

# ANTI-DOPING RULES



## Version 1.0

WAKO AD Rules decided by WAKO Board 22<sup>nd</sup> December 2005 and corrected and generally compliant together with WADA 10<sup>th</sup>. February 2006.



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# WAKO ANTI-DOPING RULES

## INTRODUCTION

### Preface

The WAKO constitution was amended during the WAKO Extraordinary General Assembly on November 30, 2005 when it was decided that WAKO would become Signatory to the World Anti-Doping Code. At its Board of Directors meeting held on December 22 2005, WAKO accepted the World Anti-Doping Code (the "Code"). WAKO's Board of Directors was given the mandate to draft the necessary rules. The integral text of the WADA Model Rules of Best Practice has been accepted and imported with no substantive change into the WAKO Anti-Doping Rules.

These WAKO Anti-Doping Rules are adopted and implemented in conformance with WAKO's responsibilities under the Code, and are in furtherance of WAKO's continuing efforts to eradicate doping in the sport of Kickboxing. These rules will be valid until WAKO's General Assembly in 2007, when appropriate Code-compliant modifications may be brought.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Athletes* accept these rules as a condition of participation. Anti-Doping Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the Code and implemented in these WAKO Anti-Doping Rules represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.

### Implementation

To assist member federations to implement the World Anti Doping Program, the WAKO Board of Directors undertakes the following:

- WAKO has established an Anti-Doping Coordination Committee to handle this Anti-Doping Policy and to work in conjunction with WAKO's Medical Committee.
- WAKO will send out WADA education materials and urge its members to take action in youth programs.
- WAKO will ensure that all member federations are following the WAKO Anti-Doping policy, or that of their relevant National Anti Doping Organisation, and taking part in various preventive activities.
- WAKO will facilitate communication between its member federations and their relevant National Anti-Doping Organisation .

- WAKO will advise all participants in WAKO sanctioned events that they may be subject to doping control and ensure that all other promoters of tournaments sanctioned by WAKO will also advise all participants that they may be subject to doping control

### **Precisions on Doping Controls**

WAKO does not have its own trained Doping Control Officers or medical staff. As such WAKO and its member federations agree to be bound by the World Anti Doping Code and all relevant Standards as well as this Rule as follows:

- At all Regional or World Cups events, WAKO's will direct that doping controls be undertaken by the National Anti Doping Agency of the country in which the event is taking place<sup>1</sup>.
- When organizing a WAKO sanctioned event, officially recognized Member Federations or sports authorities are obliged to, either by themselves or together with WAKO, seek relevant National Anti-Doping Organisation's doping control services.
- When promoting a WAKO sanctioned event, non-officially recognized sports authorities are strongly recommended, either by themselves or with the help of WAKO, to inform the relevant National Anti-Doping Agency about their activity.
- In accordance with these rules, for any doping controls organized at Regional or World Cups, a copy of a test declaration shall be sent to WAKO HQ, stating the number of controls that are scheduled and by which testing authority.
- In accordance with these rules, for any doping controls organized at other sanctioned events, a copy of a test declaration shall be sent or emailed to WAKO HQ, stating the number of controls that are scheduled and by which testing authority.
- WAKO shall only seek the anti-doping control services of organizations who are Signatories to the Code.

### **Scope**

These Anti-Doping Rules shall apply to WAKO, each *Member Federation* of WAKO, and each *Participant* in the activities of WAKO or any of its *Member Federations* by virtue of the *Participant's* membership, accreditation, or participation in WAKO, its *Member Federations*, or their activities or *Events*. [Any *Person* who is not a member of a Member Federation and who fulfills the requirements to be part of the WAKO Registered Testing Pool, must become a member of the *Person's Member Federation*, and must make himself or herself available for *Testing*, at least [six]

- <sup>1</sup> In World and European Championships doping controls are mandatory as described in article 5.7 – "Selection of Athletes to be tested".

