RESULTS MANAGEMENT PROCEDURE
under the International Standard for Results Management
effective from January 1, 2021

Part One: INTRODUCTION AND SCOPE

The *International Standard for Results Management* is a mandatory *International Standard* developed as part of the World Anti-Doping Program. It was developed in consultation with Signatories, public authorities, and other relevant stakeholders.

**Defined Terms are used in the International Standard for Results Management are from:**

- the *Code*,
- *International Standard* for *Testing* and Investigations,
- *Standard* for Laboratories, the *International Standard* for Therapeutic Use Exemptions,
- *International Standard* for Protection of Privacy and Personal Information

Specific Defined Terms are used to the *International Standard for Results Management* and

- Regulations Antidoping Activities (RADA)

PART TWO: RESULTS MANAGEMENT - Confidentiality of Results Management and Timeliness

Save for disclosures, including *Public Disclosure*, that are required or permitted under *Code* Article 14 or this *International Standard*, all processes and procedures related to *Results Management* are confidential.

In the interest of fair and effective sport justice, anti-doping rule violations should be prosecuted in a timely manner. Irrespective of the type of anti-doping rule violation involved, and save for cases involving complex issues or delays not in the control of the Anti-Doping Centre (e.g. delays attributable to the Athlete or other Person), Anti-Doping Centre should be able to conclude *Results Management* (including the Hearing Process at first instance) within six (6) months from the notification as per Article 5 below.

PART THREE: RESULTS MANAGEMENT – PRE-ADJUDICATION

5.0 First Results Management Phase

This Article sets out the procedures applicable for the first *Results Management* phase as follows: *Adverse Analytical Findings* (Article 5.1), *Atypical Findings* (Article 5.2) and other matters (Article 5.3) which include potential *Failures to Comply* (Article 5.3.1.1), *Whereabouts Failures* (Article 5.3.1.2) and *Athlete Biological Passport* findings (Article 5.3.1.3). The notification requirements in respect of matters falling under the scope of Article 5.3

5.1 Adverse Analytical Findings

5.1.1 Initial Review

Upon receipt/establishing an *Adverse Analytical Finding*, the report, consisting of the analytical lab result and the complete documentation concerning the doping control procedure of the sample, are submitted for review by the Antidoping Centre’s *Result Management* Expert Group. *Result Management* Expert Group carries out a preliminary check to determine whether:
(a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions (Article 5.1.1.1),
(b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding (Article 5.1.1.2) and/or
(c) it is apparent that the Adverse Analytical Finding was caused by an ingestion of the relevant Prohibited Substance through a permitted route (Article 5.1.1.3).

5.1.1.1 Therapeutic Use Exemption

5.1.1.1.1 The Results Management Expert group shall consult the Athlete’s records in ADAMS and with other Anti-Doping Organizations that might have approved a TUE for the Athlete (e.g., the National Anti-Doping Organization or the International Federation) to determine whether a TUE exists.

As per the Prohibited List and the Technical Document for Decision Limits for the Confirmatory Quantification of Threshold Substances, the detection in an Athlete’s Sample at all times or In-Competition, as applicable, of any quantity of certain Threshold Substances (identified in the Prohibited List), in conjunction with a diuretic or masking agent, will be considered as an Adverse Analytical Finding unless the Athlete has an approved TUE for that substance in addition to the one granted for the diuretic or masking agent. Therefore, in the event of such detection, the Results Management Expert Group shall also determine whether the Athlete has an approved TUE for the detected Threshold Substance.

5.1.1.1.2 If the initial review reveals that the Athlete has an applicable TUE, then the Results Management Expert Group shall conduct such follow up review as necessary to determine if the specific requirements of the TUE have been complied with.

5.1.1.2 Apparent Departure from International Standard for Testing and Investigations and/or International Standard for Laboratories

The Results Management Expert Group must review the Adverse Analytical Finding to determine if there has been any departure from the International Standard for Testing and Investigations and/or the International Standard for Laboratories. This may include a review of the Laboratory Documentation Package produced by the Laboratory to support the Adverse Analytical Finding (if available at the time of the review) and relevant Doping Control form(s) and Testing documents.

5.1.1.3 Apparent Ingestion through Permitted Route

If the Adverse Analytical Finding involves a Prohibited Substance permitted through (a) specific route(s) as per the Prohibited List, the Results Management Authority shall consult any relevant available documentation (e.g. Doping Control form) to determine whether the Prohibited Substance appears to have been administered through a permitted route and, if so, shall consult an expert to determine whether the Adverse Analytical Finding is compatible with the apparent route of ingestion.

For the sake of clarity, the outcome of the initial review shall not prevent an Athlete from arguing that his Use of the Prohibited Substance came from a permitted route at a later stage of Results Management.
5.1.2 Notification

5.1.2.1 If the review of the Adverse Analytical Finding does not reveal an applicable TUE or entitlement to the same as provided in the International Standard for Therapeutic Use Exemptions, a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding or that it is apparent that the Adverse Analytical Finding was caused by an ingestion of the relevant Prohibited Substance through an authorized route, the Antidoping Centre shall promptly notify the Athlete, the licensed sport organization, international sports organization and WADA for:

a) The Adverse Analytical Finding;

a): In the event that the Adverse Analytical Finding relates to salbutamol, formoterol, human chorionic gonadotrophin or another Prohibited Substance subject to specific Results Management requirements in a Technical Document, the Results Management Expert Group shall in addition comply with Article 5.1.2.2. The Athlete shall be provided with any relevant documentation, including a copy of the Doping Control form and the Laboratory results.

b) The fact that the Adverse Analytical Finding may result in an anti-doping rule violation of Code 2.1 (art.6, para 1, item 1 of the RADA - Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample) and/or 2.2 (art. 6, para 1, item 2 of the RADA Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method) and the applicable Consequences.

The Antidoping Centre should always refer to both Code Articles 2.1 and 2.2 in the notification and charge letter (Article 7) to an Athlete if the matter relates to an Adverse Analytical Finding. The Results Management Expert Group shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the applicable Consequences.

c) The Athlete’s right to request the analysis of the “B” Sample (in 7 working days of the receiving the notification) or, failing such request, that the “B” Sample analysis may be deemed irrevocably waived, the costs of the “B” Sample analysis shall be covered by the Athlete.

d) The opportunity for the Athlete and/or the Athlete’s representative to attend the “B” Sample opening and analysis in accordance with the International Standard for Laboratories;

e) The Athlete’s right to request copies of the “A” Sample and “B” Sample Laboratory Documentation Package which includes information as required by the International Standard for Laboratories and that the costs relating to the issuance of the Laboratory Documentation Package(s) shall be covered by the Athlete. This request shall be addressed to the Antidoping Centre. In case of Athlete’s request (or Result Management Expert Group’s request) the “B” Sample should be analyzed in the same WADA-accredited Laboratory, where the “A” Sample analysis was performed, unless there are exceptional circumstances, as determined by WADA and with WADA’s prior written approval, which prevent the “B” Sample confirmation from being performed in the same Laboratory. The Executive Director of the Antidoping Centre notifies the Athlete for the exact date and time of the analysis.

f) The possibility for the athlete to give an explanation to the Result Management Expert Group within 7 days from his notification in compliance with the principles under Art. 8.8 of the ISMR.
case of unforeseen circumstances proved by the athlete or at the discretion of the Result Management Expert Group, the terms may be extended by the executive director of ADC after a positive opinion from the Result Management Expert Group.

g) The opportunity for the Athlete to provide Substantial Assistance as set out in Code Article 10.7.1, (art. 45 of the RADA) to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of Ineligibility in Code Article 10.8.1 (if applicable) (art. 46, para 2 of the RADA) or seek to enter into a case resolution agreement in Code Article 10.8.2 (art. 46 para 2 of the RADA); and

h) Any matters relating to Provisional Suspension (including the possibility for the Athlete to accept a voluntary Provisional Suspension) as per Article 6 (if applicable).

5.1.2.2 In addition, in the event that the Adverse Analytical Finding relates to the Prohibited Substances set out below, the Results Management Expert Group shall:

a) Salbutamol or Formoterol: draw the attention of the Athlete in the notification letter that the Athlete can prove, through a controlled pharmacokinetic study, that the Adverse Analytical Finding was the consequence of a Therapeutic dose by inhalation up to the maximum dose indicated under class S3 of the Prohibited List. The Athlete’s attention shall in addition be drawn to the key guiding principles for a controlled pharmacokinetic study and they shall be provided with a list of Laboratories, which could perform the controlled pharmacokinetic study. The Athlete shall be granted a deadline of seven (7) days to indicate whether they intend to undertake a controlled pharmacokinetic study, failing which the Results Management Expert Group may proceed with the Results Management;


c) Other Prohibited Substance subject to specific Results Management requirements in a Technical Document or other document issued by WADA: follow the procedures set out in the relevant Technical Document or other document issued by WADA.

5.1.2.3 The Antidoping Centre shall also indicate the scheduled date, time and place for the “B” Sample analysis for the eventuality that the Athlete or the Antidoping Centre chooses to request an analysis of the “B” Sample; it shall do so either in the notification letter described in Article 5.1.2.1 or in a subsequent letter promptly after the Athlete (or the Antidoping Centre) has requested the “B” Sample analysis.

As per Article 5.3.4.5.4.8.5 of the International Standard for Laboratories, the “B” Sample confirmation should be performed as soon as possible, and no later than three (3) months, following the reporting of the “A” Sample Adverse Analytical Finding.

The timing of the “B” Sample confirmation analysis may be strictly fixed in the short term with no postponement possible, when circumstances so justify it.

This can notably and without limitation be the case in the context of Testing during or immediately before or after Major Events, or when the further postponement of the “B” Sample analysis could significantly increase the risk of Sample degradation.
5.1.2.4 If the Athlete requests the “B” Sample analysis but claims that he/she and/or their representative is not available on the scheduled date indicated by the Antidoping Centre, the Antidoping Centre shall liaise with the Laboratory and propose (at least) two (2) alternative dates. Upon athlete’s request the “B” Sample analysis may be postponed only once after submitting a written request to the Antidoping Centre no later than 72 hours before the indicated date for “B” Sample analysis. The WADA-accredited Laboratory shall schedule new date and time, for which the Antidoping Centre shall inform the Athlete. The newly scheduled date and time are irrevocable.

The alternative dates should take into account: (1) the reasons for the Athlete’s unavailability; and (2) the need to avoid any degradation of the Sample and ensure timely Results Management.

