF-granted EVENT, unless and until such ATHLETE agrees to subject him/herself to OUT-OF-COMPETITION DOPING CONTROLS by both the MEMBER and the WDSF/WADA.
8. Every MEMBER shall inform the WDSF ANTI-DOPING REPRESENTATIVE of any laboratory results indicating the presence of a PROHIBITED SUBSTANCE in an ATHLETE'S A and/or B SAMPLE, obtained in the course of DOPING CONTROLS carried out by that MEMBER.

## II. Responsibility for Doping Control

1. a) At all international WDSF-granted DanceSport EVENTS according to Rule 5 WDSF COMPETITION RULES, the WDSF ANTI-DOPING DIRECTOR decides which type of DOPING CONTROLS (i.e., urine or blood testing, or both) will be carried out.
  - b) At any MEMBER'S Championships, similar EVENTS and /or National competitions, WDSF can request that MEMBER to organize and perform DOPING CONTROLS or to allow WDSF to perform these DOPING CONTROLS, the WDSF ANTI-DOPING DIRECTOR deciding which type (i.e., urine or blood testing, or both) will be carried out.
  - c) The DOPING CONTROLS are organized, conducted and supervised by the ANTI-DOPING DIRECTOR at the DanceSport EVENT. The organizer of the EVENT shall provide
    - all required information,
    - a person assigned as liaison to WDSF as well as the required volunteers,
    - means to set up a doping control room,
    - the identification papers of the competing ATHLETES as requested by the ANTI-DOPING DIRECTOR and
    - any further necessary requirement as reasonably requested by the ANTI-DOPING DIRECTOR.
2. It is a condition of membership of the WDSF that policies, rules, statutes and programs of the MEMBERS comply with the WADC. In particular it is a condition of membership that a MEMBER includes within its constitution or statutes or bylaws or competition rules:
    - a) a provision allowing the WDSF to conduct DOPING CONTROLS at that MEMBER'S National Championships or any similar EVENT; and
    - b) a provision allowing WADA to conduct OUT-OF-COMPETITION TESTING on that MEMBER'S ATHLETES.
    - c) It is the duty of any MEMBER or officer of a MEMBER to assist the WDSF and, if appropriate or deemed appropriate by the ANTI-DOPING REPRESENTATIVE, other MEMBERS in the carrying out of DOPING CONTROLS. Any MEMBER whose representative is found to be or to have been preventing, delaying, impending, hindering or otherwise obstructing the carrying out of such DOPING CONTROLS shall be liable to sanctions under the STATUTES OF THE WDSF.
  3. OUT-OF-COMPETITION TESTING of ATHLETES who are recorded on the WDSF Ranking List is implemented by the WDSF. OUT-OF-COMPETITION TESTING of other ATHLETES is implemented by MEMBERS.
  4. In order to more fully and perfectly implement this CODE and its policies, the following applies regarding the recognition of results from DOPING CONTROLS:

- a) It is a condition of membership of WDSF that MEMBERS carry out DOPING CONTROLS within their own jurisdictions. Every MEMBER shall inform the WDSF ANTI-DOPING REPRESENTATIVE of all its anti-doping activities and in particular of any laboratory results indicating the presence of a PROHIBITED SUBSTANCE in an ATHLETE'S A and/or B sample, obtained in the course of TESTING carried out by that MEMBER. These findings shall be considered by the ANTI-DOPING REPRESENTATIVE who shall, in her/his absolute discretion, on behalf of all MEMBERS of the WDSF, recognize any ADVERSE ANALYTICAL FINDING(S) obtained and take all necessary actions he/she deems necessary, including organizing hearings and handling of the rule violation by the WDSF Disciplinary Council. These findings of DOPING CONTROLS carried out by that MEMBER will then be final and binding upon all MEMBERS, who shall take all reasonably necessary action to render such decision effective.
- b) Where DOPING CONTROL has been carried out by the WDSF, every MEMBER shall recognize the results of such DOPING CONTROLS and shall take all necessary action to render such decision effective.
- c) Subject to the right to appeal provided in Art. 9 VI and VII, Testing, therapeutic use exemptions and hearing results or other final adjudications of any SIGNATORY which are consistent with the provisions of this CODE and/or the World Anti-Doping Code and are within that SIGNATORY'S authority, shall be recognized and respected by the WDSF and all MEMBERS of the WDSF. The same applies to actions of other bodies which have not accepted this CODE and/or the World Anti-Doping Code if the rules of those bodies are otherwise consistent with this CODE and/or the World Anti-Doping Code.
- d) In the case of a recognition according to Art. 3 II 4 c, the ATHLETE or PERSON in question shall be deemed to have breached the relevant WDSF Rule and will be subject to the same sanctions and procedures according to this CODE as an ATHLETE or PERSON who has done so. All MEMBERS shall take all necessary action to ensure that this decision is effective.

### III. Therapeutic Use Exemptions

1. An ATHLETE may request the ANTI-DOPING REPRESENTATIVE in writing to grant prior exemption allowing him/her to take a substance normally prohibited under the CODE. Such an exemption will only be granted in cases of clear and compelling clinical need after consultation with a medically trained member of the WDSF Anti-Doping Commission in accordance with the WDSF TUE Procedure and the WADA-INTERNATIONAL STANDARD on therapeutic use exemptions.
2. In the case of a granted medical exemption the possession of a PROHIBITED SUBSTANCE or the means to apply a PROHIBITED METHOD are justified and will not be sanctioned.

## Art. 4: Implementation of Doping Controls

3. A decision denying therapeutic use exemption may be reviewed by WADA upon request of the ATHLETE. If WADA determines that such denial did not comply with the INTERNATIONAL STANDARD for therapeutic use exemptions, WADA may reverse the decision according to Art. 4.4 WADC. If not reversed by WADA, the WDSF's decision denying therapeutic use exemption may be appealed to CAS according to its rules and jurisdiction by the ATHLETE. Any such appeal must be made within twenty-one (21) days after the reception of such decision, according to the requirements of CAS.
4. WADA may also on its own initiative review the granting of a therapeutic exemption to any ATHLETE that is included on the WDSF List of Athletes subject to OUT-OF-COMPETITION DOPING CONTROLS and reverse the decision. Any reversal by WADA of any WDSF's decision on therapeutic use exemption may be appealed by WDSF or the ATHLETE affected to CAS within twenty-one (21) days after reception of WADA's decision, according to the requirements of CAS.
5. When the WDSF fails to take action on a properly submitted therapeutic use exemption application within a reasonable time, the WDSF's failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