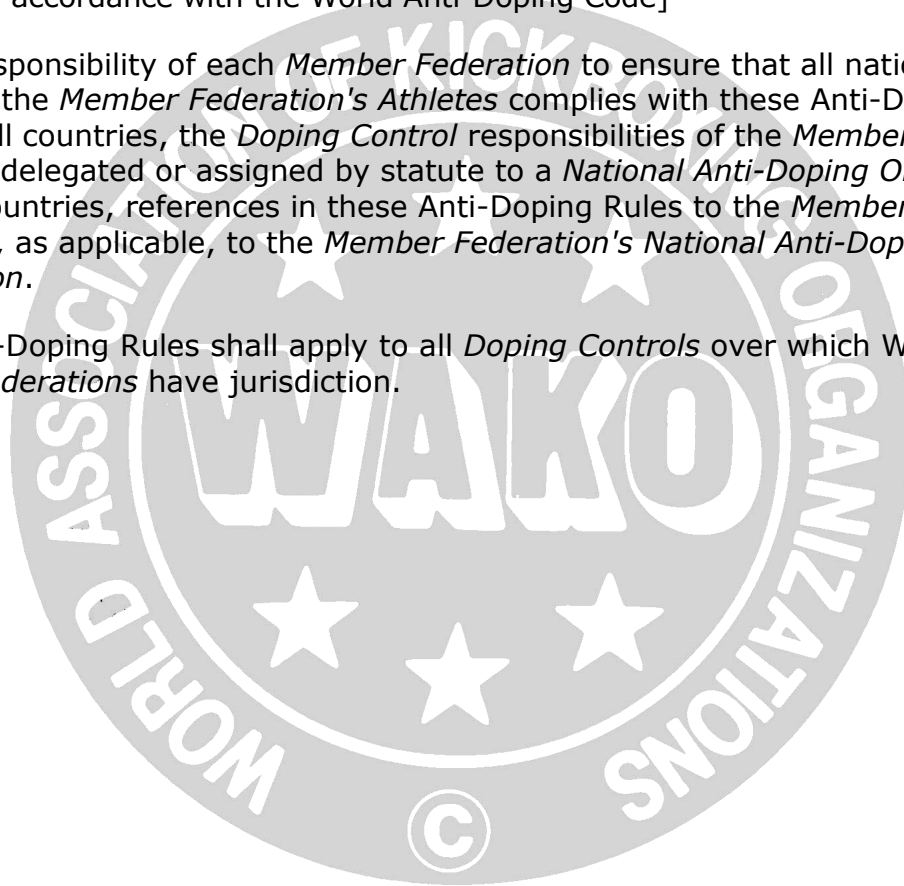
[twelve] months before participating in *International Events or events of his/her Member Federation..]*

[To be eligible for participation in WAKO events, a competitor must have a WAKO licence issued by his or her Member Federation. The WAKO licence will only be issued to competitors who have personally signed the Appendix 1, in the actual form approved by the WAKO Executive. All forms from under-age applicants must be counter-signed by their legal guardians.

The Member Federation must guarantee that all athletes registered for a WAKO Licence accept the Rules of the WAKO, including these WAKO Anti-Doping Rules compiled in accordance with the World Anti-Doping Code]

It is the responsibility of each *Member Federation* to ensure that all national-level *Testing* on the *Member Federation's Athletes* complies with these Anti-Doping Rules. In all countries, the *Doping Control* responsibilities of the *Member Federation* have been delegated or assigned by statute to a *National Anti-Doping Organization*. In those countries, references in these Anti-Doping Rules to the *Member Federation* shall apply, as applicable, to the *Member Federation's National Anti-Doping Organization*.

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



## Fundamental Rationale for the Code and WAKO's Anti-Doping Rules

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

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

### ARTICLE 1 DEFINITION OF DOPING

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

### ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

The following constitute anti-doping rule violations:

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

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

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

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

## **2.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method**

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

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

**2.4** Violation of the requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information set forth in Article 5.5 (*Athlete* whereabouts requirements) and missed tests which are declared based on reasonable rules.

**2.5** *Tampering*, or *Attempting* to tamper, with any part of *Doping Control*.

## **2.6 Possession of Prohibited Substances and Methods**

**2.6.1** *Possession* by an *Athlete* at any time or place of a substance that is prohibited in *Out-of-Competition Testing* or a *Prohibited Method* unless the *Athlete* establishes that the *Possession* is pursuant to a therapeutic use exemption granted in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

**2.6.2** *Possession* of a *Prohibited Substance* that is prohibited in *Out-of-Competition Testing* or a *Prohibited Method* by *Athlete Support Personnel* in connection with an *Athlete*, *Event* 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 Article 4.4 (Therapeutic Use) or other acceptable justification.

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

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

## **ARTICLE 3 PROOF OF DOPING**

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

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

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

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

**3.2.1** WADA-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for laboratory analysis. The *Athlete* may rebut this presumption by establishing that a departure from the *International Standard* occurred.

If the *Athlete* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred, then WAKO or its *Member Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

**3.2.2** Departures from the *International Standard for Testing* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* establishes that departures from the *International Standard* occurred during *Testing* then WAKO or its *Member Federation* shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

## **ARTICLE 4 THE PROHIBITED LIST**

### **4.1 Incorporation of the *Prohibited List***

These Anti-Doping Rules incorporate the *Prohibited List* which is published and revised by WADA as described in Article 4.1 of the *Code*. WAKO will make the current *Prohibited List* available to each *Member Federation*, and each *Member*

*Federation* shall ensure that the current *Prohibited List* is available to its members and constituents.<sup>2</sup>

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

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication of the *Prohibited List* by WADA without requiring any further action by WAKO. As described in Article 4.2 of the *Code*, WAKO may [upon the recommendation of its Anti-Doping Commission] request that WADA expand the *Prohibited List* for the sport of Kickboxing. WAKO may also [upon the recommendation of its Anti-Doping Commission] request that WADA include additional substances or methods, which have the potential for abuse in the sport of Kickboxing, in the monitoring program described in Article 4.5 of the *Code*. As provided in the *Code*, WADA shall make the final decision on such requests by WAKO.