5.1.2.5 If the Athlete and their representative claim not to be available on the alternative dates proposed, the Results Management Expert group shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the “B” Sample container shows no signs of Tampering and that the identifying numbers match that on the collection documentation.

(An Independent Witness may be appointed even if the Athlete has indicated that they will be present and/or represented).

5.1.2.6 If the results of the “B” Sample analysis confirm the results of the “A” Sample analysis, the Antidoping Centre shall promptly notify the Athlete of such results and shall grant the Athlete a short deadline (5 days) to provide or supplement their explanations. The Athlete shall also be afforded the possibility to admit the anti-doping rule violation to potentially benefit from a one-year reduction in the period of Ineligibility under Code Article 10.8.1 (art. 46, para 1 of the RADA), if applicable, and/or to voluntarily accept a Provisional Suspension as per Code Article 7.4.4.

5.1.2.7 Upon receipt of any explanation from an Athlete, the Results Management Expert Group may, without limitation, request further information and/or documents from the Athlete within a set deadline or liaise with third parties in order to assess the validity of the explanation.

If the positive finding involves a Prohibited Substance subject to a permitted route (e.g. by inhalation, by transdermal or by ophthalmic Use) and the Athlete alleged that the positive finding came from the permitted route, the Results Management Expert Group should assess the credibility of the explanation by contacting third parties (including scientific experts) before deciding not to move forward with Results Management.

5.1.2.8 Any communication provided to the Athlete under this Article 5.1.2 shall simultaneously be provided by Antidoping Centre to the Athlete’s National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

If the notification to the Athlete takes place via the licensed sports organization, that organization shall inform the Antidoping Centre when the notification is delivered to the Athlete.

The notification of the Athlete shall be in written and this notification shall include the following information (if applicable): 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, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations.
The *Athlete* may authorize the licensed sport organization or its chairman / president or other person to receive the notification on *Athlete’s* behalf.

The notification of the *Athlete* shall be provided to him/her personally or to their representative at the provided address. When the addressee could not be found on this address, the notification shall be provided to his/her current address, and when such lacks – to his/her permanent address.

A notice may be provided to the party on an e-mail address, indicated by him/her. It is considered delivered upon receipt at the specified e-mail address.

### 5.2 Atypical Findings

5.2.1 Upon receipt of an *Atypical Finding*, the *Results Management Expert Group* shall conduct a review to determine whether:

(a) an applicable *TUE* has been granted or will be granted as provided in the *International Standard for Therapeutic Use Exemptions* (see Article 5.1.1.1 by analogy);

(b) there is any apparent departure from the *International Standard for Testing and Investigations* or *International Standard for Laboratories* that caused the *Atypical Finding* (see Article 5.1.1.2 by analogy) and/or

(c) it is apparent that the ingestion of the *Prohibited Substance* was through a permitted route (see Article 5.1.1.3 by analogy). If that review does not reveal an applicable *TUE*, an apparent departure that caused the *Atypical Finding* or an ingestion through a permitted route, the *Results Management Expert Group* shall conduct the required investigation.

If the *Prohibited Substance* involved is subject to specific *Results Management* requirements in a Technical Document, the *Results Management Expert Group* shall also follow the procedures set out therein.

In addition, the *Results Management Expert Group* may contact WADA to determine which investigative steps should be undertaken. These investigative steps may be provided for by *WADA* in a specific notice or other document.

5.2.2 The *Antidoping Centre* need 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 exists:

a) If the *Results Management Expert Group* determines that the “B” *Sample* should be analyzed prior to the conclusion of its investigation, the *Antidoping Centre* may conduct the “B” *Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 5.1.2.1 c) to e) and Article 5.1.2.3;

b) If the *Antidoping Center* receives a request, either from a *Major Event Organization* shortly before one of its *International Events* or 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 *Antidoping Centre* shall identify any *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*; or
c) If the *Atypical Finding* is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.

5.2.3 If after the investigation is completed the *Results Management* Expert Group decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, then the procedure shall follow the provisions of Article 5.1 mutatis mutandis.

5.3 Matters not Involving an *Adverse Analytical Finding or Atypical Finding*

5.3.1 Specific cases

5.3.1.1 Report of a potential Failure to Comply

The pre-adjudication phase of *Results Management* of a possible Failure to Comply shall take place as provided in Annex A – Review of a Possible Failure to Comply.

5.3.1.2 Whereabouts Failures

The pre-adjudication phase of *Results Management* of potential *Whereabouts Failures* shall take place as provided in Annex B – Results Management for *Whereabouts Failures*.

5.3.1.3 Failures to comply with whereabouts requirements for the Athletes included in the *Testing Pool* or *Team Testing Pool*.

An Athlete’s failure to comply with the *Whereabouts* requirements set by the *Antidoping Centre*, who is included in the *Antidoping Centre’s Testing Pool* shall take place as provided in Annex D – *Testing Pool* of the *Antidoping Centre* – Failures to comply with *Whereabouts requirements* and sanctions.

A team’s failure to comply with the *whereabouts* requirements set by the *Antidoping Centre*, which is included in the *Antidoping Centre’s Team Testing Pool* shall take place as provided in Annex E- *Team Testing Pool* of the *Antidoping Centre* – Failures to comply with *Whereabouts requirements* and sanctions.

5.3.1.4 Athlete Biological Passport Findings

The pre-adjudication phase of *Results Management* of *Atypical Passport Findings* or Passports submitted to an Expert by the *Athlete Passport Management Unit* when there is no *Atypical Passport Finding* shall take place as provided in Annex C – *Results Management* Requirements and Procedures for the *Athlete Biological Passport*.

5.3.2 Notification for specific cases and other anti-doping rule violations under Article

5.3.2.1 At such time as the *Results Management* Expert Group considers that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s), the *Antidoping Centre* shall promptly notify the *Athlete* of:

a) The relevant anti-doping rule violation(s) and the applicable *Consequences*;

b) The relevant factual circumstances upon which the allegations are based;
c) The relevant evidence in support of those facts that the Results Management Expert Group considers demonstrate that the Athlete or other Person may have committed (an) anti-doping rule violation(s);

d) The Athlete or other Person’s right to provide an explanation within a reasonable deadline;

e) The opportunity for the Athlete or other Person to provide Substantial Assistance as set out in Code Article 10.7.1 (art.45 of the RADA), to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of Ineligibility in Code Article 10.8.1 (if applicable) (art. 46, para1 of the RADA) or seek to enter into a case resolution agreement in Code Article 10.8.2 (art.46, para 2 of the RADA); and

f) Any matters relating to Provisional Suspension (including the possibility for the Athlete or other Person to accept a voluntary Provisional Suspension) as per Article 6 (if applicable).

5.3.2.2 Upon receipt of the Athlete’s or other Person’s explanation, the Results Management Expert Group may, without limitation, request further information and/or documents from the Athlete or other Person within a set deadline or liaise with third parties in order to assess the validity of the explanation.

5.3.2.3 The communication provided to the Athlete or other Person shall simultaneously be provided by the Antidoping Centre to the Athlete’s or other Person’s National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

This notification shall include the following information (if applicable): the Athlete’s or other Person’s name, country, sport and discipline within the sport.

The notification of the licensed sports organization shall be in written and may be received by its chairman/president or other person, who is authorized by him/her.

5.4 Decision Not to Move Forward

If at any point during Results Management up until the charge under Article 7, the Results Management Expert Group decides not to move forward with a matter, it must notify the Athlete or other Person (provided that the Athlete or other Person had been already informed of the ongoing Results Management) and give notice (with reasons) to the Anti-Doping Organizations with a right of appeal under Code Article 13.2.3 (art.40, para 6– 10 of the RADA).

6.0 Provisional Suspensions

6.1 Scope

6.1.1 In principle, a Provisional Suspension means that an Athlete or other Person is barred temporarily from participating in any capacity in any Competition or
activity as per Code Article 10.14.1 prior to the final decision at a hearing pursuant to Article 8.

6.2 Imposition of a Provisional Suspension

6.2.1 Mandatory Provisional Suspension

6.2.1.1 As per Code Article 7.4.1, Signatories identified in the provision shall adopt rules providing that when an Adverse Analytical Finding or Adverse Passport Finding (upon completion of the Adverse Passport Finding review process) is received for a Prohibited Substance or a Prohibited Method other than a Specified Substance or Specified Method, a Provisional Suspension shall be imposed promptly by Antidoping Centre (art. 28, para 4 of the RADA) and starts automatically from the date of notification or after the review and notification under Code Article 7.2.

The review and notification required by Code Article 7.2 is set out in Article 5.

6.2.1.2 A mandatory Provisional Suspension may be eliminated if: (i) the Athlete demonstrates to the Disciplinary Commission with BOC that the violation is likely to have involved a Contaminated Product, or (ii) the violation involves a Substance of Abuse and the Athlete establishes entitlement to a reduced period of Ineligibility under Code Article 10.2.4.1 (art. 44, para 2, item 4, point “a” of the RADA). The Disciplinary Commission’s with’BOC decision not to eliminate a mandatory Provisional Suspension on account of the Athlete’s assertion regarding a Contaminated Product shall not be appealable.

6.2.2 Optional Provisional Suspension

The Optional Provisional Suspension of an Athlete or other Person shall be in accordance with the decision of the Antidoping Centre art. 28, para 4 of the RADA) in relation to anti-doping rules violation (based on an Adverse Analytical Finding for Specified Substances, Specified Methods, Contaminated Products, or Other Anti-Doping Rule Violation), which are not covered by Code Article 7.4.1 before “B” Sample analysis or final hearing under Code Article 8.

The Optional Provisional Suspension may also be lifted at the discretion of Result Management Expert Group any time before the decision of the Disciplinary Commission with BOC under Art. 8, unless otherwise specified

Whether or not to impose an optional Provisional Suspension is a matter for the Results Management Expert Group to decide in its discretion, taking into account all the facts and evidence. The Results Management Expert Group should keep in mind that if an Athlete continues to compete after being notified and/or charged in respect of an anti-doping rule violation and is subsequently found to have committed an anti-doping rule violation, any results, prizes and titles achieved and awarded in that timeframe may be subject to Disqualification and forfeited.

Nothing in this provision prevents provisional measures (including a lifting of the Provisional Suspension upon request of the Athlete or other Person) being ordered by the Disciplinary Commission with BOC.