## **Art. 4: Implementation of Doping Controls**

### **I. Group of Athletes to be Tested**

1. At DanceSport EVENTS, DOPING CONTROLS at NO ADVANCE NOTICE must be carried out:
  - a) in pair COMPETITIONS, on a minimum of four ATHLETES, an equal number of each sex, including both members of the winning couple and other ATHLETES chosen by the drawing of lots, provided always that ATHLETES placed in the finals, the semi-finals and the quarterfinals must be represented.
  - b) in team COMPETITIONS, on six ATHLETES, three of each sex, including two members of the winning team and four ATHLETES to be chosen by drawing of lots, provided always that ATHLETES placed in the finals and the semi-finals must also be tested.
2. OUT-OF-COMPETITION TESTING is conducted by WDSF on ATHLETES registered on WDSF's List of Athletes subject to OUT-OF-COMPETITION DOPING CONTROLS. This list may include any ATHLETE participating in or preparing to participate in WDSF granted DanceSport EVENTS and in all EVENTS organized under the authority, whether direct or delegated, of the WDSF. OUT-OF-COMPETITION TESTING shall be coordinated through ADAMS where reasonably feasible in order to maximize the effectiveness of the combined TESTING effort and to avoid unnecessary repetitive TESTING of individual ATHLETES.

3. In the case of retirement of an ATHLETE being registered on this list, that ATHLETE will automatically be re-registered on the list if she/he takes up training again in DanceSport for purposes of taking part in COMPETITIONS and EVENTS within eighteen (18) months after retirement.
4. Doping controls can always be carried out on those ATHLETES whom the WDSF reasonably suspects of having contravened the ANTI-DOPING CODE (TARGET TESTING). Where more than one member of a Formation Team has been notified of a possible anti-doping rule violation in connection with an DanceSport COMPETITION or EVENT, the Formation Team shall be subject to TARGET TESTING for the relevant COMPETITION or EVENT and a period of one month thereafter.
5. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in Testing by the various Anti-Doping Organizations, the WDSF shall report all In-Competition and Out- of-Competition tests on ATHLETES registered on WDSF's List of Athletes subject to OUT-OF-COMPETITION DOPING CONTROLS to the WADA clearinghouse as soon as possible after such tests have been conducted. This information will be made accessible to the Athlete, the Athlete's National WDSF Member Organization, National Olympic Committee or National Paralympic Committee, National Anti-Doping Organization, and the International Olympic Committee or International Paralympic Committee.

## II. **Obligation to Tolerate Controls and Furnish Information**

1. PARTICIPANTS must provide identification papers to the organizer's administration of the EVENT prior to enter the COMPETITION (e.g. licence, passport, ID card). During the COMPETITION, the identification papers are kept by the ORGANIZER'S administration of the EVENT. They must be made available to the ANTI-DOPING DIRECTOR on his/her request.
2. Any ATHLETE who, in the opinion of the Head of the DCT, before or after the notification of the ATHLETES to be tested (Art. 4 VI 2), evades a possible TESTING and escapes the control of the DCT, or ATTEMPTS to do so, shall be deemed to have refused to submit to DOPING CONTROL as per Art. 1 VII 3 and be sanctioned accordingly.
3. ATHLETES must tolerate the carrying out of DOPING CONTROLS and, insofar as is necessary, must actively participate, including by declaring such medications they have taken during the three (3) calendar days prior to the carrying out of the SAMPLE collection. This includes medications the ATHLETE is allowed to take according to Art. 3 III. These declared medications shall be recorded in writing as part of the protocol of the SAMPLE collection.

4. a) As further provided in the International Standard for Testing and the WDSF Whereabouts and OOCT Procedure, any ATHLETE on the WDSF List of Athletes subject to OUT-OF-COMPETITION DOPING CONTROLS must inform WDSF about
- his/her exact contact data (full address, telephone, email etc.),
  - training facilities and training hours
  - his/her whereabouts if leaving his/her domicile.

The failure to comply with this duty is a violation of Art. 1 VII 4 and will be sanctioned according to Art. 8 III 3.

- b) The WDSF will coordinate the identification of Athletes and the collecting of current location information and shall submit these to WADA. This information will be accessible, through ADAMS where reasonably feasible, to other Anti-Doping Organizations having jurisdiction to test the Athlete such as WDSF MEMBERS, National ANTI-DOPING ORGANIZATIONS or WADA. This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting Testing; and shall be destroyed after it is no longer relevant for these purposes.

### **III. Nomination of a Doping Control Team**

1. WDSF as responsible for DOPING CONTROLS at a selected DanceSport EVENT has to appoint a qualified DOPING CONTROL TEAM (DCT) which carries out the doping controls on site.
2. For OUT-OF-COMPETITION TESTING, WADA appoints a qualified DCT carrying out the tests.
3. A DCT comprises at least two persons (the Head of the team and one or more helpers). The sex of the ATHLETES to be tested is to be taken into consideration when choosing the DCT. At least one member of the DCT must be the same sex as the ATHLETE tested.

### **IV. Carrying Out the Doping Controls on Site at Competitions**

The DCT shall travel to the EVENT without prior announcement and shall there make themselves known to the WDSF ANTI-DOPING DIRECTOR. The latter then leads the DCT without delay to the rooms which have been set aside for the SAMPLE collection and, if necessary, orders any necessary changes to be made in order to guarantee that the SAMPLE collection can be carried out without complaint and in keeping with the respective rules.

### **V. Drawing Lots to Determine Athletes to be Tested**

If required according to Art. 4 I, the Head of the DCT shall, in cooperation with the WDSF ANTI-DOPING DIRECTOR, draw lots to determine the ATHLETES to be tested. If requested by the ANTI-DOPING DIRECTOR or by the Head of the DCT, the ORGANIZER must supply to them starting lists and/or all other documents and information as

requested. The protocol of the drawing of lots is to be signed by the ANTI-DOPING DIRECTOR and the Head of the DCT.

**VI. Notification of the Athletes**

1. If TESTING will be carried out at a EVENT, it is advisable to remind the ATHLETES about the controls and their duty to hold themselves ready for TESTING at the beginning of each COMPETITION of the EVENT.
2. Immediately after the end of the COMPETITION for a chosen ATHLETE or following the announcement of the final results of the COMPETITION, those ATHLETES who have been chosen pursuant to this CODE to undergo DOPING CONTROLS must be requested by notice in writing delivered by the DCT to each such ATHLETE to make their way immediately to the doping control room.
3. The ATHLETE is entitled to present himself/herself for the SAMPLE collection with a PERSON of his or her choice (official, trainer, physician, masseur, etc.).
4. As a matter of principle the SAMPLE collection should be carried out with as little delay as possible.