#### **4.3 Criteria for Including Substances and Methods on the Prohibited List**

As provided in Article 4.4.3 of the *Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* shall be final and shall not be subject to challenge by an *Athlete* or other *Person*.

#### **4.4 Therapeutic Use**

**4.4.1** *Athletes* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a Therapeutic Use Exemption ("TUE").

**4.4.2** *Athletes* included by WAKO in its *Registered Testing Pool* and other *Athletes* prior to their participation in any *International Event* must obtain a TUE from WAKO (regardless of whether the *Athlete* previously has received a TUE at the national level). TUE's granted by WAKO shall be reported to the *Athlete's Member Federation* and to WADA. Other *Athletes* subject to *Testing* [must] [may] obtain a TUE from their *National Anti-Doping Organization* or other body designated by their *Member Federation*. *Member Federations* shall promptly report any such TUE's to WAKO and WADA.

(2) The *Prohibited List* in force is available on WADA's website at [www.wada-ama.org](http://www.wada-ama.org) and on WAKO's website at [www.wakoweb.com](http://www.wakoweb.com)

**4.4.3** The WAKO Executive shall appoint a panel of physicians to consider requests for TUE's (the "TUE Panel"). Upon WAKO's receipt of a TUE request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such request in accordance with the *International Standard* for Therapeutic Use Exemptions and render a decision on such request, which shall be the final decision of WAKO.

4.4.3.1 *International-Level Athletes* who are included in the WAKO's *Registered Testing Pool*, should apply to WAKO for the TUE at the same time the *Athlete* first provides whereabouts information to the WAKO and, except in emergency situations, no later than 21 days before the *Athlete's* participation at an *International Event*.

4.4.3.2 *Athletes* participating in *International Events* who are not included in the WAKO *Registered Testing Pool* must, except in emergency situations, request a TUE from WAKO no later than 21 days before the *Athlete's* participation at an *International Event*.

**4.4.4** WADA, at the request of an *Athlete* or on its own initiation, may review the granting or denial of any TUE to an *International Level Athlete* or a national level *Athlete* that is included in a *Registered Testing Pool*. WAKO WADA determines that the granting or denial of a TUE did not comply with the *International Standard* for Therapeutic Use Exemptions in force at the time then WADA may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 13.

## **ARTICLE 5 TESTING**

### **5.1 Authority to Test**

All *Athletes* affiliated with a *Member Federation* shall be subject to *In-Competition Testing* by WAKO, the *Athlete's Member Federation*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* affiliated with a *Member Federation* shall also be subject to *Out-of-Competition Testing* at any time or place, with or without advance notice, by WADA, the *Athlete's Member Federation*, the *National Anti-Doping Organization* of any country where the *Athlete* is present and the IOC during the Olympic Games should Kickboxing reach the Olympic Games.

### **5.2 Responsibility for WAKO Testing**

The WAKO and the Anti-Doping Coordination Committee shall be responsible for overseeing all *Testing* conducted qualified WADA or *National Anti-Doping Organization* personnel.

### **5.3 Testing Standards**

*Testing* ordered by WAKO and its *Member Federations* and conducted by qualified personnel shall be in substantial conformity with the *International Standard for Testing* in force at the time of *Testing*.

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

### **5.4 Coordination of Testing**

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

### **5.5 Athlete Whereabouts Requirements**

**5.5.1** Athletes must submit their whereabouts information to their Member Federation or to their NADO. WAKO does not have a registered testing pool for its athletes and will depend on Member Federations to collect the required athletes whereabouts information and submit it to WAKO.

### **5.7 Selection of Athletes to be Tested**

**5.7.1** At *International Events*, the Anti-Doping Coordinator Committee shall determine the number of finishing placement tests, random tests and target tests to be performed.

**5.7.1.1** The following *Athletes* shall be tested for each *Competition* at an *International Event*.

*Athletes* finishing in one of the top three placements in competition in the *Competition*, plus one other *Athlete* in the *Competition* selected at random by WADA or Anti-Doping Organizations

There will be tests carried out in all World and Continental championships. The number of the tests will be determined by WAKO's Anti-Doping Coordination Committee together with the National Anti-Doping Organization. In WAKO World Cups testing are recommended.

**5.7.1.2** The WAKO Anti-Doping Coordination Committee shall target a certain number of athletes not necessarily linked to final placements in order to maximize the diversity of athletes tested or based on information provided by the WADA Clearinghouse on previous tests.

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

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

**5.7.4** *Athletes* shall be selected for *Out-of-Competition Testing* by the WAKO's Anti-Doping Coordination Committee and by *Member Federations* through a process that substantially complies with the *International Standard for Testing* in force at the time of selection.

**5.8** *Member Federations* and the organizing committees for *Member Federation Events* shall provide access to *Independent Observers* at *Events* as directed by WAKO.

