

*CONFEDERATION MONDIALE DES ACTIVITES SUBAQUATIQUES*  
*WORLD UNDERWATER FEDERATION*  
*CONFEDERACION MUNDIAL DE ACTIVIDADES SUBACUATICAS*



*Antidoping Rules*  
*Version 08/2004*

# TABLE OF CONTENTS

<b>Introduction</b> .....	3
<b>I. Object</b> .....	4
<b>II. Definition of the Anti-doping Rules Violations</b> .....	4
<b>III. Proof of Doping</b> .....	4
<i>Burdens and Standards of Proof</i> .....	4
<i>Establishment of Facts and Presumptions</i> .....	4
<b>IV. The Prohibited List</b> .....	5
<i>Adoption of the list</i> .....	5
<i>Publication, Updating, Application</i> .....	5
<i>Therapeutic Use Exemption ( TUE )</i> .....	5
<b>V. Controls</b> .....	5
<i>Authority</i> .....	5
<i>Responsibility for C.M.A.S. Testing.</i> .....	5
<i>Standards</i> .....	5
<i>Coordination</i> .....	5
<i>Out of Competitions controls</i>	6
AtheleteWhereabouts Requirements.....	6
Selection of the athletes.....	6
RRetirement and Return to Competition .....	6
<i>In Competitions Controles Sélection</i>	6
Number <i>C.M.A.S. Championships.</i> .....	6
<i>Competitions included in the C.M.A.S. Calendar.</i> .....	6
Nomination.....	6
Notification.....	7
National Competitions .....	7
<b>World Records</b> .....	7
<b>VI. Controls : Samples</b> .....	7
<b>VII. Results Management</b> .....	8
<b>VIII. Impartial Hearing</b>	9
<i>Arising out of C.M.A.S. testing.</i> .....	9
<i>Arising ou of National testing</i> .....	9
<b>IX. Automatic disqualification of individual results</b> .....	9
<b>X. Sanctions</b>	10
<i>individuals</i> .....	10
<i>teams</i> .....	11
<i>elimination or reduction of ineligibility period.</i> .....	11
<i>in case of potential multiple violations</i> .....	11
<b>XI. Sanctions and costs aessed against National Federations</b> .....	12
<b>XII Appeals</b> .....	12
<b>XIII. National Federations incorporation of C.M.A.S. Rules</b> .....	13
<b>XIV. Recognition of decisions by other organisations</b> .....	13
<b>XV. Statute of limitation</b> .....	13
<b>XVI. Reports to WADA</b> .....	13
<b>XV. Management and Controls</b>	14
<i>C.M.A.S. Anti-Doping Control Commission (ACC )</i> .....	14
<i>Therapeutic Use Exemption Commission ( TUEC )</i> .....	14
<i>Doping Hearing Panel ( DHP )</i> .....	14
<i>Samples Commission</i> .....	14
<b>Appendice 1 Definitions</b> .....	15-16-17
<b>Appendice 2 Abbreviations</b> .....	17

# Introduction

## **Preface**

During the last C.M.A.S. General Assembly held in Sanya ( CHN ) on November 24<sup>th</sup>, 2003, C.M.A.S. has adopted the World Anti-doping Code ( The Code ). These Anti-Doping Rules are adopted and implemented in conformance with C.M.A.S. responsibilities under the *Code*, and are in furtherance of C.M.A.S. continuing efforts to eradicate doping in the sub aquatic sports.

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

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

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

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

## **Scope**

These Anti-Doping Rules shall apply

- to C.M.A.S.
- to any of its National Federations by virtue of the Participant's membership, accreditation, or participation in C.M.A.S. or NF activities.
- to each sportsman participating in the C.M.A.S. or its NF activities or events.  
Any Person who fulfils the requirements to be part of the C.M.A.S. Registered Testing Pool, must become a member of the Person's National Federation, and must make himself or herself available for Testing , at least six months before participating in International Events or events of his/her National Federation
- to all *Doping Controls* over which C.M.A.S and its *NF* have jurisdiction.

## **C.M.A.S. Licences**

In order to participate in C.M.A.S. events, an Athlete must have a C.M.A.S. licence, exclusively issued by CMAS upon request by the National Federation the Athlete belongs to. This C.M.A.S. licence will only be given to the Athletes who will personally sign appendix 1. The licence requests for Athletes who are minors must be signed by the person having parental authority.