**VII. Procedure for Urine Sample collection**

1. The procedure for Urine Sample collection follows the corresponding WADA Guideline, which forms part of this Code as an Appendix.
2. The role of Doping Control Officer according to the WADA Guideline for Urine Sample Collection is taken by the WDSF ANTI-DOPING REPRESENTATIVE or the WDSF ANTI-DOPING DIRECTOR.
3. The role of Chaperone according to the WADA Guideline for Urine Sample Collection can either be taken by the WDSF ANTI-DOPING REPRESENTATIVE, the WDSF ANTI-DOPING DIRECTOR or a representative of the MEMBER / ORGANIZER.

**VIII. Procedure for Blood Sample collection**

1. The procedure for Blood Sample collection follows the corresponding WADA Guideline, which forms part of this Code as an Appendix.
2. The role of Doping Control Officer according to the WADA Guideline for Blood Sample Collection is taken by the WDSF ANTI-DOPING REPRESENTATIVE or the WDSF ANTI-DOPING DIRECTOR.
3. The role of Chaperone according to the WADA Guideline for Blood Sample Collection can either be taken by the WDSF ANTI-DOPING REPRESENTATIVE, the WDSF ANTI-DOPING DIRECTOR or a representative of the MEMBER / ORGANIZER.
4. Blood SAMPLES shall only be taken by medically qualified personnel. Any PERSON acting as Blood Control Officer according to the WADA Guidelines for Blood Sample Collection shall provide the ATHLETE with evidence of medical qualification before blood samples are taken. An ATHLETE shall be entitled to refuse to provide a

blood SAMPLE if the PERSON intending to conduct blood SAMPLING is unable to provide evidence of an officially recognized professional medical qualification.

**IX. Storage and Despatch of Samples**

1. All PERSONS who have physical custody of such SAMPLES are obliged at all times to preserve and protect them and to provide evidence of uninterrupted supervision and control of the same by authorized personnel, in order to prevent TAMPERING and in order to ensure that the Anti-Doping policy of the WDSF may not be called into question or fall into disrepute, and the Presidium is authorized to take all measures it deems necessary in its absolute discretion against persons and MEMBERS who fail to comply with this duty.
2. The details of storage and despatch procedures are set out in the WADA Guidelines for Urine Sample Collection and for Blood Sample Collection, forming part of this CODE as appendices.
3. SAMPLES provided by ATHLETES for the purpose of DOPING CONTROLS immediately become the property of WDSF.

**X. Procedure Following Refusal to Submit to Doping Control**

If an ATHLETE refuses to provide a urine or blood SAMPLE, the possible consequences shall be presented to him/her. The refusal to allow a SAMPLE collection to be carried out is a violation of Art. 1 VII 3 and subject to sanctions as per Art. 8 VII 1. If the ATHLETE continues to refuse, this fact shall be recorded in the protocol. This note shall be signed by the WDSF ANTI-DOPING REPRESENTATIVE or ANTI-DOPING DIRECTOR (if present) and the Head of the DCT. The protocol shall immediately be passed on to the WDSF ANTI-DOPING REPRESENTATIVE.

**XI. Analysis of the Samples**

1. The analysis of the urine and blood SAMPLES may only be carried out by WADA-accredited laboratories or as otherwise approved by WADA. The choice of such laboratory shall be determined exclusively by WDSF.
2. The analyses are to be carried out as soon as possible after the SAMPLES have reached the laboratory. The analyses are to be carried out using recognized methods in conformity with the WADA INTERNATIONAL STANDARD for Laboratories. The laboratory shall make the results of the analyses available in writing and in conformity with this standard.
3. No SAMPLE may be collected and used for any purpose other than
  - the detection of PROHIBITED SUBSTANCES (or classes of such substances) or
  - the application of PROHIBITED METHODS, or
  - to assist the WDSF in profiling relevant parameters in an Athlete's urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes,

- or as otherwise identified by WADA pursuant to Article 4.5. WADC (Monitoring Program) \* ,

without the ATHLETE'S written consent.

4. A SAMPLE may be reanalysed for the purposes defined in Art. 4 XI 3 at any time exclusively at the direction of the WDSF or WADA. The circumstances and conditions for retesting Samples shall conform with the requirements of the INTERNATIONAL STANDARD for Laboratories.

## XII. Costs

The WDSF carries the costs of the sampling and analysis of the SAMPLES taken. In the event of sanctions being imposed (Art. 8), the ATHLETE shall carry the costs of the SAMPLING and analysis.

## Art. 5: Results Management

### I. Initial Review and notification regarding negative results

1. The WDSF ANTI-DOPING DIRECTOR is informed of the results of the analysis in writing.
2. In the case of a negative result, the ANTI-DOPING DIRECTOR undertakes to promptly pass on the results to the ATHLETE.
3. In the cases of an ADVERSE ANALYTICAL FINDING or ATYPICAL FINDINGS, the WDSF ANTI-DOPING DIRECTOR conducts a review to determine whether
  - a) an applicable therapeutic use exemption has been granted or will be granted as provided in the INTERNATIONAL STANDARD for Therapeutic Use Exemptions;
  - b) there is any apparent departure from the WADA INTERNATIONAL STANDARD for testing or INTERNATIONAL STANDARD for Laboratories that caused the ADVERSE ANALYTICAL FINDING or the ATYPICAL FINDING.

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\* [Art. 4.5 World Anti-Doping Code] WADA, in consultation with Signatories and governments, shall establish a monitoring program regarding substances which are not on the Prohibited List, but which WADA wishes to monitor in order to detect patterns of misuse in sport. WADA shall publish, in advance of any Testing, the substances that will be monitored. Laboratories will report the instances of reported Use or detected presence of these substances to WADA periodically on an aggregate basis by sport and whether the Samples were collected In-Competition or Out-of-Competition. Such reports shall not contain additional information regarding specific Samples. WADA shall make available to International Federations and National Anti-Doping Organizations, on at least an annual basis, aggregate statistical information by sport regarding the additional substances. WADA shall implement measures to ensure that strict anonymity of individual Athletes is maintained with respect to such reports. The reported Use or detected presence of a monitored substance shall not constitute an anti-doping rule violation.