## **ARTICLE 6 ANALYSIS OF SAMPLES**

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

### **6.1 Use of Approved Laboratories**

National Anti-Doping Organizations working on behalf of WAKO shall send *Doping Control Samples* for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other method approved by WADA) used for the *Sample* analysis shall be determined exclusively by National Anti-Doping Organization.

### **6.2 Substances Subject to Detection**

*Doping Control Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as

may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the *Code*.

### **6.3 Research on Samples**

No *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Prohibited List*, or as otherwise identified by WADA pursuant to its Monitoring Program, without the *Athlete's* written consent.

### **6.4 Standards for Sample Analysis and Reporting**

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

## **ARTICLE 7 RESULTS MANAGEMENT**

### **7.1 Results Management for Tests Initiated by WAKO**

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

**7.1.1** The results from all analyses must be sent to WAKO in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential.

**7.1.2** The *Athlete* and/or his representative shall be allowed to be present at the analysis of both A and B *Sample*. Also a representative of the *Athlete's Member Federation* as well as a representative of WAKO shall be allowed to be present.

**7.1.3** If the B *Sample* proves negative, the entire test shall be considered negative and the *Athlete*, his *Member Federation*, and WAKO shall be so informed.

**7.1.4** If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified, the findings shall be reported to the *Athlete*, his *Member Federation*, WAKO, and to WADA.

**7.1.5** The [WAKO Anti-Doping Coordinator shall conduct any follow-up investigation as may be required by the *Prohibited List*. Upon completion of such follow-up investigation, WAKO shall promptly notify the *Athlete* regarding the results of the follow-up investigation and whether or not WAKO asserts that an anti-doping rule was violated.

**7.1.6** For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, WAKO shall conduct any necessary follow-up investigation and shall then promptly notify the *Athlete* of the anti-

doping rule which appears to have been violated, and the basis of the violation.

## **7.2 Results Management for Tests Initiated During Other International Events**

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

## **7.3 Results Management for Tests initiated by Member Federations**

Results management conducted by *Member Federations* shall be consistent with the general principles for effective and fair results management which - underlie the detailed provisions set forth in Article 7.1. Results of all *Doping Controls* shall be reported to WAKO within 14 days of the conclusion of the *Member Federation's* results management process. Any apparent anti-doping rule violation by an *Athlete* who is a member of that *Member Federation* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *Member Federation* or national law. Apparent anti-doping rule violations by *Athletes* who are members of another *Member Federation* [shall be referred to the *Athlete's Member Federation*] for hearing.

## **7.4 Provisional Suspensions**

WAKO, after consultation with the WAKO Anti-Doping Coordinator, may Provisionally Suspend an *Athlete* prior to the opportunity for a full hearing based on an *Adverse Analytical Finding* from the *Athlete's A Sample* or *A and B Samples* and the review described in Article 7.1. WAKO a *Provisional Suspension* is imposed, either the hearing in accordance with Article 8 shall be advanced to a date which avoids substantial prejudice to the *Athlete*, or the *Athlete* shall be given an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*. *Member Federations* may impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.3.]

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

## **8.1 Hearings arising out of WAKO Testing or Tests at International Events**

**8.1.1** WAKO Board of Directors shall appoint a standing panel consisting of a Chair and four other experts with experience in anti-doping ("WAKO Doping Hearing Panel"). The Chair shall be a lawyer. Each panel member shall be otherwise independent of WAKO. Each panel member shall serve a term of four years.

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

**8.1.3** The Chair of the WAKO Doping Hearing Panel shall appoint three members from the panel (which may include the Chair) to hear each case. At least one appointed member shall be a lawyer. The appointed members shall have had no prior involvement with the case and shall not have the same nationality as the *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules.

**8.1.4** Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7. Hearings held in connection with *Events* may be conducted on an expedited basis.

**8.1.5** The *Member Federation* of the *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.

**8.1.6** WAKO shall keep WADA fully apprised as to the status of pending cases and the result of all hearings.

**8.1.7** An *Athlete* or other *Person* may forego a hearing by acknowledging the Anti-Doping Rule violation and accepting *Consequences* consistent with Articles 9 and 10 as proposed by WAKO.

**8.1.8** Decisions of the WAKO Doping Hearing Panel may be appealed to Court of Arbitration for Sport as provided in Article 13.

## **8.2 Hearings Arising Out of National Testing**

**8.2.1** When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with *Testing* other than in connection with WAKO *Testing* or *Testing* at an *International Event*, the *Athlete* or other *Person* involved shall be brought before a disciplinary panel of the *Athlete* or other *Person's Member Federation* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and WAKO so what *Consequences* should be imposed.

**8.2.2** Hearings pursuant to this Article 8.2 shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with *Events* may be conducted by an expedited process. WAKO the completion of the hearing is delayed beyond three months, WAKO may elect to bring the case directly before the WAKO Doping

Hearing Panel at the responsibility and at the expense of the *Member Federation*.