## **Responsibility of the NFs affiliated to C.M.A.S.**

It is the responsibility of each *National Federation* to ensure that all national-level *Testing* on the *National Federation's Athletes* complies with these Anti-Doping Rules.

Should the NF delegate the responsibility of the controls to a *National Anti-Doping Organization*.( NAO ), reference in these Anti-Doping Rules to the *National Federation* shall apply, as applicable, to the *National Federation's National Anti-Doping Organization*.

## I. Object

### **Art.1 General Aspects**

#### **1.1 Interpretation of the Code**

The present rules must be interpreted as an independent and autonomous document and not as referring to existing laws or statutes, with the exception of the procedures listed in Article 1.4.

#### **1.2 Appendix 1 : Definition**

Appendix 1, included at the end of the Code, is an integral part of the listed rules.

1.3 Said rules cannot be applied retroactively to cases presented before the date the rules come into force

1.4 The Anti-Doping Rules have been adopted according to the applicable provisions of the Code and must be interpreted in coherence with the latter. The comments accompanying several of the Code's provisions may, when necessary, ease the comprehension and interpretation of these rules.

## II. Définitions of the Anti-doping Rules Violations

### **Art.2 Doping Definitions**

Doping is defined as one or more violations of the Anti-Doping Rules defined in articles 2.1 to 2.8 as follows.

2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's bodily Specimen.

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

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

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

2.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method.

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

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

2.4 Violation of the requirements regarding Athlete availability for Out-of-Competition Testing including failure to provide required whereabouts information set forth in Article 5.5 (Athlete whereabouts requirements).

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

2.6 Possession of Prohibited Substances and Methods.

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

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

2.7 Trafficking in any Prohibited Substance or Prohibited Method.

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

## III. PROOF OF DOPING

### **Art.3 Burdens and Standards of Proof**

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

### **Art.4 Methods of Establishing Facts and Presumptions**

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

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

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

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

## IV. THE PROHIBITED LIST

### **Art.5 Adoption of the prohibited list**

C.M.A.S. adopts the prohibited list as defined by WADA but, upon request by its Antidoping Control Commission (ACC), may ask for its extension based on the specific nature of its sports disciplines, but without eliminating anything.  
C.M.A.S. will make the adopted prohibited list available to all NFs and they will have to verify that said list is available to all their members

### **Art.6 Publication, updating and application of modifications**

- 6.1 In case of modifications in the list of prohibited substances drafted by WADA, these will be automatically valid, with no further formalities, three months after their publication on the WADA website, unless there is a specific provision by WADA in case of modification of the list.
- 6.2 WADA's decision to include prohibited substances and methods is final and cannot be the object of an appeal by an Athlete or any other subject.

### **Art.7 Therapeutic use exemption ( TUE )**

- 7.1 These exemptions concern the Athletes
  - a. of international level
  - b. registered in an international eventwho for therapeutic reasons based on a well documented medical dossier, have to use prohibited substances.
- 7.2 Even if the athlete has obtained a TUE on national level, he must obtain a TUE from C.M.A.S. before his participation to any international event.
- 7.3 The NFs must communicate to C.M.A.S. and as soon as possible, the list of their athletes who has received a TUE on national level.
- 7.4 The C.M.A.S. TUE requests have to be done on the ad hoc form and submitted to the agreement of the TUE Commission ( TUEC )  
This request must reach C.M.A.S. no later than 21 days before their participation in an international event.
- 7.5 In case of refusal by the above mentioned commission, the Athlete may appeal to WADA.
- 7.6 In case of need, Athletes included in the Out-of-Competition control list will have to present their TUE request together with the information they must provide concerning their whereabouts no later than 21 days before their participation in an international event
- 7.7 WADA may overturn a decision if it feels the granting or refusal of a TUE is not in conformity with the standards.

## V. Controls

### **Art.8 Authority to Test**

All Athletes affiliated with a NF shall be subject to In-Competition Testing by C.M.A.S., the Athlete's National Federation, and any other Anti-Doping Organization responsible for Testing at a Competition or Event in which they participate. They will also be subject to Out-of-Competition Testing at any time or place, with or without advance notice, by C.M.A.S., the Athlete's NF, the NAO of any country where the Athlete is present.

### **Art.9 Responsibility for C.M.A.S. Testing**

The C.M.A.S. ACC shall be responsible for overseeing all Testing conducted by C.M.A.S..