**II. Notification regarding ADVERSE ANALYTICAL FINDINGS**

If the initial review of an ADVERSE ANALYTICAL FINDING does not reveal an applicable therapeutic use exemption or entitlement to a therapeutic use exemption as provided in the INTERNATIONAL STANDARD for Therapeutic Use Exemptions, or departure that caused the ADVERSE ANALYTICAL FINDING, and thus the validity of the analysis appears to be given, the ANTI-DOPING DIRECTOR undertakes to promptly pass on the results to the ATHLETE, to the WDSF ANTI-DOPING REPRESENTATIVE, to the ATHLETE'S NATIONAL ANTI-DOPING ORGANIZATION, to the ATHLETE'S WDSF MEMBER Organization, and to WADA.

1. The notice to the ATHLETE shall comprise information about
  - a) the Adverse Analytical Finding;
  - b) the anti-doping rule violated;
  - c) the Athlete's right to promptly request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived;
  - d) the scheduled date, time and place for the B Sample analysis if the Athlete or WDSF 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 within the time period specified in the International Standard for Laboratories if such analysis is requested; and
  - f) the Athlete's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratories.
  - g) the Athlete's right to a provisional hearing.
2. The notices to the WDSF ANTI-DOPING REPRESENTATIVE, to the ATHLETE'S NATIONAL ANTI-DOPING ORGANIZATION, to the ATHLETE'S WDSF MEMBER Organization, and to WADA shall comprise information about the ATHLETE'S name, country, sport and discipline within the sport (where applicable), the ATHLETE'S competitive level, whether the test was IN-COMPETITION or OUT-OF-COMPETITION, the date of SAMPLE collection and the analytical result reported by the laboratory.

**III. Notification regarding ATYPICAL FINDINGS**

1. If the initial review of an A SAMPLE ATYPICAL FINDING does not reveal an applicable therapeutic use exemption or entitlement to a therapeutic use exemption as provided in the INTERNATIONAL STANDARD for Therapeutic Use Exemptions, or departure that caused the ATYPICAL FINDING, and thus the validity of the analysis appears to be given, the ANTI-DOPING DIRECTOR undertakes to conduct the required further investigation.
2. After the investigation is completed, the ATHLETE shall be notified whether or not the ATYPICAL FINDING will be brought forward as an ADVERSE ANALYTICAL FINDING, as

provided in Art. 5 II 1. The WDSF ANTI-DOPING REPRESENTATIVE, the ATHLETE'S NATIONAL ANTI-DOPING ORGANIZATION, the ATHLETE'S WDSF MEMBER Organization, and WADA shall be notified as provided in Art. 5 II 2.

3. The WDSF ANTI-DOPING DIRECTOR and WDSF will not provide notice of an ATYPICAL FINDING until it has completed its investigation and decided whether it will bring the ATYPICAL FINDING forward as an ADVERSE ANALYTICAL FINDING unless one of the following circumstances exist:
  - a) If the WDSF ANTI-DOPING DIRECTOR determines the B Sample should be analysed prior to the conclusion of its investigation under Art. 5 III 1, the WDSF 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 Art. 5 II 1.
  - b) If the WDSF receives a request, either from a MAJOR EVENT ORGANIZATION shortly before one of its INTERNATIONAL EVENTS or a request from a sport organization responsible for meeting an imminent deadline for selecting team members for an INTERNATIONAL EVENT, to disclose whether any ATHLETE identified on a list provided by the MAJOR EVENT ORGANIZATION or sport organization has a pending ATYPICAL FINDING, the ANTI-DOPING ORGANIZATION shall so identify any such ATHLETE after first providing notice of the ATYPICAL FINDING to the ATHLETE.

#### **IV. Review of other Anti-Doping Rule Violations**

1. The ANTI-DOPING DIRECTOR shall conduct any follow-up investigation into a possible anti-doping rule violation as may be required under applicable anti-doping policies and rules adopted pursuant to the CODE or which WDSF otherwise considers appropriate.
2. At such time as the WDSF ANTI-DOPING DIRECTOR is satisfied that an anti-doping rule violation has occurred, he shall promptly give the ATHLETE or other PERSON subject to sanction notice of the anti-doping rule violated, and the basis of the violation. The ATHLETE or PERSON shall be granted the possibility of a PROVISIONAL HEARING. The WDSF ANTI-DOPING REPRESENTATIVE, the ATHLETE'S NATIONAL ANTI-DOPING ORGANIZATION, the ATHLETE'S WDSF MEMBER Organization, and WADA shall be notified shall be notified as provided in Art. 5 II 2. If sufficient information with respect to an ATHLETE or PERSON is not available from or provided by a relevant MEMBER or MEMBERS, such Notice may be sufficiently given to such ATHLETE or PERSON by giving it instead to the MEMBER with jurisdiction over athletes in the country in which the relevant athlete or persons resided according to the best information available to the ANTI-DOPING DIRECTOR at the time of giving such Notice.

**V. B Sample Analysis**

1. If the ATHLETE desires that the B SAMPLE be analysed, the WDSF ANTI-DOPING DIRECTOR arranges the analysis. The standards of Art. 4 XI apply. The ATHLETE involved shall have the right to be present while the analysis is carried out, or that a PERSON designated by him/her be present. The ATHLETE shall carry the resulting costs (in the event of an ADVERSE ANALYTICAL FINDING) himself/herself.
2. The result of the B SAMPLE shall be seen as final. Further analyses shall not be permitted. Negative SAMPLES may be re-analysed as provided in Art. 4 XI 4.

**VI. Retirement from Sport**

If an ATHLETE or other PERSON retires while a results management process is underway, the WDSF retains jurisdiction to complete the results management process. If an ATHLETE or other PERSON retires before any results management process has begun, the WDSF has jurisdiction to conduct results management.

**VII. Confidentiality and Reporting**

The principles of confidentiality as set out in Art. 10 apply.

**Art. 6: Provisional Suspension**

**I. Implementation of a Provisional Suspension**

1. In the event of an ADVERSE ANALYTICAL FINDING for a PROHIBITED SUBSTANCE other than a SPECIFIED SUBSTANCE in an ATHLETE'S A SAMPLE, the ANTI-DOPING REPRESENTATIVE shall immediately impose a PROVISIONAL SUSPENSION upon the ATHLETE after the review and notification described in Art. 5 I and Art. 5 II. The ANTI-DOPING REPRESENTATIVE'S decision can be appealed to the WDSF Disciplinary Council.
2. In the event of an ADVERSE ANALYTICAL FINDING for a SPECIFIED SUBSTANCE in an ATHLETE'S A SAMPLE or other anti-doping rule violations, the ANTI-DOPING REPRESENTATIVE may immediately impose a PROVISIONAL SUSPENSION upon the ATHLETE after the review and notification described in Art. 5 I and Art. 5 II if this seems necessary to the ANTI-DOPING REPRESENTATIVE in the interests of fair competition. The ANTI-DOPING REPRESENTATIVE'S decision can be appealed to the WDSF Disciplinary Council.
3. Provided that a PROVISIONAL SUSPENSION pursuant to Art. 6 I or Art. 6 II cannot be imposed unless the ATHLETE has been given the opportunity for a PROVISIONAL HEARING before the ANTI-DOPING REPRESENTATIVE either before the imposition of the PROVISIONAL SUSPENSION or on a timely basis thereafter.