6.2.3 General Provisions

6.2.3.1 Notwithstanding Articles 6.2.1 and 6.2.2, a Provisional Suspension may not be imposed unless the rules of the Anti-Doping Organization provide the Athlete or
other Person with: (a) an opportunity for a *Provisional Hearing*, either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Code Article 8 on a timely basis after imposition of a *Provisional Suspension*. The rules of the Anti-Doping Centre shall also provide for an opportunity for an expedited appeal against the imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, in accordance with Code Article 13.

6.2.3.2 A *Provisional Suspension* shall start on the date on which it is notified (or deemed to be notified) by the Antidoping Centre to the Athlete or other Person. The Antidoping Centre accepts that the athlete has been notified:

a) when the notification is signed by the Athlete or its representative; the notification shall be deemed to be provided on the addressee from the moment of its receipt.

b) when the notification is delivered by courier and is considered received upon signing the delivery notice;

c) as well as the use of additional means of notification (for example, the use of fax, e-mail, SMS or other means); the notification shall be deemed to have been provided upon its receipt in the specified information system

6.2.3.3 The period of *Provisional Suspension* shall end with the final decision of the Disciplinary commission with BOC conducted under Article 8, unless earlier lifted in accordance with this Article 6. However, the period of *Provisional Suspension* shall not exceed the maximum length of the period of *Ineligibility* that may be imposed on the Athlete or other Person based on the relevant anti-doping rule violation(s).

6.2.3.4 If a *Provisional Suspension* is imposed based on an “A” Sample Adverse Analytical Finding and a subsequent “B” Sample analysis does not confirm the “A” Sample analysis result, then the Athlete shall not be subject to any further *Provisional Suspension* on account of a violation of Code Article 2.1 (art.6, para 1, item 1 of the RADA - Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample).

The Antidoping Centre may nonetheless decide to maintain and/or re-impose a *Provisional Suspension* on the Athlete based on another anti-doping rule violation notified to the Athlete, e.g. a violation of Code Article 2.2 (art.6, para1, item 2 of the RADA Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method).

6.2.3.5 In circumstances where the Athlete or the Athlete’s team has been removed from an Event based on a violation of Code Article 2.1 (art.6, para1, item 1 of the RADA) and the subsequent “B” Sample analysis does not confirm the “A” Sample finding, if, without otherwise affecting the Event, it is still possible for the Athlete or team to be reinstated, the Athlete or team may continue to take part in the Event.

6.3 Voluntary *Provisional Suspension*

6.3.1 As per Code Article 7.4.4, Athletes on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten (10) days from the report of the “B” Sample (or waiver of the “B” Sample) or ten (10) days from notification of any other anti-doping rule violation, or (ii) the date on which the Athlete first competes after such report or notification. Other Persons on their own initiative may voluntarily accept a *Provisional*
Suspension if done so within ten (10) days from notification of the anti-doping rule violation. Upon such voluntary acceptance, the Provisional Suspension shall have the full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Article 6.2.1 or 6.2.2; provided, however, at any time after voluntarily accepting a Provisional Suspension, the Athlete or other Person may withdraw such acceptance, in which event the Athlete or other Person shall not receive any credit for time previously served during the Provisional Suspension.

6.4 Notification

6.4.1 Unless already notified under another provision of this International Standard, any imposition of a Provisional Suspension notified to the Athlete or other Person or voluntary acceptance of a Provisional Suspension, or lifting of either, shall promptly be notified by the Antidoping Centre to the Athlete’s or other Person’s National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

To the extent not already set out in the communication to the Athlete or other Person, this notification shall include the following information (if applicable): the Athlete’s or other Person’s name, country, sport and discipline within the sport.

7.0 Charge

7.1 If, after receipt of the Athlete or other Person’s explanation or expiry of the deadline to provide such explanation, the Results Management Expert Group is (still) satisfied that the Athlete or other Person has committed (an) anti-doping rule violation(s), the Antidoping Centre shall promptly charge the Athlete or other Person with the anti-doping rule violation(s) they are asserted to have breached. In this letter of charge, the Antidoping Centre:

a) Shall set out the provision(s) of its anti-doping rules asserted to have been violated by the Athlete or other Person;

b) Shall provide a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 5;

Antidoping Centre may decide to assert further anti-doping rule violation(s) in its notice of charge.

Notwithstanding the above, whereas it is a Antidoping Centre’s duty to set out all and any asserted anti-doping rule violations against an Athlete or other Person in the notice of charge, a failure to formally charge an Athlete with an anti-doping rule violation that is, in principle, an integral part of a more specific (asserted) anti-doping rule violation (e.g. a Use violation (Code Article 2.2 and art.6, para 1, item 2 of the RADA) as part of a Presence violation (Code art. 2.1 art.6, para 1, item 1 of the RADA), or a Possession violation (Code art. 2.6 and art.6, para 1, item 6 of the RADA) as part of an asserted Administration violation (Code art. 2.8 and art. 6, para1, item 8 of the RADA) shall not prevent the Disciplinary Commission with BOC from finding that the Athlete or other Person committed a violation of the subsidiary anti-doping rule violation in the event that they are not found to have committed the explicitly asserted anti-doping rule violation.

b) Shall provide a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 5;

The Antidoping Centre shall, however, not be prevented from relying on other facts and/or adducing further evidence not contained in either the notification letter under Article 5 or the charge letter under Article 7 during the Hearing Process at the Disciplinary Commission with BOC and/or on appeal.
c) Shall indicate the specific Consequences being sought in the event that the asserted anti-doping rule violation(s) is/are upheld and that such Consequences shall have binding effect on all Signatories in all sports and countries as per Code Article 15 (art. 41 of the RADA);

The Consequences of an anti-doping rule violation set out in the letter of charge shall include as a minimum the relevant period of Ineligibility and Disqualification.

The Results Management Expert Group shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the relevant Consequences. The proposed Consequences shall in all circumstances be compatible with the provisions of the Code and shall be appropriate based on the explanations given by the Athlete or other Person or the facts as established by the Results Management Expert Group. For these purposes, it is expected that the Results Management Expert Group will review the explanations given by the Athlete or other Person and assess their credibility (for example, by checking the authenticity of documentary evidence and the plausibility of the explanation from a scientific perspective) before proposing any Consequences. If the Results Management phase is substantially delayed by the review, the Antidoping Centre shall inform WADA, setting out the reasons for the substantial delay.

d) Shall grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended only in exceptional cases) to the Athlete or other Person to admit the anti-doping rule violation asserted and to accept the proposed Consequences by signing, dating and returning an acceptance of Consequences form, which shall be enclosed with the letter;

e) For the eventuality that the Athlete or other Person does not accept the proposed Consequences, shall already grant to the Athlete or other Person a deadline provided for in the Results Management Expert Group anti-doping rules (which shall not be of more than twenty (20) days from receipt of the letter of charge and may be extended only in exceptional cases) to challenge in writing the Antidoping Centre's assertion of an anti-doping rule violation and/or proposed Consequences, and/or make a written request for a hearing before the Disciplinary Commission with BOC;

f) Shall indicate that if the Athlete or other Person does not challenge the Antidoping Centre's assertion of an anti-doping rule violation or proposed Consequences nor request a hearing within the prescribed deadline, the Antidoping Centre shall be entitled to deem that the Athlete or other Person has waived their right to a hearing and admitted the anti-doping rule violation as well as accepted the Consequences set out by the Antidoping Centre in the letter of charge;

g) Shall indicate that the Athlete or other Person may be able to obtain a suspension of Consequences if they provide Substantial Assistance under Code Article 10.7.1 (art. 45 of the RADA), may admit the anti-doping rule violation(s) within twenty (20) days from receipt of the letter of charge and potentially benefit from a one-year reduction in the period of Ineligibility under Code Article 10.8.1 (if applicable) (art. 46, para 1 of the RADA) and/or seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under Code Article 10.8.2 (art.46, para 2 of the RADA); and
h) Shall set out any matters relating to Provisional Suspension as per Article 6 (if applicable).

7.2 The notice of charge notified to the Athlete or other Person shall simultaneously be notified by the Antidoping Centre to the Athlete’s National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

To the extent not already set out in the notice of charge, this notification shall contain the following information (wherever applicable): Athlete’s or other Person’s name, country, sport and discipline within the sport, and, for a violation of Code Article 2.1 (art. 6, para 1, item 1 of the RADA), whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations, and, for any other anti-doping rule violation, the anti-doping rule(s) violated and the basis for the asserted violation(s).]

7.3 In the event that the Athlete or other Person either (i) admits the anti-doping rule violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Article 7.1 f), the Antidoping Centre shall promptly issue the decision and notify it in accordance with Article 9.

7.4 If, after the Athlete or other Person has been charged, the Antidoping Centre decides to withdraw the charge, it must notify the Athlete or other Person and give notice (with reasons) to the Anti-Doping Organizations with a right of appeal under Code Article 13.2.3 (art. 40, para 6 – 10 of the RADA).

7.5 Subject to Article 7.6, in the event that the Athlete or other Person requests a hearing, the matter shall be referred to the DC’s hearing panel and be dealt with pursuant to Article 8.

7.6 Single hearing before CAS

7.6.1 Pursuant to Code Article 8.5, anti-doping rule violations asserted against International-Level Athletes, National-Level Athletes or other Persons may, with the consent of the Athlete or other Person, the Antidoping Centre and WADA, be heard in a single hearing directly at CAS under CAS appellate procedures, with no requirement for a prior hearing, or as otherwise agreed by the parties.

7.6.2 If the Athlete or other Person and the Antidoping Centre agree to proceed with a single hearing before CAS, it shall be the responsibility of the Antidoping Centre to liaise in writing with WADA to determine whether it agrees to the proposal. Should WADA not agree (in its entire discretion), then the case shall be heard by the Disciplinary Commission with BOC at first instance.

In the event that all relevant parties agree to refer the case to the CAS as a single instance, the Antidoping Centre shall promptly notify any other Anti-Doping Organization with a right of appeal upon initiating the proceedings so that the latter may seek to intervene in the proceedings (if they wish to). The final decision rendered by the CAS shall not be subject to any appeal, save to the Swiss Federal Tribunal.

PART FOUR: RESULTS MANAGEMENT – ADJUDICATION
8.0 Hearing Process
8.1 The RADA shall confer jurisdiction on the Disciplinary Commission with BOC to hear and determine whether an Athlete or other Person subject to its anti-doping rules has committed an anti-doping rule violation and, if applicable, to impose the relevant Consequences. The Antidoping Centre shall bring forward the charge before the Disciplinary Commission with BOC.