**8.2.3** *Member Federations* shall keep WAKO and WADA fully apprised as to the status of pending cases and the results of all hearings.

**8.2.4** WAKO and WADA shall have the right to attend hearings as an observer.

**8.2.5** The *Athlete* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *Member Federation*.

**8.2.6** Decisions by *Member Federations*, whether as the result of a hearing or the *Athlete* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.

**8.2.7** Hearing decisions by the *Member Federation* shall not be subject to further administrative review at the national level except as provided in Article 13 or required by applicable national law.

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

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

## **ARTICLE 9            AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

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

## **ARTICLE 10            SANCTIONS ON INDIVIDUALS**

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

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

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

### **10.2 Imposition of Ineligibility for Prohibited Substances and Prohibited Methods**

Except for the specified substances identified in Article 10.3, the period of *Ineligibility* imposed for a violation of Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use or Attempted Use of Prohibited Substance* or *Prohibited Method*) and Article 2.6 (*Possession of Prohibited Substances and Methods*) shall be:

First violation: Two (2) years' *Ineligibility*.

Second violation: Lifetime *Ineligibility*.

However, the *Athlete* or other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5.

### **10.3 Specified Substances**

The *Prohibited List* may identify specified substances which are particularly susceptible to unintentional anti-doping rules violations because of their general availability in medicinal products or which are less likely to be

successfully abused as doping agents. Where an *Athlete* can establish that the *Use* of such a specified substance was not intended to enhance sport performance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a warning and reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, one (1) year's *Ineligibility*.

Second violation: Two (2) years' *Ineligibility*.

Third violation: Lifetime *Ineligibility*.

However, the *Athlete* or other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Article 10.5.

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

The period of *Ineligibility* for other violations of these Anti-Doping Rules shall be:

**10.4.1** For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering with Doping Control*), the *Ineligibility* periods set forth in Article 10.2 shall apply.

**10.4.2** For violations of Article 2.7 (*Trafficking*) or Article 2.8 (administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility*. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, WAKO committed by *Athlete Support Personnel* for violations other than specified substances referenced in Article 10.3, shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, violations of such Articles which also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

**10.4.3** For violations of Article 2.4 (Whereabouts Violations or Missed Tests), the period of *Ineligibility* shall be:

First violation: Three (3) months to one (1) year *Ineligibility*.

Second and subsequent violations: Two (2) years' *Ineligibility*.

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

**10.5.1** If the *Athlete* establishes in an individual case involving an anti-doping rule violation under Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*) or *Use of a Prohibited Substance* or *Prohibited Method* under Article 2.2 that he or she bears *No Fault or Negligence* for the violation, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.2, 10.3 and 10.6.

**10.5.2** This Article 10.5.2 applies only to anti-doping rule violations involving Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), *Use of a Prohibited Substance* or *Prohibited Method* under Article 2.2, failing to submit to *Sample* collection under Article 2.3, or administration of a *Prohibited Substance* or *Prohibited Method* under Article 2.8. If an *Athlete* establishes in an individual case involving such violations that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the minimum period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

**10.5.3** WAKO Board of Directors may also reduce the period of *Ineligibility* in an individual case where the *Athlete* has provided substantial assistance to WAKO which results in WAKO discovering or establishing an anti-doping rule violation by another *Person* involving *Possession* under Article 2.6.2 (*Possession by Athlete Support Personnel*), Article 2.7 (*Trafficking*), or Article 2.8 (administration to an *Athlete*). The reduced period of *Ineligibility* may not, however, be less than one-half of the minimum 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 8 years.

## **10.6 Rules for Certain Potential Multiple Violations**

**10.6.1** For purposes of imposing sanctions under Article 10.2, 10.3 and 10.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if WAKO (or its *Member Federation*) can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice, or after WAKO (or its *Member Federation*) made a reasonable attempt to give notice, of the first anti-doping rule violation; If WAKO (or its *Member Federation*) cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

**10.6.2** Where an *Athlete*, based on the same *Doping Control*, is found to have committed an anti-doping rule violation involving both a specified substance under Article 10.3 and another *Prohibited Substance* or *Prohibited Method*, the *Athlete* shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the *Prohibited Substance* or *Prohibited Method* that carries the most severe sanction.

**10.6.3** Where an *Athlete* is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 10.3 (specified substances) and the other involving a *Prohibited Substance* or *Prohibited Method* governed by the sanctions set forth in Article 10.2 or a violation governed by the sanctions in Article 10.4.1, the period of *Ineligibility* imposed for the second offense shall be at a minimum two years' *Ineligibility* and at a maximum three years' *Ineligibility*. Any *Athlete* found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 10.3 and any other anti-doping rule violation under Article 10.2 or 10.4.1 shall receive a sanction of lifetime *Ineligibility*.

## **10.7 Disqualification of Results in Competitions Subsequent to Sample Collection**

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other doping violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

## **10.8 Commencement of Ineligibility Period**

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* to be served. Where required by fairness, such as delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete*, WAKO or *Anti-Doping Organization* imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection.