**II. Revocation of a Provisional Suspension**

If the analysis of the Athlete's B SAMPLE does not confirm the findings of the A SAMPLE analysis, the ANTI-DOPING REPRESENTATIVE shall lift the PROVISIONAL

SUSPENSION. The ATHLETE then shall not be subject to any further disciplinary action on account of a violation of Art. 1 VII 1. In circumstances where the ATHLETE or the ATHLETE'S team has been removed from a COMPETITION or an EVENT and the subsequent analysis of the B SAMPLE does not confirm the finding of the A SAMPLE analysis, the ATHLETE or team may continue to take part in the COMPETITION or EVENT, provided the COMPETITION or EVENT is not otherwise affected and it is still possible for the ATHLETE or team to be reinserted.

### III. **Effects of a Provisional Suspension**

In addition, all other competitive results obtained from the date a SAMPLE resulting in an ADVERSE ANALYTICAL FINDING was collected (whether IN-COMPETITION or OUT-OF-COMPETITION) or other doping violation occurred, shall be DISQUALIFIED with all the resulting CONSEQUENCES including forfeiture of any medals, points and prizes through the commencement of any PROVISIONAL SUSPENSION (Art. 6 I 1) or INELIGIBILITY period, unless fairness requires otherwise.

## **Art. 7: Evidence, Standards of Proof**

### I. **Responsibility and Liability**

1. ATHLETES or other PERSONS shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the PROHIBITED LIST.
2. 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 Art. 1 VII.

### II. **Rules of Evidence**

1. The WDSF shall have the burden of proof of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether WDSF has established an anti-doping rule violation to the comfortable satisfaction of the Disciplinary Council 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 the CODE places 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 Art. 8 IV and 8 VI, where the ATHLETE must satisfy a higher burden of proof.

2. Sufficient proof of an anti-doping rule violation under Art. 1 VII 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 analysed;
  - or, where the ATHLETE'S B Sample is analysed 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.
3. The success or failure of the USE of a PROHIBITED SUBSTANCE or application of a 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.
4. Facts related to anti-doping rule violations may be established by any reliable means, including admissions, in particular by the analysis results of WADA-accredited laboratories as per Art. 4 XI, and/or other court and tribunal decisions as per Art. 7 II 7.
5. 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 a departure from the INTERNATIONAL STANDARD occurred which could reasonably have caused the ADVERSE ANALYTICAL FINDING. In this case, the WDSF shall have the burden to establish that such departure did not cause the ADVERSE ANALYTICAL FINDING.
6. 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 the WDSF shall have the burden to establish that such departure did not cause the ADVERSE ANALYTICAL FINDING or the factual basis for the anti-doping rule violation.
7. 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.

## **Art. 8: Sanctions and Disqualifications**

### **I. Disqualification**

1. An anti-doping rule violation in connection with an IN-COMPETITION test automatically leads to the DISQUALIFICATION of the individual result obtained in that COMPETITION with all resulting consequences, including forfeiture of any medals, points, and prizes, irrespective of any other sanction that may be applied, subject to the provisions of this article. In the event of a dancer from a Formation Team being disqualified, this DISQUALIFICATION extends to the entire Formation Team.
2. An anti-doping rule violation occurring during or in connection with an EVENT may, upon the decision of the ruling body of the EVENT, lead to DISQUALIFICATION of all of the ATHLETE'S individual results obtained in that EVENT with all CONSEQUENCES, including forfeiture of all medals, points and prizes, except as provided in Art. 8 I 3. In the event of a dancer from a Formation Team being disqualified, this DISQUALIFICATION extends to the entire Formation Team for the entire EVENT.
3. If the ATHLETE establishes that he or she bears No Fault or Negligence for the violation, the ATHLETE'S individual results in the other COMPETITIONS shall not be DISQUALIFIED unless the ATHLETE'S results in COMPETITIONS other than the COMPETITION in which the anti- doping rule violation occurred were likely to have been affected by the ATHLETE'S anti- doping rule violation.
4. In addition to the automatic DISQUALIFICATION of the results in the Competition which produced the positive Sample under Art. 8 I 1 and 2 (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. In the event of a dancer from a Formation Team being disqualified, this DISQUALIFICATION extends to the entire Formation Team.
5. The ATHLETE DISQUALIFIED must repay all prize money and return all medals and prizes forfeited under this Article to WDSF or the ORGANIZER of the COMPETITION or EVENT. The forfeited prize money, medals and prizes shall, after having been repaid and returned, be reallocated to other ATHLETES according to their relative position in the COMPETITION or EVENT affected.

**II. INELIGIBILITY for PRESENCE, USE or ATTEMPTED USE, or POSSESSION of PROHIBITED SUBSTANCES and PROHIBITED METHODS**

The period of Ineligibility imposed for a violation of Art. 1 VII 1 (PRESENCE of PROHIBITED SUBSTANCE or its METABOLITES or MARKERS), Art. 1 VII 2 (USE or ATTEMPTED USE of PROHIBITED SUBSTANCE or PROHIBITED METHOD) and Art. 1 VII 6 (POSSESSION of PROHIBITED SUBSTANCES or means for PROHIBITED METHODS) shall be as follows, unless the conditions for eliminating or reducing the period of Ineligibility, as provided in Art. 8 IV and Art. 8 V, or the conditions for increasing the period of Ineligibility, as provided in Art. 8 VI, are met:

First violation: Two (2) years INELIGIBILITY.

**III. INELIGIBILITY for Other Anti-Doping Rule Violations**

The period of Ineligibility for anti-doping rule violations other than as provided in Art. 8 II shall be as follows:

1. For violations of Art. 1 VII 3 (Refusing or Failing to Submit to Sample Collection) or Art. 1 VII 5 (Tampering with Doping Control), the Ineligibility period shall be two (2) years unless the conditions provided in Art. 8 V, or the conditions provided in Art. 8 VI, are met.
2. For violations of Art. 1 VII 7 (Trafficking or Attempted Trafficking) or 1 VII 8 (Administration or Attempted Administration of Prohibited Substance or Prohibited Method), the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility unless the conditions provided in Art. 8 V 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 referenced in Art. 2 I 45, shall result in lifetime Ineligibility for ATHLETE SUPPORT PERSONNEL. In addition, significant violations of Articles 1 VII 7 or 1 VII 8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.
3. For violations of Art. 1 VII 4 (Whereabouts Filing Failures and / or Missed Tests), the period of Ineligibility shall be at a minimum one (1) year and at a maximum two (2) years based on the ATHLETE's degree of fault.