It is not a Code requirement that a hearing should take place in person. Hearings may also take place remotely by the participants joining together using technology. There are no restrictions as to the technology that can or should be used, but include means such as conference calling, video conferencing technology or other online communication tools. Depending on the circumstances of a case, it may also be fair or necessary – for example, where all the facts are agreed and the only issue is as to the Consequences – to conduct a hearing “in writing”, based on written materials without an oral hearing.

8.2 For the purposes of the Results Management Procedure Article 8.1 and in accordance to the RADA art. 31 and 32, a Disciplinary Commission with BOC is established as a hearing panel.

8.3. The applicable rules of Disciplinary Commission with BOC shall provide for an independent person or body to determine in their discretion the size and composition of a particular hearing panel to adjudicate an individual case. At least one appointed hearing panel member must have a legal background.

The size and composition of the hearing panel may vary depending on the nature of the charge and the evidence put forward.

8.4 Upon appointment to a Disciplinary Commission, each hearing panel member shall sign a declaration that there are no facts or circumstances known to him/her which might call into question their impartiality in the eyes of any of the parties, other than any circumstances disclosed in the declaration. If such facts or circumstances arise at a later stage of the Hearing Process, the relevant hearing panel member shall promptly disclose them to the parties.

A person under the Regulations on Antidoping activity art. 34, para 2 may not be appointed as a member of the hearing panel.

8.5 The parties shall be notified of the identity of the hearing panel members appointed to hear and determine the matter and be provided with their declaration at the outset of the Hearing Process. The parties shall be informed of their right to challenge the appointment of any hearing panel member if there are grounds for potential conflicts of interest within seven (7) days from the ground for the challenge having become known. Any challenge shall be decided upon by an independent person from the wider pool of hearing panel members or by an independent institution.

For example, the independent person may be a designated chairperson of the pool. The relevant rules should also provide for a mechanism for the event that the independent person is the person subject to the challenge or is one of the other members of that particular hearing panel (e.g. the designated independent person may be replaced in these circumstances by a vice-chairperson or other designated senior hearing panel member).

8.6 Operational independence of the members of the Disciplinary Commission is guaranteed in Law for the Physical Education and Sport, Regulations on Antidoping activity, Results Management Procedure, the procedural rules of the Disciplinary Commission.

As per the Code definition of “Operational Independence” in Appendix 1, it means that (1) board members, staff members, commission members, consultants and officials of the Antidoping Centre or its affiliates (e.g. member federation or confederation), as well as any person involved
in the investigation and pre-adjudication of the matter, cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of the Disciplinary Commission with BOC and (2) that the Disciplinary Commission with BOC shall be in a position to conduct the hearing and decision-making process without interference from the Antidoping Centre or any third party.

8.7 The Antidoping Centre shall provide adequate resources to ensure that the Disciplinary Commission with BOC is able to fulfil its tasks efficiently and independently and otherwise in accordance with this Article 8.

8.8 The Hearing Process shall respect, at a minimum, all of the following principles:
   a) The hearing panel must remain fair, impartial and Operationally Independent at all times;
   b) The Hearing Process shall be accessible and affordable;
   c) The Hearing Process shall be conducted within a reasonable time;

All decisions shall be issued and notified promptly after the hearing in person or, if no hearing in person is requested, after the parties have filed their written submissions. Save in complex matters, this timeframe should not exceed two (2) months.

   d) The right to be informed in a fair and timely manner of the asserted anti-doping rule violation(s), the right to be represented by counsel at the Athlete or other Person’s own expense, the right of access to and to present relevant evidence, the right to submit written and oral submissions, the right to call and examine witnesses, and the right to an interpreter at the hearing at the Athlete or other Person’s own expense; and

   e) The panel meeting shall be held privately, unless one of the parties requests that the dispute to be held public and the Athlete or other person has given written consent for it.

However, the request may be denied by the hearing panel in the interest of morals, public order, national security, where the interests of Minors or the protection of the private life of the parties so require, where publicity would prejudice the interests of justice or where the proceedings are exclusively related to questions of law.

8.9 Hearing Processes held in connection with Events may be conducted by an expedited process as permitted by the rules of the relevant Anti-Doping Organization and the hearing panel.

9.0 DECISIONS

9.1 Content
9.1.1 Results Management decisions or adjudications by the Antidoping Centre and Disciplinary Commission with BOC must not purport to be limited to a particular geographic area or sport and shall address and determine the following issues:

a) Jurisdictional basis and applicable rules;

b) Detailed factual background;

Where the violation is based on an Adverse Analytical Finding, the decision shall set out inter alia the date and place of the Sample Collection Session, the type of Sample collection (blood or urine), whether the control was Out-of-Competition or In-Competition, the Prohibited Substance detected, the WADA-accredited Laboratory that performed the analysis, if the “B” Sample analysis was requested and/or performed as well as the results of the analysis. For any other violation, a full and detailed description of the facts shall be made.

c) Anti-doping rule violation(s) committed;
Where the violation is based on an Adverse Analytical Finding, the decision shall inter alia set out that there was no departure from the International Standards, or that the alleged departure(s) did or did not cause the Adverse Analytical Finding and demonstrate that the violation of Code Article 2 is made out (see Code Article 2.1.2 and art. 6, para. 1, point “b” of the RADA). For any other violation, the Disciplinary Commission with BOC shall assess the evidence presented and explain why it considers that the evidence presented by the Antidoping Centre meets or does not meet the required standard of proof. In case the Disciplinary Commission with BOC considers that the anti-doping rule violation(s) is/are established, it shall expressly indicate the anti-doping rule(s) violated.

d) Applicable Consequences; and
The decision shall identify the specific provisions on which the sanction, including any reduction or suspension, is based and provide reasons justifying the imposition of the relevant Consequences. In particular, where the applicable rules grant discretion to the Disciplinary Commission with BOC (e.g. for Specified Substances or Specified Methods or Contaminated Products under Code Article 10.6.1.1 - art. 44, para. 6, item1, point „a“ of the RADA and 10.6.1.2 – art. 44, para.6, item. 1, pont „6“,and 10.6.1.2), the decision shall explain why the period of Ineligibility imposed is appropriate. The decision shall also indicate the start date of the period of Ineligibility (if any) and provide justifications in the event that this date is earlier than the date of the decision (see Code Article 10.13.1 and art. 50, para 2). The decision shall also indicate the period of Disqualification, with justification in the event that certain results are not Disqualified for reasons of fairness (Code Article 10.10 of the Code), and any forfeiture of medals or prizes. The decision shall also set if (and to what extent) any period of Provisional Suspension is credited against any period of Ineligibility ultimately imposed, and set out any other relevant Consequences based on the applicable rules, including Financial Consequences. As per Code Article 7.5.1, Major Event Organizations shall, however, not be required to determine Ineligibility or Financial Consequences beyond the scope of their Event.

e) Appeal routes and deadline to appeal for the Athlete or other Person.

The decision shall indicate whether the Athlete is an International-Level Athlete for the purposes of the appeal route under Code Article 13. If this information is not available to the Disciplinary Commission with BOC, the Disciplinary Commission shall request the Antidoping Centre to liaise with the relevant Organization. The decision shall then set out the appropriate appeal route (including the address to which any appeal should be sent to) and the deadline to appeal.
[Results Management decisions include Provisional Suspension, save that a Results Management decision on Provisional Suspension shall not be required to determine whether an anti-doping rule violation was committed.]

9.2 Notification

9.2.1 Decisions shall be promptly notified by the Antidoping Centre to the Athlete or other Person and to other Anti-Doping Organizations with a right of appeal under Code Article 13.2.3 (art. 40, para 6-10 of the RADA) and shall promptly be reported into ADAMS. Where the decision is not in English or French, the Antidoping Centre shall provide an English or French summary of the decision and of the supporting reasons as well as a searchable version of the decision (art. 39, para 3 of the RADA).

9.2.2 An Athlete or other Person subject to a period of Ineligibility shall be made aware by the Antidoping Centre of their status during Ineligibility, including the Consequences of a violation of the prohibition of participation during Ineligibility, pursuant to Code Article 10.14 (art.53, para.1-2 of the RADA). The Antidoping Centre shall ensure that the period of Ineligibility is duly respected within its sphere of competence. The Athlete or other Person should also be made aware that they may still provide Substantial Assistance.

9.2.3 An Athlete subject to a period of Ineligibility should also be made aware by the Antidoping Centre that they remain subject to Testing during the period of Ineligibility.

9.2.4 Where, further to notification of the decision, an Anti-Doping Organization with a right of appeal requests a copy of the full case file pertaining to the decision, it shall be provided promptly by the Antidoping Centre.

The case file shall contain all documents relating to the case. For an analytical case, it shall include at a minimum the Doping Control form, Laboratory results and/or Laboratory Documentation Package(s) (if issued), any submissions and exhibits and/or correspondence of the parties and all other documents relied upon by the hearing body. The case file should be sent by email in an organized manner with a table of contents.

9.2.5 If the decision concerns an Adverse Analytical Finding or Atypical Finding, and after any deadline to appeal has elapsed and no appeal has been filed against the decision, the Antidoping Centre shall promptly notify the relevant Laboratory that the matter has been finally disposed of.

10.0 Appeals

10.1 The rules governing appeal rights and avenues are set out at Code Article 13.

10.2 With respect to national appellate instances within the meaning of Code Article 13.2.2:

a) The appointment of hearing panel members of Bulgarian Sport Arbitration and the Hearing Process on appeal are governed by Article 8 mutatis mutandis. In addition to being fair, impartial and Operationally Independent, a hearing panel on appeal shall also be Institutionally Independent;

For the purposes of this provision, hearing panels on appeal shall be fully Institutionally Independent from the Antidoping Centre. They must therefore not in any way be administered by, connected or subject to the Antidoping Centre.
b) The appeal decision rendered by an appeal body shall comply with the requirements of Article 9.1;

c) The appeal decision shall promptly be notified by the Antidoping Centre to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal the prior instance decision under Code Article 13.2.3 (art.39, para 3 and art. 40, para 6-10 of the RADA);

d) The further notification requirements at Article 9.2 shall apply mutatis mutandis.