### **10.9 Status During *Ineligibility***

No *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *Event* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by WAKO or any *Member Federation*. In addition, for any anti-doping rule violation not involving specified substances described in Article 10.3, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by WAKO and its *Member Federations*. A *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport events in a sport other than sports subject to the jurisdictions of WAKO and its *Member Federations*, but only so long as the local sport event is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*.

### **10.10 Reinstatement Testing**

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by WAKO, the applicable *Member Federation*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must provide current and accurate whereabouts information as provided in Article 5.5. 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 WAKO and the applicable *Member Federation* and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in Article 5.6 or the period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, a minimum of 2 tests must be conducted on the *Athlete* with at least three months between each test. The *Member Federation* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to WAKO. In addition, immediately prior to the end of the suspension period, an *Athlete* must undergo *Testing* by WAKO for the *Prohibited Substances* and *Methods* for *Out-of-Competition Testing*. Once the period of an *Athlete's* suspension has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's Member Federation* will then be necessary.

## **ARTICLE 11            CONSEQUENCES TO TEAMS**

**11.1** Where more than one team member in a Semicontact Team (*For Semicontact Team Competition only*) has been notified of a possible Anti-Doping Rule violation under Article 7 in connection with an *Event*, the Team shall be subject to *Target Testing* for the *Event*. If more than one team member in a *Team Sport* is found to have committed an Anti-Doping Rule violation during the *Event*, the team may be subject to *Disqualification* or other disciplinary action.]

## **ARTICLE 12            SANCTIONS AND COSTS ASSESSED AGAINST MEMBER FEDERATIONS**

**12.1** WAKO has the authority to withhold some or all funding or other non financial support to *Member Federations* that are not in compliance with these Anti-Doping Rules.

**12.2** *Member Federations* shall be obligated to reimburse WAKO for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *Member Federation*.

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

**12.3.1** Four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by *Athletes* or other *Persons* affiliated with a *Member Federation* within a 12-month period in testing conducted by WAKO or Anti-Doping Organizations other than the *Member Federation* or its *National Anti-Doping Organization*.

**12.3.2** More than one *Athlete* or other *Person* from a *Member Federation* commits an *Anti-Doping Rule* violation during an *International Event*.

**12.3.3** A *Member Federation* has failed to make diligent efforts to keep WAKO informed about an *Athlete's* whereabouts after receiving a request for that information from WAKO.

## **ARTICLE 13            APPEALS**

### **13.1 Decisions Subject to Appeal**

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 13.2 through 13.4. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is

commenced, any post-decision review authorized in Article [8.7] [8.2.7] must be exhausted.

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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that *WAKO* or its *Member Federation* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*, [and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 7.4] may be appealed exclusively as provided in this Article 13.2. [Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.]

**13.2.1** In cases arising from competition in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

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

**13.2.3** In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) *WAKO* and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) *WADA*. In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *Member Federation's* rules but, at a minimum, shall include: (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) *WAKO*; and (d) *WADA*. For cases under Article 13.2.2, *WADA* and *WAKO* shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

### **13.3 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption**

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

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

Decisions by WAKO pursuant to Article 12 may be appealed exclusively to CAS by the *Member Federation*.

### **13.5 Time for Filing Appeals**

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

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

## **ARTICLE 14            MEMBER FEDERATIONS INCORPORATION OF WAKO RULES, REPORTING AND RECOGNITION**

### **14.1 Incorporation of WAKO Anti-Doping Rules**

All *Member Federations* shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each *Member Federations* Rules. All *Member Federations* shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each *Member Federation* shall obtain the written acknowledgement and agreement, in the form attached as Appendix 1, of all *Athletes* subject to *Doping Control* and *Athlete Support Personnel* for such *Athletes*. Notwithstanding whether or not the required form has been signed, the Rules of each *Member Federation* shall specifically provide that all *Athletes*,

*Athlete Support Personnel* and other *Persons* under the jurisdiction of the *Member Federation* shall be bound by these Anti-Doping Rules.

WADA will receive regular management reports as well as copy of the final decisions once it has been reached.

## **14.2 Statistical Reporting**

*Member Federations* shall report to WAKO at the end of every [year] [quarter (March 31, June 30, September 30, and December 31)] results of all *Doping Controls* within their jurisdiction sorted by *Athlete* and identifying each date on which the *Athlete* was tested, the entity conducting the test, and whether the test was *In-Competition* or *Out-of-Competition*. WAKO may periodically publish *Testing* data received from *Member Federations* as well as comparable data from *Testing* under WAKO's jurisdiction.