**IV. 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 Art. 8 I 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'S or other PERSON'S degree of fault shall be the criterion considered in assessing any reduction of the period of Ineligibility.

**V. Elimination or Reduction of the Period of INELIGIBILITY for Specified Substances based on Exceptional Circumstances**

1. 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 Art. 1 VII 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 Art. 8 VII.
2. If an ATHLETE or other PERSON establishes in an individual case that he or she bears No Significant Fault or Negligence, then the otherwise applicable period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight (8) years. When a Prohibited Substance or its Markers or Metabolites is detected in an ATHLETE'S Sample in violation of Art. 1 VII 1 (Presence of a 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.
3. The WDSF may, prior to a final appellate decision under Art. 9 VI 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 Art. 9 VI or the expiration of time to appeal, the WDSF may only suspend

a part of the otherwise applicable period of Ineligibility with the approval of WADA. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the ATHLETE or other PERSON and the significance of the Substantial Assistance provided by the ATHLETE or other PERSON to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this section must be no less than eight (8) years. If the WDSF suspends any part of the otherwise applicable period of Ineligibility under this Article, the WDSF shall promptly provide a written justification for its decision to each Anti-Doping Organization having a right to appeal the decision. If the WDSF 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 Art. 9 VI.

4. 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 Art. 1 VII 1, before receiving first notice of the admitted violation pursuant to Art. 5) 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.
5. Before applying any reduction or suspension under Articles 8 V 2, 8 V 3 or 8 V 4, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 8 II, 8 III, 8 IV and 8 VI. If the ATHLETE or other PERSON establishes entitlement to a reduction or suspension of the period of Ineligibility under two or more of Articles 8 V 2, 8 V 3 or 8 V 4, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

**VI. Aggravating Circumstances Which May Increase the Period of INELIGIBILITY**

If the WDSF establishes in an individual case involving an anti-doping rule violation other than violations under Articles 1 VII 7 (TRAFFICKING or ATTEMPTED TRAFFICKING) and 1 VII 8 (Administration or Attempted Administration) that aggravating circumstances are present which justify the imposition of a period of INELIGIBILITY greater than the standard sanction, then the period of INELIGIBILITY otherwise applicable shall be increased up to a maximum of four (4) years unless the ATHLETE or other PERSON can prove to the comfortable satisfaction of the Disciplinary Council that he or she did not knowingly commit the anti-doping rule violation. 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.

**VII. Multiple Violations**

1. For an ATHLETE'S or other PERSON'S first anti-doping rule violation, the period of INELIGIBILITY is set forth in Articles 8 II and 8 III 3 (subject to elimination, reduction or suspension under Articles 8 IV or 8 V, or to an increase under Article 8 VI). For a second anti-doping rule violation the period of INELIGIBILITY shall be within the range set forth in the table below:

<b>Second Violation</b> <b>First Violation</b>	<b>RS</b>	<b>FFMT</b>	<b>NSF</b>	<b>St</b>	<b>AS</b>	<b>TRA</b>
<b>RS</b>	1-4	2-4	2-4	4-6	8-10	10-life
<b>FFMT</b>	1-4	4-8	4-8	6-8	10-life	life
<b>NSF</b>	1-4	4-8	4-8	6-8	10-life	life
<b>St</b>	2-4	6-8	6-8	8-life	life	life
<b>AS</b>	4-5	10-life	10-life	life	life	life
<b>TRA</b>	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 Art. 8 IV):*

The anti-doping rule violation was or should be sanctioned by a reduced sanction under Art. 8 IV because it involved a Specified Substance and the other conditions under Art. 8 IV were met.

*FFMT (Filing Failures and/or Missed Tests):*

The anti-doping rule violation was or should be sanctioned under Article Art. 8 III 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 Art. 8 V 2 because No Significant Fault or Negligence under Art. 8 V 2 was proved by the ATHLETE.

*St (Standard sanction under Art. 8 II or 8 III 1):*

The anti-doping rule violation was or should be sanctioned by the standard sanction of two (2) years under Articles 8 II or 8 III 1.

*AS (Aggravated sanction):*

The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Art. 8 VI because the Anti-Doping Organization established the conditions set forth under Art. 8 VI.

*TRA (Trafficking or Attempted Trafficking and administration or Attempted administration):*

The anti-doping rule violation was or should be sanctioned by a sanction under Art. 8 III 2.

2. 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 Art. 8 V 3 or Art. 8 V 4, the Disciplinary Council shall first determine the otherwise applicable period of INELIGIBILITY within the range established in the table in Article 8 VII 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 8 V 3 and 8 V 4, must be at least one-fourth of the otherwise applicable period of Ineligibility.
3. A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for elimination or reduction of the period of INELIGIBILITY under Art. 8 IV or involves a violation of Art. 1 VII 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.
4. a) For purposes of imposing sanctions under Art. 8 VII, an anti-doping rule violation will only be considered a second violation if the WDSF 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 Art. 5 (Results Management), or after the WDSF made reasonable efforts to give notice, of the first anti-doping rule violation; if the WDSF 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 (Art. 8 VI).
- b) If, after the resolution of a first anti-doping rule violation, the WDSF discovers facts involving an anti-doping rule violation by the ATHLETE or other PERSON which occurred prior to notification regarding the first violation, then the WDSF 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 Art. 8 I 4. To avoid the possibility of a finding of aggravating circumstances (Art. 8 VI) 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 the WDSF discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

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

#### VIII. Commencement of INELIGIBILITY Period

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

1. 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 Disciplinary Council 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.
2. Where the ATHLETE or other PERSON promptly (which, in all events, for an ATHLETE means before the ATHLETE competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the Anti-Doping Organization, 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.
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.
4. If an ATHLETE voluntarily accepts a Provisional Suspension in writing from an Anti-Doping Organization with results management authority 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 Art. 5 II.
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.