10.3 With respect to appeals before CAS:

a) The appeal procedure shall be governed by the Code of Sports-related Arbitration;

b) All parties to any CAS appeal must ensure that WADA and any other party, which would have had a right of appeal and is not a party to the CAS appeal, has been given timely notice of the appeal;

c) No settlement embodied in an arbitral award rendered by consent of the parties as per R56 of the Code of Sports-related Arbitration shall be entered into by an Anti-Doping Organization without WADA’s written approval. Where the parties to the CAS proceedings are envisaging settling the matter by way of a settlement embodied in an arbitral award rendered by consent of the parties, the Antidoping Centre if it is a party to the proceedings shall immediately notify WADA and provide it with all necessary information in this respect;

d) The Antidoping Centre if it is a party to an appeal before CAS shall promptly provide the CAS award to the other Anti-Doping Organizations that would have been entitled to appeal under Code Article 13.2.3 (art.39, para 3 и art.40, para 6-10 of the RADA); and

e) The requirements of Articles 9.2.2 to 9.2.4 shall apply mutatis mutandis.

11.0 Violation of the Prohibition Against Participation During Ineligibility

11.1 In the event that an Athlete or other Person is suspected to have violated the prohibition against participation during Ineligibility pursuant to Code Article 10.14, the Results Management relating to this potential violation shall comply with the principles of this Procedure for Result Management, mutatis mutandis.

In particular, the Athlete or other Person shall receive a notification letter in accordance with Article 5.3.2 of the Procedure for Result Management, mutatis mutandis. a letter of charge in accordance with Article 7 mutatis mutandis and be afforded the right to a hearing as per Article 8.
ANNEX A – REVIEW OF A POSSIBLE FAILURE TO COMPLY

A.1 Responsibility

A.1.1 The Antidoping Centre is responsible for ensuring that:
a) When the possible Failure to Comply comes to its attention, it notifies WADA, and instigates review of the possible Failure to Comply based on all relevant information and documentation;

b) The Athlete or other Person is informed of the possible Failure to Comply in writing and has the opportunity to respond in accordance with Article 5.3.2 of the International Standard for Results Management;

c) The review is conducted without unnecessary delay and the evaluation process is documented; and

d) If it decides not to move forward with the matter, its decision is notified in accordance with Article 5.4 of the International Standard for Results Management.

A.1.2 The DCO is responsible for providing a detailed written report of any possible Failure to Comply.

A.2 Requirements

A.2.1 Any potential Failure to Comply shall be reported by the DCO to the Antidoping Centre and Antidoping Centre assigns management to the results to the Results Management Expert Group as soon as practicable.

A.2.2 If the Results Management Expert Group determines that there has been a potential Failure to Comply, the Athlete or other Person shall be promptly notified in accordance with Article 5.3.2 of the International Standard for Results Management and further Results Management shall be conducted as per Article 5 et seq. of the International Standard for Results Management.

A.2.3 Any additional necessary information about the potential Failure to Comply shall be obtained from all relevant sources (including the Athlete or other Person) as soon as possible and recorded.

A.2.4 The Results Management Expert Group shall establish a system for ensuring that the outcomes of its reviews into potential Failures to Comply are considered for Results Management action and, if applicable, for further planning and Target Testing.

ANNEX B – RESULTS MANAGEMENT FOR WHEREABOUTS FAILURES

B.1 Determining a Potential Whereabouts Failure

B.1.1 Three (3) Whereabouts Failures by an Athlete within any 12-month period amount to an anti-doping rule violation under Code Article 2.4. The Whereabouts Failures may be any
combination of Filing Failures and/or Missed Tests declared in accordance with Article B.3 and adding up to three (3) in total.

[Comment to Article B.1.1: While a single Whereabouts Failure will not amount to an anti-doping rule violation under Code Article 2.4, depending on the facts, it could amount to an anti-doping rule violation under Code Article 2.3 (Evading Sample Collection) and/or Code Article 2.5 (Tampering or Attempted Tampering with Doping Control).]

B.1.2 The 12-month period referred to in Code Article 2.4 starts to run on the date that an Athlete commits the first Whereabouts Failure being relied upon in support of the allegation of a violation of Code Article 2.4. If two (2) more Whereabouts Failures occur during the ensuing 12-month period, then Code Article 2.4 anti-doping rule violation is committed, irrespective of any Samples successfully collected from the Athlete during that 12-month period. However, if an Athlete who has committed one (1) Whereabouts Failure does not go on to commit a further two (2) Whereabouts Failures within the 12-months, at the end of that 12-month period, the first Whereabouts Failure “expires” for purposes of Code Article 2.4, and a new 12-month period begins to run from the date of their next Whereabouts Failure.

B.1.3 For purposes of determining whether a Whereabouts Failure has occurred within the 12-month period referred to in Code Article 2.4:

a) A Filing Failure will be deemed to have occurred (i) where the Athlete fails to provide complete information in due time in advance of an upcoming quarter, on the first day of that quarter, and (ii) where any information provided by the Athlete (whether in advance of the quarter or by way of update) transpires to be inaccurate, on the (first) date on which such information can be shown to be inaccurate; and

b) A Missed Test will be deemed to have occurred on the date that the Sample collection was unsuccessfully attempted.

B.1.4 Whereabouts Failures committed by the Athlete prior to retirement as defined in Article 4.8.7.3 of the International Standard for Testing and Investigations may be combined, for purposes of Code Article 2.4, with Whereabouts Failures committed by the Athlete after the Athlete again becomes available for Out-of-Competition Testing.

[Comment to Article B.1.4: For example, if an Athlete committed two (2) Whereabouts Failures in the six (6) months prior to their retirement, then if they commit another Whereabouts Failure in the first six (6) months in which they are again available for Out-of-Competition Testing, that amounts to a Code Article 2.4 anti-doping rule violation.]

B.2 Requirements for a Potential Filing Failure or Missed Test

B.2.1 An Athlete may only be declared to have committed a Filing Failure where the Results Management Expert Group establishes each of the following:

a) That the Athlete was duly notified: (i) that they had been designated for inclusion in a Registered Testing Pool; (ii) of the consequent requirement to make Whereabouts Filing; and (iii) of the Consequences of any Failure to Comply with that requirement;

b) That the Athlete failed to comply with that requirement by the applicable deadline;
[Comment to Article B.2.1(b): An Athlete fails to comply with the requirement to make Whereabouts Filing (i) where they do not make any such filing, or where they fail to update the filing as required by Article 4.8.8.6 of the International Standard for Testing and Investigations; or (ii) where they make the filing or update but do not include all of the required information in that filing or update (e.g. they do not include the place where they will be staying overnight for each day in the following quarter, or for each day covered by the update, or omit to declare a regular activity that they will be pursuing during the quarter, or during the period covered by the update); or (iii) where they include information in the original filing or the update that is inaccurate (e.g., an address that does not exist) or insufficient to enable the Anti-Doping Organization to locate them for Testing (e.g., “running in the Black Forest”).]

c) In the case of a second or third Filing Failure, that they were given notice, in accordance with Article B.3.2(d), of the previous Filing Failure, and (if that Filing Failure revealed deficiencies in the Whereabouts Filing that would lead to further Filing Failures if not rectified) was advised in the notice that in order to avoid a further Filing Failure they must file the required Whereabouts Filing (or update) by the deadline specified in the notice (which must be within 48 hours after receipt of the notice) and yet failed to rectify that Filing Failure by the deadline specified in the notice; and

[Comment to Article B.2.1(c): All that is required is to give the Athlete notice of the first Filing Failure and an opportunity to avoid a subsequent one, before a subsequent Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Filing Failure before pursuing a second Filing Failure against the Athlete.]

That the Athlete’s failure to file was at least negligent. For these purposes, the Athlete will be presumed to have committed the failure negligently upon proof that they were notified of the requirements yet did not comply with them. That presumption may only be rebutted by the Athlete establishing that no negligent behavior on their part caused or contributed to the failure.

B.2.2 While Code Article 5.2 specifies that every Athlete must submit to Testing at any time and place upon request by an Anti-Doping Organization with Testing Authority over them, in addition, an Athlete in a Registered Testing Pool must specifically be present and available for Testing on any given day during the 60-minute time slot specified for that day in their Whereabouts Filing, at the location that the Athlete has specified for that time slot in such filing. Where this requirement is not met by the Athlete, it shall be pursued as an apparent Missed Test. If the Athlete is tested during such a time slot, the Athlete must remain with the DCO until the Sample collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of Code Article 2.3 (refusal or failure to submit to Sample collection).

B.2.3 To ensure fairness to the Athlete, where an unsuccessful attempt has been made to test an Athlete during one of the 60-minute time slots specified in their Whereabouts Filing, any subsequent unsuccessful attempt to test that Athlete (by the same or any other Anti-Doping Organization) during one of the 60-minute time slots specified in their Whereabouts Filing may only be counted as a Missed Test (or, if the unsuccessful attempt was because the information filed was insufficient to find the Athlete during the time slot, as a Filing Failure) against that
Athlete if that subsequent attempt takes place after the Athlete has received notice, in accordance with Article B.3.2(d), of the original unsuccessful attempt.

[Comment to Article B.2.3: All that is required is to give the Athlete notice of one Missed Test or Filing Failure before a subsequent Missed Test or Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Missed Test or Filing Failure before pursuing a second Missed Test or Filing Failure against the Athlete.]

B.2.4 An Athlete may only be declared to have committed a Missed Test where the Results Management Authority can establish each of the following:

a) That when the Athlete was given notice that they had been designated for inclusion in a Registered Testing Pool, they were advised that they would be liable for a Missed Test if they were unavailable for Testing during the 60-minute time slot specified in their Whereabouts Filing at the location specified for that time slot; b) That a DCO attempted to test the Athlete on a given day in the quarter, during the 60-minute time slot specified in the Athlete’s Whereabouts Filing for that day, by visiting the location specified for that time slot;

c) That during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the Athlete, short of giving the Athlete any advance notice of the test;

[Comment to Article B.2.4(c): Due to the fact that the making of a telephone call is discretionary rather than mandatory, and is left entirely to the absolute discretion of the Sample Collection Authority, proof that a telephone call was made is not a requisite element of a Missed Test, and the lack of a telephone call does not give the Athlete a defense to the assertion of a Missed Test.]

d) That Article B.2.3 does not apply or (if it applies) was complied with; and

e) That the Athlete’s non-availability for Testing at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the Athlete will be presumed to have been negligent upon proof of the matters set out at sub-Articles B.2.4 (a) to (d). That presumption may only be rebutted by the Athlete establishing that no negligent behavior on their part caused or contributed to their failure (i) to be available for Testing at such location during such time slot, and (ii) to update their most recent Whereabouts Filing to give notice of a different location where they would instead be available for Testing during a specified 60-minute time slot on the relevant day.