## **14.3 Doping Control Information Clearing House**

When a *Member Federation* has received an *Adverse Analytical Finding* on one of its *Athletes* it shall report the following information to WAKO and WADA within fourteen (14) days of the process described in Article 7.1.2 and 7.1.3: the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The *Member Federation* shall also regularly update WAKO and WADA on the status and findings of any review or proceedings conducted pursuant to Article 7 (*Results Management*), Article 8 (*Right to a Fair Hearing*) or Article 13 (*Appeals*), and comparable information shall be provided to WAKO and WADA within 14 days of the notification described in Article 7.1.9, with respect to other violations of these Anti-Doping Rules. In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*), WAKO and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither WAKO nor WADA shall disclose this information beyond those persons within their organisations with a need to know until the *Member Federation* has made public disclosure or has failed to make public disclosure as required in Article 14.4 below.

## **14.4 Public Disclosure**

Neither WAKO nor its *Member Federation* shall publicly identify *Athletes* whose *Samples* have resulted in *Adverse Analytical Findings*, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged [or the *Athlete* has been *Provisionally Suspended*]. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days.

#### **14.5 Recognition of Decisions by WAKO and Member Federations**

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

#### **ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS**

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

#### **ARTICLE 16 STATUTE OF LIMITATIONS**

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

#### **ARTICLE 17 WAKO COMPLIANCE REPORTS TO WADA**

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

#### **ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES**

**18.1** These Anti-Doping Rules may be amended from time to time by the WAKO Executive Board. If so it must be communicated to the *Member Federations*.

**18.2** Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

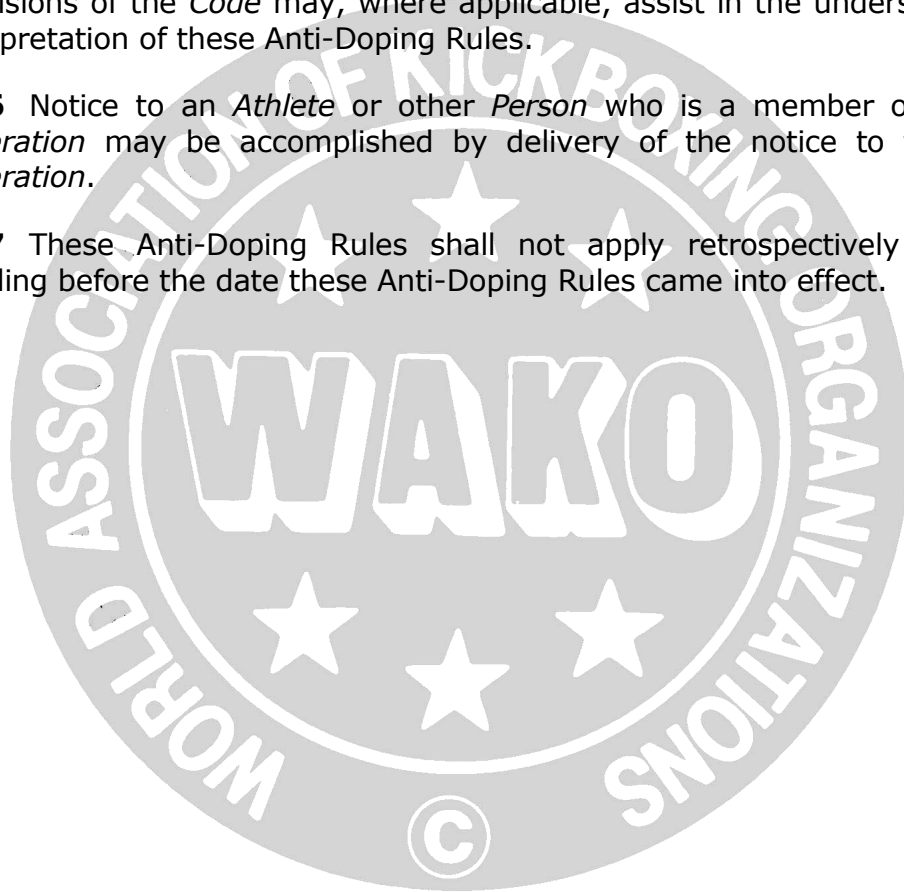
**18.3** The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

**18.4** The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.

**18.5** These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The comments annotating various provisions of the *Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.

**18.6** Notice to an *Athlete* or other *Person* who is a member of a *Member Federation* may be accomplished by delivery of the notice to the *Member Federation*.

**18.7** These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules came into effect.



## APPENDIX 1 - DEFINITIONS

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

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

Athlete. For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each InterMember Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level WAKO designated by the *Person's National Anti-Doping Organization*. 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*.

Athlete Support Personnel. Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working with or treating *Athletes* participating in or preparing for sports competition.

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

Code. The World Anti-Doping Code.

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

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 Article 10.9; [and (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition*

prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).]

Disqualification. See *Consequences of Anti-Doping Rules Violations* above.

Doping Control. The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

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

In-Competition. For purposes of differentiating between *In-Competition* and *Out-of-Competition* Testing, unless provided otherwise in the rules of an InterMember Federation or other relevant *Anti-Doping Organization*, an *In-Competition* test is a test where an *Athlete* is selected for testing in connection with a *specWAKOic Competition*.