**IX. Status during INELIGIBILITY**

1. No ATHLETE or other PERSON who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any Signatory, Signatory's member organization, or a club or other member organization of a Signatory's member organization, or in Competitions authorized or organized by any professional league or any international – or national – level Event organization. An ATHLETE or other PERSON subject to a period of INELIGIBILITY longer than four (4) years may, after completing four (4) years of the period of Ineligibility, participate in local sport events in a sport other than the sport in which the ATHLETE or other PERSON committed the anti-doping rule violation, but only so long as the local sport event is not at a level that could otherwise qualify such ATHLETE or other 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.
2. Where an ATHLETE or other PERSON who has been declared Ineligible violates the prohibition against participation during INELIGIBILITY described in Art. 8 IX 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 Art. 8 V 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 Art. 8 V 2 is appropriate, shall be made by the WDSF's Disciplinary Council.
3. In addition, for any anti-doping rule violation not involving a reduced sanction for Specified Substances as described in Art. 8 IV, some or all sport-related financial support or other sport-related benefits received by such PERSON will be withheld by the WDSF and/or its Members.

**X. Reinstatement Testing**

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 and return all medals and prizes objects forfeited as per Art. 8 I 5.
2. 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 any Anti-Doping Organization having Testing jurisdiction, and must, if requested, provide current and accurate whereabouts information. 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 relevant Anti-Doping Organizations and has been subject to Out-of-Competition Testing for a period of time equal to the period of INELIGIBILITY remaining as of the date the ATHLETE had retired.

## **Art. 9: Disciplinary Proceedings**

### **I. The WDSF Disciplinary Council**

Violations of this CODE are decided under the jurisdiction of the WDSF Disciplinary Council. The WDSF Disciplinary Council is an independent organ of WDSF according to Art. 8, 18 WDSF STATUTES. Its composition is ruled by Art. 6 and Art. 7 of the Disciplinary Council Code, which forms an integral part of WDSF STATUTES. The proceedings follow the Disciplinary Council Code.

### **II. Commencing Proceedings**

1. In the event of ADVERSE ANALYTICAL FINDINGS both in the A and B SAMPLES, the ANTI-DOPING REPRESENTATIVE shall immediately notify the WDSF Disciplinary Council in writing of the ATHLETE'S name and contact information, the circumstances of the TESTING and the results of the analysis, and must copy the same information at the same time to the WDSF MEMBER of which the ATHLETE is a member or registered ATHLETE, and to WADA. Thereupon the Chamber in Charge of the WDSF Disciplinary Council appointed following Art. 8 Disciplinary Council Code will act as First Instance as per Art. 9 Disciplinary Council Code.
2. No action may be commenced against an ATHLETE or other PERSON for a violation of an anti-doping rule contained in this CODE unless such action is commenced within eight (8) years from the date the violation occurred.

### **III. Disciplinary Council Procedure in Doping Cases**

1. The Disciplinary Council must consider and decide the case according to this CODE, the Disciplinary Council Code, the WDSF STATUTES, Art. 8 of the WADA Code defining the right to a fair hearing, and Swiss law.
2. The Disciplinary Council decides about sanctions pursuant to this CODE. It can, at any time during the procedure, revoke or vary the PROVISIONAL SUSPENSION of an ATHLETE, if it considers, based on new evidence presented before it after the PROVISIONAL HEARING, that it is likely that the case against him or her will be dismissed. In such a case, the Disciplinary Council shall give a reasoned decision in writing signed by all its members.

3. The Disciplinary Council meets *in camera*.
4. The Disciplinary Council must consider the case. With the prior agreement in writing of the ATHLETE whose ADVERSE ANALYTICAL FINDING is the subject of the case, it can decide the case without a hearing.
5. The PERSONS involved have the right to be informed in a fair and timely manner of the asserted anti-doping rule violation. They have the right, at a timely hearing, to state their case orally or in writing. They have the right to present evidence, to call and question witnesses (subject to the WDSF Disciplinary Council's discretion to accept testimony by telephone or by written submission). They have the right to respond to the asserted anti-doping rule violation and resulting consequences. They may consult licensed legal counsel before stating their case and have the right to be represented by counsel at their own expense.
6. If an ATHLETE does not consent to a decision without a hearing, the Disciplinary Council shall determine the time and place for the hearing. The PERSONS involved shall be given notice in writing of the date of the hearing at least four weeks prior to it. The Disciplinary Council shall decide the means of communicating this notice, in its absolute discretion provided always that its decision must be based on a *bona fide* attempt to provide real and effective notice to the ATHLETE by the best methods possible under all of the circumstances.
7. The PERSONS involved have the right to an interpreter at the hearing, with the WDSF Disciplinary Council to determine the identity, and responsibility for the cost, of the interpreter.
8. If an ATHLETE fails, refuses or neglects to appear at the hearing of his or her case after the Disciplinary Council has given notice in writing as required above, the Disciplinary Council may base its decision on the records without a hearing.
9. The Disciplinary Council 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 as directed by the Disciplinary Council as per Art. 9 III 6) and to answer questions from the Disciplinary Council or WDSF.
10. Notwithstanding any other provision to the contrary in this CODE, the Disciplinary Council may take urgent decisions in order to uphold the WDSF RULES, sporting discipline or the rights of an ATHLETE. A complaint against urgent proceedings may be made to the Disciplinary Council in writing within the period of one week. The Disciplinary Council must consider and decide on the complaint.

11. The Disciplinary Council shall decide by majority vote. Less significant proceedings, in particular such proceedings in which the fault is negligible, may be dismissed under the doctrine that the Disciplinary Council takes no notice of insignificant things under the doctrine *de minimis non curat lex*.
12. The Disciplinary Council shall give its decisions in writing signed by all its members. Every decision shall include reasons, in particular an explanation of the reason(s) for any period of INELIGIBILITY, provided always that dissenting reasons shall not be given.
13. Where no hearing occurs, the WDSF shall submit to the PERSONS entitled to an Appeal as provided in Art. 8 VI a reasoned decision explaining the action taken.
14. No later than twenty (20) days after the decision of the Disciplinary Council, WDSF must publicly report the disposition of the anti-doping matter.

#### IV. **Reasons for Exclusion**

1. A member of the Disciplinary Council shall be excluded from taking part in a proceedings if
  - a) the member himself/herself or an ATHLETE from his/her national federation is involved in the case;
  - b) someone involved in the case
    - aa) is the fiancé/fiancée of a member of the Disciplinary Council, or
    - bb) is or was the spouse, had a spousal relationship with the member, or had a common home with the member, or
    - cc) is or was related to the member by law or by blood to the second degree of blood relation.
2. Members of the Disciplinary Council may declare themselves biased or may be challenged as biased by notice in writing to all members of the Disciplinary Council. A member of the Disciplinary Council has the duty to give notice of such challenge as soon as he/she knows of a reason for it. The Chair of the Disciplinary Council decides on the justification.
3. In the event of one or more members of the Disciplinary Council Chamber in Charge being excluded pursuant to Art. 9 IV 1 or 2, the equivalent number of members shall be nominated by the Chair of the Disciplinary Council or, in case of the Chair being excluded, by the Vice-Presidents of the Disciplinary Council.