B.3 Results Management for a Potential Whereabouts Failure

B.3.1 In accordance with Code Articles 7.1.6, the Results Management Authority in relation to potential Whereabouts Failures shall be the International Federation or the National Anti-Doping Organization with whom the Athlete in question files their whereabouts information.

[Comment to Article B.3.1: If an Anti-Doping Centre that receives an Athlete’s Whereabouts Filing (and so is Results Management Authority for whereabouts purposes) removes the Athlete
from its Registered Testing Pool after recording one or two Whereabouts Failures against them, then if the Athlete is put in another Anti-Doping Organization's Registered Testing Pool, and that other Anti-Doping Organization starts receiving their Whereabouts Filing, then, that other Anti-Doping Organization becomes the Results Management Authority in respect of all Whereabouts Failures by that Athlete, including those recorded by the first Anti-Doping Organization. In that case, the first Anti-Doping Organization shall provide the second Anti-Doping Organization with full information about the Whereabouts Failure(s) recorded by the first Anti-Doping Organization in the relevant period, so that if the second Anti-Doping Organization records any further Whereabouts Failure(s) against that Athlete, it has all the information it needs to bring proceedings against them, in accordance with Article B.3.4, for violation of Code Article 2.4.]

**B.3.2** When a Whereabouts Failure appears to have occurred, *Results Management* shall proceed as follows:

a) If the apparent Whereabouts Failure has been uncovered by an attempt to test the *Athlete*, the *Testing Authority* shall timely obtain an Unsuccessful Attempt Report from the DCO. If the *Testing Authority* is different from the *Results Management Authority*, it shall provide the Unsuccessful Attempt Report to the *Results Management Authority* without delay, and thereafter it shall assist the *Results Management Authority* as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.

b) The *Results Management Authority (Results Management Expert Group)* shall timely review the file (including any Unsuccessful Attempt Report filed by the DCO) to determine whether all of the Article B.2.1 requirements (in the case of a Filing Failure) or all of the Article B.2.4 requirements (in the case of a Missed Test) are met. It shall gather information as necessary from third parties (e.g., the DCO whose test attempt uncovered the Filing Failure or triggered the Missed Test) to assist it in this task.

c) If the *Results Management Expert Group* concludes that any of the relevant requirements have not been met (so that no Whereabouts Failure should be declared), *Antidoping Centre* shall so advise WADA, the International Federation or *National Anti-Doping Organization* (as applicable), and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code Article 13*.

d) If the *Results Management Expert Group* concludes that all of the relevant requirements as set out in B.2.1 (Filing Failure) and B.2.4 (Missed Test) have been met, it should notify the *Athlete* within fourteen (14) days of the date of the apparent Whereabouts Failure. The notice shall include sufficient details of the apparent Whereabouts Failure to enable the *Athlete* to respond meaningfully, and shall give the *Athlete* a reasonable deadline to respond, advising whether they admit the Whereabouts Failure and, if they do not admit to the Whereabouts Failure, then an explanation as to why not. The notice should also advise the *Athlete* that three (3)Whereabouts Failures in any 12-month period is a *Code Article 2.4* anti-doping rule violation, and should note whether they had any other Whereabouts Failures recorded against them in the previous twelve
(12) months. In the case of a Filing Failure, the notice must also advise the Athlete that in order to avoid a further Filing Failure they must file the missing whereabouts information by the deadline specified in the notice, which must be within 48 hours after receipt of the notice.

e) If the Athlete does not respond within the specified deadline, the Antidoping Centre shall record the notified Whereabouts Failure against them.

If the Athlete does respond within the deadline, the Results Management Expert Group shall consider whether their response changes its original decision that all of the requirements for recording a Whereabouts Failure have been met.

i. If so, it shall so advise the Athlete, WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13.

ii. If not, it shall so advise the Athlete (with reasons) and specify a reasonable deadline by which they may request an administrative review of its decision. The Unsuccessful Attempt Report shall be provided to the Athlete at this point if it has not been provided to them earlier in the process.

f) If the Athlete does not request an administrative review by the specified deadline, the Antidoping Centre shall record the notified Whereabouts Failure against them. If the Athlete does request an administrative review before the deadline, it shall be carried out, based on the papers only, by one or more person not previously involved in the assessment of the apparent Whereabouts Failure. The purpose of the administrative review shall be to determine anew whether or not all of the relevant requirements for recording a Whereabouts Failure are met.

g) If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, the Antidoping Centre shall so advise the Athlete, WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13. On the other hand, if the conclusion is that all of the requirements for recording a Whereabouts Failure are met, it shall notify the Athlete and shall record the notified Whereabouts Failure against them.

B.3.3 The Antidoping Centre shall promptly report a decision to record a Whereabouts Failure against an Athlete to WADA and all other relevant Anti-Doping Organizations, on a confidential basis, via ADAMS.

[Comment to Article B.3.3: For the avoidance of doubt, the Antidoping Centre is entitled to notify other relevant Anti-Doping Organizations (on a strictly confidential basis) of the apparent Whereabouts Failure at an earlier stage of
the Results Management process, where it considers it appropriate (for test planning purposes or otherwise). In addition, an Anti-Doping Organization may publish a general statistical report of its activities that discloses in general terms the number of Whereabouts Failures that have been recorded in respect of Athletes under its jurisdiction during a particular period, provided that it does not publish any information that might reveal the identity of the Athletes involved. Prior to any proceedings under Code Article 2.4, an Anti-Doping Organization should not Publicly Disclose that a particular Athlete does (or does not) have any Whereabouts Failures recorded against them (or that a particular sport does, or does not, have Athletes with Whereabouts Failures recorded against them).

B.3.4 Where three (3) Whereabouts Failures are recorded against an Athlete within any 12-month period, the Antidoping Centre shall notify the Athlete and other Anti-Doping Organizations in accordance with Article 5.3.2 of the International Standard for Results Management alleging violation of Code Article 2.4 and proceed with Results Management in accordance with Article 5 et seq. of the International Standard for Results Management. If the Antidoping Centre fails to bring such proceedings against an Athlete within 30-days of WADA receiving notice of the recording of that Athlete’s third Whereabouts Failure in any 12-month period, then the Antidoping Centre shall be deemed to have decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at Code Article 13.2.

B.3.5 An Athlete asserted to have committed a Code Article 2.4 anti-doping rule violation shall have the right to have such assertion determined at a full evidentiary hearing in accordance with Code Article 8 and Articles 8 and 10 of the International Standard for Results Management. The hearing panel shall not be bound by any determination made during the Results Management process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden shall be on the Anti-Doping Organization bringing the proceedings to establish all of the requisite elements of each alleged Whereabouts Failure to the comfortable satisfaction of the hearing panel. If the hearing panel decides that one (or two) Whereabouts Failure(s) have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no Code Article 2.4 anti-doping rule violation shall be found to have occurred. However, if the Athlete then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with Code Article 3.2.3) and the Whereabouts Failure(s) subsequently committed by the Athlete.

[Comment to Article B.3.5: Nothing in Article B.3.5 is intended to prevent the Anti-Doping Organization challenging an argument raised on the Athlete’s behalf at the hearing on the basis that it could have been but was not raised at an earlier stage of the Results Management process.]

B.3.6 A finding that an Athlete has committed a Code Article 2.4 anti-doping rule violation has the following Consequences: (a) imposition of a period of Ineligibility in accordance with Code Article 10.3.2 (first violation) or Code Article 10.9 (subsequent violation(s)); and (b) in accordance with Code Article 10.10 (Disqualification, unless fairness requires otherwise) of all individual results obtained by the Athlete from the date of the Code Article 2.4 anti-doping rule violation through to the date of commencement of any Provisional Suspension or Ineligibility period, with all of the resulting Consequences, including forfeiture of any medals, points and prizes. For these purposes, the anti-doping rule violation shall be deemed to have occurred on
the date of the third Whereabouts Failure found by the hearing panel to have occurred. The impact of any Code Article 2.4 anti-doping rule violation by an individual Athlete on the results of any team for which that Athlete has played during the relevant period shall be determined in accordance with Code Article 11.

ANNEX C – RESULTS MANAGEMENT REQUIREMENTS AND PROCEDURES FOR THE ATHLETE BIOLOGICAL PASSPORT

C.1 Administrative Management

C.1.1 The requirements and procedures described in this Annex apply to all modules of the Athlete Biological Passport except where expressly stated or implied by the context.

C.1.2 These processes shall be administered and managed by an Athlete Passport Management Unit on behalf of the Passport Custodian. The Athlete Passport Management Unit
will initially review profiles to facilitate targeting recommendations for the Passport Custodian when appropriate or refer to the Experts as required. Management and communication of the biological data, Athlete Passport Management Unit reporting and Expert reviews shall be recorded in ADAMS and be shared by the Passport Custodian with other Anti-Doping Organizations with Testing Authority over the Athlete to coordinate further Passport Testing as appropriate. A key element for Athlete Biological Passport management and communication is the Athlete Passport Management Unit report in ADAMS, which provides an overview of the current status of the Athlete’s Passport including the latest targeting recommendations and a summary of the Expert reviews.

C.1.3 This Annex describes a step-by-step approach to the review of an Athlete’s Passport:

a) The review begins with the application of the Adaptive Model.

b) In case of an Atypical Passport Finding or when the Athlete Passport Management Unit considers that a review is otherwise justified, an Expert conducts an initial review and returns an evaluation based on the information available at that time.

c) In case of a “Likely doping” initial review, the Passport is then subjected to a review by three (3) Experts including the Expert who conducted the initial review.

d) In case of a “Likely doping” consensus of the three (3) Experts, the process continues with the creation of an Athlete Biological Passport Documentation Package.

e) An Adverse Passport Finding is reported by the Athlete Passport Management Unit to the Passport Custodian if the Experts’ opinion is maintained after review of all information available at that stage, including the Athlete Biological Passport Documentation Package.

f) The Athlete is notified of the Adverse Passport Finding and offered the opportunity to provide explanations.

g) If after review of the explanations provided by the Athlete, the Experts maintain their unanimous conclusion that it is highly likely that the Athlete Used a Prohibited Substance or a Prohibited Method, an anti-doping rule violation is asserted against the Athlete by the Passport Custodian.