Independent Observer Program. A team of observers, under the supervision of WADA, who observe the *Doping Control* process at certain *Events* and report on observations. If WADA is testing *In-Competition* at an *Event*, the observers shall be supervised by an independent organization.

Ineligibility. See *Consequences of Anti-Doping Rules Violations* above.

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

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

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

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

Marker. A compound, group of compounds or biological parameters that indicates the *Use of a Prohibited Substance or Prohibited Method*.

Metabolite. Any substance produced by a biotransformation process.

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

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

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

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

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

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

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

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

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

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

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

Possession. The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the person does not have exclusive control over the

*Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the person knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* no longer intends to have *Possession* and has renounced the *Person's* previous *Possession*.

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

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

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

*Provisional Hearing.* For purposes of Article 7.5, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

[*Provisional Suspension.* See *Consequences* above.]

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

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

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

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

*Tampering.* Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

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

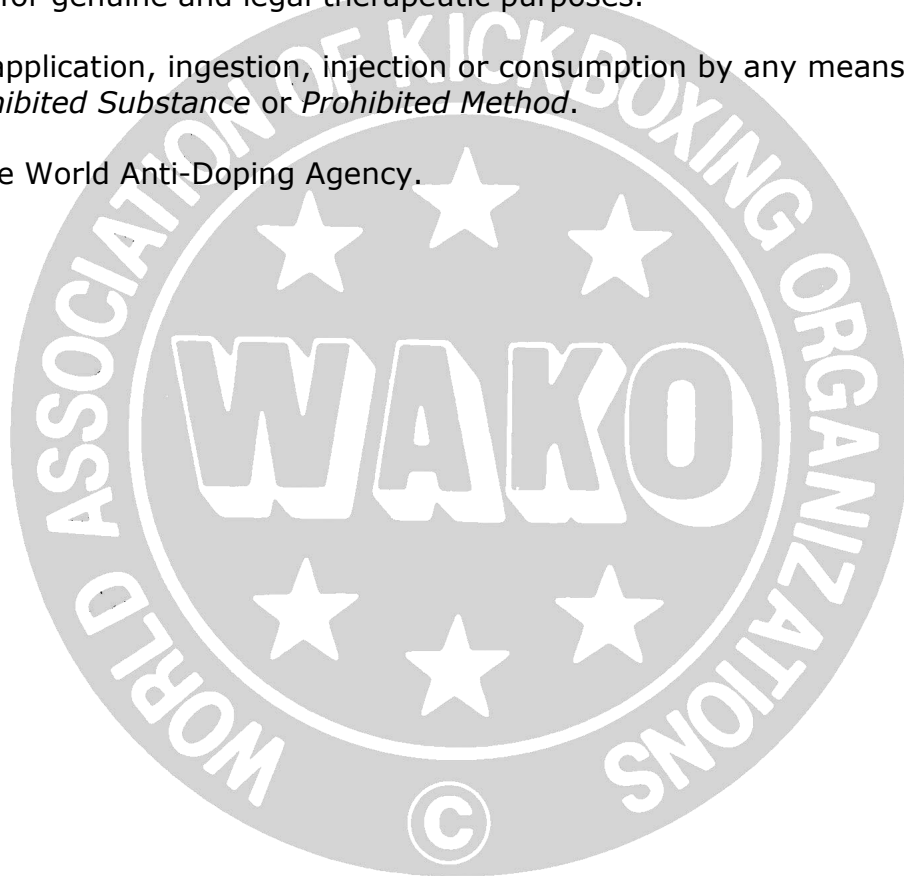
Team Sport. A sport in which the substitution of players is permitted during a *Competition*.

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

Trafficking. To sell, give, administer, transport, send, deliver or distribute a *Prohibited Substance* or *Prohibited Method* to an *Athlete* either directly or through one or more third parties, but excluding the sale or distribution (by medical personnel or by *Persons* other than an *Athlete's Support Personnel*) of a *Prohibited Substance* for genuine and legal therapeutic purposes.

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

WADA. The World Anti-Doping Agency.





## APPENDIX 2 - Acknowledgment and Agreement

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

- 1.** I have received and had an opportunity to review the WAKO Anti-Doping Rules.
- 2.** I consent and agree to comply with and be bound by all of the provisions of the WAKO Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all International Standards incorporated in the Anti-Doping Rules.
- 3.** I acknowledge and agree that [Member Federations and WAKO] have jurisdiction to impose sanctions as provided in the WAKO Anti-Doping Rules.
- 4.** I also acknowledge and agree that any dispute arising out of a decision made pursuant to the WAKO Anti-Doping Rules, after exhaustion of the process expressly provided for in the WAKO Anti-Doping Rules, may be appealed exclusively as provided in Article 13 of the WAKO Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of International-Level Athletes is the Court of Arbitration for Sport.
- 5.** I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.
- 6.** I have read and understand this Acknowledgement and Agreement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name (Last Name, First Name)

\_\_\_\_\_  
Date of Birth  
(Day/Month/Year)

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