#### V. **Costs**

1. The Disciplinary Council Chamber decides on the costs of the case.
2. If sanctions are imposed, the ATHLETE shall pay the costs of the case. If the ATHLETE fails, refuses or neglects so to pay the costs within one month of the Chamber's decision, the WDSF Member of which he/she is a member or regis-

tered ATHLETE is liable to pay the costs within two months of the Chamber's decision. Otherwise the WDSF shall carry the costs.

3. Costs eligible for cost assessment are:

- a) Expenditures for witnesses and evidence,
- b) Necessary expenses of the PERSONS involved (travel costs, accommodation, meals, and other incidental costs), including the members of the Disciplinary Council Chamber.

Expenses incurred through drawing on or authorizing third parties are not eligible for cost assessment.

## VI. Appeals

1. Any decision made by the Disciplinary Council or one of its Chambers may be appealed to the Court of Arbitration for Sport ("CAS") in Lausanne, Switzerland, according to its rules and jurisdiction. This includes namely

- decisions that an anti-doping rule violation was committed or not committed
- a decision imposing CONSEQUENCES for an anti-doping rule violation
- a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription)
- a decision under Art. 8 IX 2 (Violation of the PROHIBITION OF PARTICIPATION during INELIGIBILITY)
- a decision that the WDSF or one of its MEMBERS lacks jurisdiction to rule on an alleged anti-doping rule violation or its CONSEQUENCES
- a decision by the WDSF 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 Art. 5.
- a decision revising the ANTI-DOPING REPRESENTATIVE'S decision to impose a PROVISIONAL SUSPENSION.

2. 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) WDSF
- d) the National ANTI-DOPING ORGANIZATION of the PERSON or ATHLETE'S country of residence or countries where the PERSON or ATHLETE is a national or a license holder
- e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games

f) the International World Games Association (IWGA) where the decision may have an effect in relation to the World Games, including decisions affecting eligibility for the World Games

g) WADA. WADA may appeal any decision directly to CAS without having to exhaust other remedies in the process as provided by this Article.

Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the other party and the information shall be provided if CAS so directs.

3. The only PERSON that may appeal from a PROVISIONAL SUSPENSION (Art. 6 I 1) is the ATHLETE or other PERSON upon whom the PROVISIONAL SUSPENSION is imposed.

4. 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.

5. Decisions appealed shall remain in effect while under appeal unless the appellate body orders otherwise.

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

## VII Appeals against Member's Anti-Doping decisions

WDSF and WADA have the right to appeal to CAS any decision by the competent body of each of WDSF's MEMBERS in Anti-Doping matters, including:

- any of WDSF's MEMBERS' decisions that an anti-doping rule violation was committed or not committed
- any decision by any of WDSF's MEMBERS imposing Consequences for an anti-doping rule violation
- any decision by any of WDSF's MEMBERS that an anti-doping rule violation proceeding cannot proceed for procedural reasons (including, for example, prescription)
- any decision that any WDSF MEMBER lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences

- any decision by any WDSF's MEMBER not to produce or proceed with respect to an ADVERSE ANALYTICAL FINDING or an ATYPICAL FINDING as an anti-doping rule violation.
- a decision by any of WDSF's Members not to bring forward an ADVERSE ANALYTICAL FINDING or an ATYPICAL FINDING as an anti-doping rule violation.

## **Art. 10: Confidentiality and Reporting**

### **I. General Principle**

1. When performing obligations under the CODE, the WDSF may collect, store, process or disclose personal information relating to ATHLETES and third parties. The WDSF will ensure that it complies with applicable data protection and privacy laws with respect to its handling of such information, as well as the WADA INTERNATIONAL STANDARD for the protection of privacy to ensure ATHLETES and non-athletes are fully informed of and, where necessary, agree to the handling of their personal information in connection with anti-doping activities arising under the CODE.
2. MEMBERS shall furnish WDSF with all information requested by the Anti-Doping Director or the Presidium, with respect to their registered or affiliated athletes, adjudicators and other officials.

### **II. Information Concerning ADVERSE ANALYTICAL FINDINGS, ATYPICAL FINDINGS, and Other Potential Anti-Doping Rule Violations**

1. The ATHLETE'S NATIONAL ANTI-DOPING ORGANIZATION, the ATHLETE'S WDSF MEMBER Organization, and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 5 (Results Management) and 9 (Disciplinary Proceedings) and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.
2. The recipients of any information in doping cases provided by WDSF as set out in Art. 5 I to V shall not disclose this information beyond those PERSONS with a need to know (which would include the appropriate personnel at the applicable National Olympic Committee, WDSF MEMBER, and team in a TEAM SPORT) until the WDSF has made public disclosure or has failed to make public disclosure as required in Art. 10 III below.

### **III. Public Disclosure**

1. The identity of any ATHLETE or other PERSON who is asserted by the WDSF to have committed an anti-doping rule violation, may be publicly disclosed by the ISDF only after notice has been provided to the ATHLETE or other PERSON and to the applicable ANTI-DOPING ORGANIZATIONS in accordance with Art. 5 I to IV.

2. No later than twenty (20) days after it has been determined in a hearing before the Disciplinary Council in accordance with Art. 9 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, the WDSF must publicly report the disposition of the anti-doping matter including the sport (DanceSport), the anti-doping rule violated, the name of the ATHLETE or other PERSON committing the violation, the PROHIBITED SUBSTANCE or PROHIBITED METHOD involved and the CONSEQUENCES imposed. The WDSF must also publicly report within twenty (20) days appeal decisions concerning anti-doping rule violations. The WDSF shall also, within the time period for publication, send all hearing and appeal decisions to WADA.
3. In any case where it is determined, after a hearing or appeal, that the ATHLETE or other PERSON did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the ATHLETE or other PERSON who is the subject of the decision. The WDSF 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.
4. Publication shall be accomplished at a minimum by placing the required information on the WDSF's Web site and leaving the information up for at least one (1) year.
5. No official of WDSF 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.

#### IV. **Statistical Reporting**

The WDSF will annually publish a general statistical report of its Doping Control activities with a copy provided to WADA.

### **Art. 11: Taking Effect**

This revision of the Code 2010 has been approved and accepted by the WDSF Annual General Meeting 2010 at Vienna, Austria, and will be effective as per January 1st 2011.