C.2 Initial Review Phase

C.2.1 Review by the Adaptive Model

C.2.1.1. In ADAMS, the Adaptive Model automatically processes data on the biological Markers of the Athlete Biological Passport. These Markers include primary Markers that are defined as the most specific to doping and secondary Markers that provide supporting evidence of doping in isolation or in combination with other Markers. The Adaptive Model predicts for an individual an expected range within which a series of Marker values falls assuming a normal physiological condition. Outliers correspond to those values outside of the 99%-range, from a lower limit corresponding to the 0.5" percentile to an upper limit corresponding to the 99.5" percentile (1:100
chance or less that this result is due to normal physiological variation). A specificity of 99% is used to identify both haematological and steroidal Atypical Passport Findings. In the case of sequence deviations (sequence Atypical Passport Findings), the applied specificity is 99.9% (1:1000 chance or less that this is due to normal physiological variation).

C.2.1.2. An Atypical Passport Finding is a result generated by the Adaptive Model in ADAMS which identifies either a primary Marker(s) value(s) as being outside the Athlete’s intra-individual range or a longitudinal profile of a primary Marker values (sequence deviations) as being outside expected ranges, assuming a normal physiological condition. An Atypical Passport Finding requires further attention and review.

C.2.1.3. The Athlete Passport Management Unit may also submit a Passport to the Expert when there is no Atypical Passport Finding (see C.2.2.4 below).

C.2.1.4. Atypical Passport Finding – Haematological Module

C.2.1.4.1. For the Haematological Module, the Adaptive Model automatically processes in ADAMS two primary Markers, haemoglobin concentration (HGB) and stimulation index OFF-score (OFFS), and two secondary Markers, the reticulocyte percentage (RET%) and the Abnormal Blood Profile Score (ABPS). An Atypical Passport Finding is generated when a HGB and/or OFFS value of the last test falls outside the expected intra-individual ranges. Furthermore, the longitudinal profile composed of (up to) the last five valid HGB and/or OFFS values is also considered as an Atypical Passport Finding when deviating from the expected ranges, as determined by the Adaptive Model (sequence Atypical Passport Finding). An Atypical Passport Finding is only generated by the Adaptive Model based on values of the primary Markers HGB and OFFS or the sequence thereof.

C.2.1.4.2. In case of an Atypical Passport Finding the Athlete Passport Management Unit shall advise the Antidoping Centre in the Athlete Passport Management Unit report, or via the Passport Custodian where appropriate, on whether the Sample, or any accompanying urine Sample, should be subjected to analysis for Agents Affecting Erythropoiesis. The Athlete Passport Management Unit should also provide recommendations for Agents Affecting Erythropoiesis analysis when the Adaptive Model detects an abnormality in the secondary Markers RET% and/or ABPS.

C.2.1.5. Atypical Passport Finding – Steroidal Module

C.2.1.5.1 For the Steroidal Module, the Adaptive Model automatically processes in ADAMS one primary Marker, the T/E ratio, and four (4) secondary Markers, the ratios A/T, A/Etio, 5αAdiol/5βAdiol and 5βAdiol/E.

C.2.1.5.2 Ratios coming from a Sample that showed signs of heavy microbial degradation, and ratios for which one or both of the concentrations were not measured accurately by the Laboratory as established in the Technical Document for Endogenous Anabolic Androgenic Steroids (TDEAAS), shall not be processed by the Adaptive Model. In the case where the Laboratory reports a confounding factor that may otherwise cause an alteration in the steroid profile, such as the presence of ethanol glucuronide in the Sample, the Athlete Passport Management Unit shall evaluate whether the steroid profile can still be considered as valid and processed by the Adaptive Model and the Sample be subjected to a Confirmation Procedure (see TDEAAS).
C.2.1.5.3 An Atypical Passport Finding is generated when a value of the T/E ratio falls outside the expected intra-individual ranges. In addition, the “longitudinal steroid profile” composed of (up to) the last five (5) valid values of the T/E ratio is also considered as atypical when deviating from the expected ranges, as determined by the Adaptive Model (sequence Atypical Passport Finding).

C.2.1.5.4 In the case of a “longitudinal steroidal profile”, an Atypical Passport Finding caused by an atypically high T/E value will trigger an Atypical Passport Finding Confirmation Procedure Request notification through ADAMS as established in the TDEAAS. When the Adaptive Model determines an abnormality in any of the other ratios of the “steroid profile” (A/T, A/Etio, 5αAdiol/5βAdiol and 5βAdiol/E), the Athlete Passport Management Unit should advise the Results Management Authority (or Testing Authority as applicable) in the Athlete Passport Management Unit report, or via the Passport Custodian where appropriate, on whether the Sample should be subjected to a Confirmation Procedure.

C.2.1.6. Suspicious Steroid Profiles – Steroidal Module

C.2.1.6.1 If the Sample constitutes the first and unique result in a Passport, or if the Sample cannot be matched to a Doping Control Form in ADAMS, ADAMS will flag the result as a Suspicious Steroid Profile (SSP) if the steroid profile of the Sample meets any of the SSP criteria established in the TD EAAS, and the Laboratory and the Testing Authority will receive an SSP-Confirmation Procedure Request (CPR) notification from ADAMS. In such cases, the Testing Authority, upon consultation by the Laboratory, shall confirm, in writing within seven (7) days, whether or not the SSP result shall be confirmed by the Laboratory. The Testing Authority may consult with their APMU, or the Passport Custodian where applicable, in order to reach a decision. If the Testing Authority advises the Laboratory not to proceed with Confirmation Procedures, then it shall provide the reasons for this decision to the Laboratory, which shall update the ADAMS test report for the Sample accordingly. In the absence of any justification from the Testing Authority, the Laboratory shall proceed with the confirmation analyses (for further details, see TD EAAS).

C.2.1.7. Departure from WADA Athlete Biological Passport requirements

C.2.1.7.1 If there is a departure from WADA Athlete Biological Passport requirements for Sample collection, transport and analysis, the biological Marker result obtained from this Sample affected by the non-conformity shall not be considered in the Adaptive Model calculations (for example, RET% can be affected but not HGB under certain transportation conditions).

C.2.1.7.2 A Marker result which is not affected by the non-conformity can still be considered in the Adaptive Model calculations. In such case, the Athlete Passport Management Unit shall provide the specific explanations supporting the inclusion of the result(s). In all cases, the Sample shall remain recorded in the Athlete’s Passport. The Experts may include all results in their review provided that their conclusions may be validly supported when taking into account the effects of the non-conformity.

C.2.2 The Initial Expert Review

C.2.2.1 A Passport generating an Atypical Passport Finding, or for which a review is otherwise justified, shall be sent by the Athlete Passport Management Unit to an Expert for review in ADAMS. This should take place within seven (7) days following the generation of the Atypical Passport Finding in ADAMS. The review of the Passport shall be conducted based on the
Passport and other basic information (e.g. *Competition* schedules), which may be available, such that the Expert is blinded to the identity of the Athlete.

[Comment to Article C.2.2.1: If a result rendered by a Laboratory represents an Atypical Passport Finding caused by an atypically high T/E value, the Sample will undergo a Confirmation Procedure, including GC/C/IRMS analysis. If the result of the GC/C/IRMS Confirmation Procedure is negative or inconclusive then the Athlete Passport Management Unit shall seek an Expert review. An Athlete Passport Management Unit or Expert review is not required when the GC/C/IRMS Confirmation Procedure renders an Adverse Analytical Finding (AAF).]

C.2.2.2 If a Passport has been recently reviewed by an Expert and the Passport Custodian is in the process of executing a specific multi-Sample Testing strategy on the Athlete, the Athlete Passport Management Unit may delay the review of a Passport generating an Atypical Passport Finding triggered by one of the Samples collected in this context until completion of the planned series of tests. In such situations, the Athlete Passport Management Unit shall clearly indicate the reason for delaying the review of the Passport in the Athlete Passport Management Unit report.

C.2.2.3 If the first and unique result in a Passport is flagged as an Atypical Passport Finding by the Adaptive Model, the Athlete Passport Management Unit may recommend the collection of an additional Sample before initiating the initial Expert review.

C.2.2.4 Review in the absence of an Atypical Passport Finding

C.2.2.4.1 A Passport may also be sent for Expert review in the absence of an Atypical Passport Finding where the Passport includes other elements otherwise justifying a review.

These elements may include, without limitation:

a) Data not considered in the Adaptive Model;

b) Any abnormal levels and/or variations of Marker(s);

c) Signs of hemodilution in the haematological Passport;

d) Steroid levels in urine below the corresponding Limit of Quantification of the assay;

e) Intelligence in relation to the Athlete concerned.

C.2.2.4.2 An Expert review initiated in the above-mentioned situations may result in the same Consequences as an Expert review triggered by an Atypical Passport Finding.

C.2.2.5 Expert Evaluation

C.2.2.5.1 When evaluating a Passport, an Expert weighs the likelihood that the Passport is the result of the *Use* of a Prohibited Substance or Prohibited Method against the likelihood that the Passport is the result of a normal physiological or pathological condition in order to provide one of the following opinions: “Normal”, “Suspicious”, “Likely doping” or “Likely medical condition”. For a “Likely doping” opinion, the Expert shall come to the conclusion that the likelihood that the Passport is the result of the *Use* of a Prohibited Substance or Prohibited Method outweighs the likelihood that the Passport is the result of a normal physiological or pathological condition.
[Comment to Article C.2.2.5.1: When evaluating competing propositions, the likelihood of each proposition is evaluated by the Expert based on the evidence available for that proposition. It is acknowledged that it is the relative likelihoods (i.e., likelihood ratio) of the competing propositions that ultimately determine the Expert’s opinion. For example, where the Expert is of the view that a Passport is highly likely the result of the Use of a Prohibited Substance or Prohibited Method, it is necessary for a “Likely doping” evaluation that the Expert consider that it is unlikely that it may be the result of a normal physiological or pathological condition. Similarly, where the Expert is of the view that a Passport is likely the result of the Use of a Prohibited Substance or Prohibited Method, it is necessary for a “Likely doping” evaluation that the Expert consider that it is highly unlikely that it may be the result of a normal physiological or pathological condition.]

C.2.2.5.2 To reach a conclusion of “Likely doping” in the absence of an Atypical Passport Finding, the Expert shall come to the opinion that it is highly likely that the Passport is the result of the Use of a Prohibited Substance or Prohibited Method and that it is highly unlikely that the Passport is the result of a normal physiological or pathological condition.

C.2.3 Consequences of the Initial Review

Depending on the outcome of the initial review, the Athlete Passport Management Unit will take the following action:

<table>
<thead>
<tr>
<th>Expert Evaluation</th>
<th>Athlete Passport Management Unit Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Normal”</td>
<td>Continue normal Testing plan.</td>
</tr>
<tr>
<td>“Suspicious”</td>
<td>Provide recommendations to the Passport Custodian for Target Testing, Sample analysis and/or requesting further information as required.</td>
</tr>
<tr>
<td>“Likely doping”</td>
<td>Send to a panel of three (3) Experts, including the initial Expert, as per section C.2 of this Annex C.</td>
</tr>
<tr>
<td>“Likely medical condition”</td>
<td>Inform the Athlete as soon as possible via the Passport Custodian (or send to other Experts).</td>
</tr>
</tbody>
</table>

[Comment to Article C.2.3: The Athlete Biological Passport is a tool to detect the possible Use of Prohibited Substance(s) or Prohibited Method(s) and it is not intended as a health check or for medical monitoring. It is important that the Passport Custodian educate the Athletes to ensure that they undergo regular health monitoring and not rely on the Athlete Biological Passport for this purpose. Nevertheless, the Passport Custodian should inform the Athlete in case the Passport indicates a likely pathology as determined by the Experts.]

C.3 Review by Three (3) Experts

C.3.1 In the event that the opinion of the appointed Expert in the initial review, pending other explanation to be provided at a later stage, is that of “Likely doping”, the Passport shall then be sent by the Athlete Passport Management Unit to two (2) additional Experts for review. This should take place within seven (7) days after the reporting of the initial review. These additional reviews shall be conducted without knowledge of the initial review. These three (3) Experts now constitute the Expert Panel, composed of the Expert appointed in the initial review and these two (2) other Experts.
C.3.2 The review by the three (3) Experts must follow the same procedure, where applicable, as presented in section C.2.2 of this Annex. The three (3) Experts shall each provide their individual reports in ADAMS. This should take place within seven (7) days after receipt of the request.

C.3.3 The Athlete Passport Management Unit is responsible for liaising with the Experts and for advising the Passport Custodian of the subsequent Expert assessment. The Experts can request further information, as they deem relevant for their review, notably information related to medical conditions, Competition schedule and/or Sample(s) analysis results. Such requests are directed via the Athlete Passport Management Unit to the Passport Custodian.

C.3.4 A unanimous opinion among the three (3) Experts is necessary in order to proceed further towards declaring an Adverse Passport Finding, which means that all three (3) Experts render an opinion of “Likely doping”. The conclusion of the Experts must be reached with the three (3) Experts assessing the Athlete’s Passport with the same data.

[Comment to Article C.3.4: The three (3) Expert opinions cannot be accumulated over time based on different data.]

C.3.5 To reach a conclusion of “Likely doping” in the absence of an Atypical Passport Finding, the Expert Panel shall come to the unanimous opinion that it is highly likely that the Passport is the result of the Use of a Prohibited Substance or Method and that there is no reasonably conceivable hypothesis under which the Passport is the result of a normal physiological condition and highly unlikely that it is the result of pathological condition.

C.3.6 In the case when two (2) Experts evaluate the Passport as “Likely doping” and the third Expert as “Suspicious” asking for more information, the Athlete Passport Management Unit shall confer with the Expert Panel before they finalize their opinion. The group can also seek advice from an appropriate outside Expert, although this must be done while maintaining strict confidentiality of the Athlete’s Personal Information.

C.3.7 If no unanimity can be reached among the three (3) Experts, the Athlete Passport Management Unit shall report the Passport as “Suspicious”, update the Athlete Passport Management Unit report, and recommend that the Passport Custodian pursue additional Testing and/or gather intelligence on the Athlete (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate.

C.4 Conference Call, Compilation of the Athlete Biological Passport Documentation Package and Joint Expert Report

C.4.1 If a unanimous opinion of “Likely doping” is rendered by all three (3) Experts, the Athlete Passport Management Unit shall declare a “Likely doping” evaluation in the Athlete Passport Management Unit report in ADAMS and should organize a conference call with the Expert Panel to initiate the next steps for the case, including proceeding with the compilation of the Athlete Biological Passport Documentation Package (see Technical Document for Athlete Passport Management Units) and drafting of the joint Expert report. In preparation for this conference call, the Athlete Passport Management Unit should coordinate with the Passport Custodian to compile any potentially relevant information to share with the Experts (e.g. suspicious analytical findings, relevant intelligence and relevant pathophysiological information).

C.4.2 Once completed, the Athlete Biological Passport Documentation Package shall be sent by the Athlete Passport Management Unit to the Expert Panel, who will review it and provide a joint Expert report to be signed by all three (3) Experts. The conclusion within the joint Expert report
shall be reached without interference from the Passport Custodian. If necessary, the Expert Panel may request complementary information from the Athlete Passport Management Unit.

C.4.3 At this stage, the identity of the Athlete is not mentioned but it is accepted that specific information provided may allow to identify the Athlete. This shall not affect the validity of the process.

C.5 Issuing an Adverse Passport Finding

C.5.1 If the Expert Panel confirms their unanimous position of “likely doping”, the Athlete Passport Management Unit shall declare an Adverse Passport Finding in ADAMS that includes a written statement of the Adverse Passport Finding, the Athlete Biological Passport Documentation Package and the joint Expert report.

C.5.2 After reviewing the Athlete Biological Passport Documentation Package and joint Expert report, the Passport Custodian shall:

   a) Notify the Athlete of the Adverse Passport Finding in accordance with Article 5.3.2;

   b) Provide the Athlete the Athlete Biological Passport Documentation Package and the joint Expert report;

   c) Invite the Athlete to provide their own explanation, in a timely manner, of the data provided to the Passport Custodian.

C.6 Review of Explanation from Athlete and Disciplinary Proceedings

C.6.1 Upon receipt of any explanation and supporting information from the Athlete, which should be received within the specified deadline, the Athlete Passport Management Unit shall forward it to the Expert Panel for review with any additional information that the Expert Panel considers necessary to render its opinion in coordination with both the Passport Custodian and the Athlete Passport Management Unit. At this stage, the review is no longer anonymous. The Expert Panel shall reassess or reassert the case and reach one of the following conclusions:

   a) Unanimous opinion of “Likely doping” by the Experts based on the information in the Passport and any explanation provided by the Athlete; or

   b) Based on the available information, the Experts are unable to reach a unanimous opinion of “Likely doping” set forth above.

[Comment to Article C.6.1: Such a reassessment shall also take place when the Athlete does not provide any explanation.]

C.6.2 If the Expert Panel expresses the opinion set forth in section C.6.1(a), then the Passport Custodian shall be informed by the Athlete Passport Management Unit, shall charge the Athlete in accordance with Article 7 and continue with Results Management in accordance with the International Standard.

C.6.3 If the Expert Panel expresses the opinion set forth in section C.6.1(b), the Athlete Passport Management Unit shall update the Athlete Passport Management Unit report and recommend the Passport Custodian to pursue additional Testing and/or gather intelligence on the Athlete.
(refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate. The Passport Custodian shall notify the Athlete and WADA of the outcome of the review.

C.7 Passport Re-setting

C.7.1 In the event the Athlete has been found to have committed an anti-doping rule violation based on the Passport, the Athlete’s Passport shall be reset by the Passport Custodian at the start of the relevant period of Ineligibility and a new Biological Passport ID shall be assigned in ADAMS. This maintains the Athlete’s anonymity for potential Athlete Passport Management Unit and Expert Panel reviews conducted in the future.

C.7.2 When an Athlete is found to have committed an anti-doping rule violation on any basis other than the Athlete Biological Passport, the haematological and/or Steroidal Passport will remain in effect, except in those cases where the Prohibited Substance or Prohibited Method caused an alteration of the haematological or steroidal Markers, respectively (e.g. for AAF reported for anabolic androgenic steroids, which may affect the Markers of the steroid profile, or for the Use of Erythropoiesis Stimulating Agents or blood transfusions, which would alter the haematological Markers). The Passport Custodian shall consult with their Athlete Passport Management Unit following an Adverse Analytical Finding to determine whether a Passport reset is warranted. In such instances, the Athlete’s profile(s) would be reset from the time of the beginning of the sanction.

Annex D

TESTING POOL OF THE ANTIDOPING CENTRE – FAILURES TO COMPLY WITH WHEREABOUTS REQUIREMENTS AND SANCTIONS

D.1 Failure to comply with whereabouts requirements represents:
  1. Failure to provide whereabouts information within the specified deadline;
  2. Provided incomplete and inaccurate whereabouts information;
  3. Unsuccessful testing attempt of an athlete.

D.2 (1) In case of a first failure to comply under Art.D.1 by an athlete, the Executive Director of the Antidoping Centre sends a reprimand to the athlete (personally or through the relevant licensed sporting organization), in which reminds him/her to be compliant with the requirements and for the consequences of a second failure to comply.

(2) In case of a second failure to comply under Art.D.1 by an athlete, the Executive Director of Antidoping Centre notifies in writing him/her with official letter (personally or through the relevant licensed sporting organization), in which informs him/her that he/she will be included in the Registered Testing Pool of the Antidoping Centre and for all of the obligations, rights and responsibilities related to this inclusion.

Annex E

TEAM TESTING POOL OF THE ANTIDOPING CENTRE – FAILURES TO COMPLY WITH WHEREABOUTS REQUIREMENTS AND SANCTIONS

E.1 Failure to comply with team whereabouts requirements could be/ represents:
  1. Failure to provide whereabouts information within the specified deadline;
  2. Provided incomplete and inaccurate whereabouts information;
3. Unsuccessful testing attempt of the relevant team/club.

**E.2** (1) In case of violation of these requirements by any team/club, the Executive Director of the Antidoping Centre notifies the relevant licensed sporting organization.

(2) In case of violation of these requirements by any licensed sporting organization, the Executive Director of Antidoping Centre notifies the Minister of Youth and Sports.

**E.3.** Each team/club who committed a violation under art. E.1 is subject to sanctions.

**E.4.** (1) The sanctions of teams/clubs shall be determined and imposed by the relevant sporting organization which shall inform the Antidoping Centre about their decision.

(2) The sanctions of licensed sporting organizations shall be determined and imposed by the Minister of Youth and Sports which shall inform the Antidoping Centre about his decision.

**E.5.** In case of violation of these requirements by the Athlete, the rules specified in Annex D, D.2, apply mutatis mutandis.