### **Art.10 International Testing Standard**

Testing conducted by C.M.A.S. and its NFs shall be in substantial conformity with the International Standard for Testing in force at the time of Testing

### **Art.11 Coordination and Normalisation of Testing**

C.M.A.S. and its NFs shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in Testing

C.M.A.S. will make sure that the controls carried out by its affiliated Federations are in conformity with the international control standards listed.

### **Art.12 Out of competitions controls: Athlete Whereabouts Requirements**

- 12.1 The C.M.A.S. Board of Directors will establish, for each of the C.M.A.S. sports discipline, a C.M.A.S. Registered Testing Pool ( list of the athletes who will be submitted to out of competition controls ).  
Each Athlete in the Registered Testing Pool shall file semi-annual reports with C.M.A.S. on forms provided by C.M.A.S. ( **Form 2** ) which specify on a daily basis the locations and times where the Athlete will be residing, training and competing.  
The ultimate responsibility for providing whereabouts information rests with each Athlete, however.,  
It shall be the responsibility of each NF to use its best efforts to assist C.M.A.S. in obtaining whereabouts information requested.
- 12.2 Any Athlete in the IF Registered Testing Pool who is unavailable for Testing on three attempts during any period of 18 consecutive months shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4. For each attempt, the Doping Control Officer shall visit all locations during the times specified by the Athlete for that date and shall stay two hours at each location. Notification shall be sent to the Athlete between each attempt which is to be counted as an unavailable test
- 12.3 Any Athlete in the IF Registered Testing Pool who fails to timely submit a required semi-annual whereabouts report after receipt of two formal written warnings from IF or a National Federation to do so in the preceding 18 months shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4
- 12.4 Each NF shall also assist their NAO in establishing a national level Registered Testing Pool of top level national Athletes who are not already included in C.M.A.S. Registered Testing Pool. The NF/NAO may establish its own whereabouts reporting requirements and criteria for Article 2.4 violations applicable to those Athletes
- 12.5 Whereabouts information provided pursuant to Articles 12.1 and 12.4 shall be shared with WADA and other ADO having jurisdiction to test an Athlete on the strict condition that it be used only for Doping Control purposes

**Art.13 Out of competitions controls: Selection of the C.M.A.S. Registered Testing Pool Athletes.**

For the C.M.A.S. sports disciplines, the selection will be done as written below

**13.1 Apnoea**

The 3 medallists, men and women, of the last World Championship.

**13.2 Finswimming**

The 10 golden medallists, men and women, of the individual races of the last World Championship. Should an athlete be golden medallist in more than one race, it will be replaced, in the other races, by the athletes classified 2<sup>nd</sup> or 3<sup>rd</sup>, and so on.

**13.3 Orienteering and Target Shooting.**

The golden medallists of each category of the last World Championship.

**13.4 Spearfishing**

The 5 first classified athletes of the last individual World Championship.

**13.5 Team Sports ( Hockey et Rugby )**

Within the 3 medallist teams, men and women, the C.M.A.S. Board of Directors will nominate 2 athletes on proposal of the relevant sports commission.

**Art.14 Out of competitions controls: Retirement and Return to Competition.**

14.1 An Athlete who has been identified on the C.M.A.S. Registered Testing Pool shall continue to be subject to these Anti-Doping Rules, including the obligation to be available for No Advance Notice Out-of-Competition Testing, unless and until

- a. the Athlete gives written notice to C.M.A.S. that he or she has retired
- b. the C.M.A.S. Board of Directors decides that the Athlete no longer satisfies the criteria for inclusion in the C.M.A.S. Registered Testing Pool.

14.2 The Athlete who has given notice of retirement as written in the Art. 13.1.a. may not resume competing unless he or she

- a. notifies C.M.A.S. at least six months before he or she expects to return to competition
- b. is available for unannounced Out-of-Competition Testing, at any time during the period before actual return to competition and has communicated to C.M.A.S. there whereabouts for the next six months period.

14.3 NF/NAO may establish similar requirements for retirement and returning to competition for Athletes on their lists.

**Art.15 Selection of the athletes for the In Competition Controls.**

**15.1 International events organised by C.M.A.S.**

**15.1.1 C.M.A.S. Championships C.M.A.S. – Number of controls**

Have to be submitted to the antidoping control

**15.1.1.1 Individual Sports**

**a. Individual races**

- The three medal winners of each trial
- A fourth Athlete drawn randomly among the other finalists, if there is a final, or all other participants if there are no preliminary heats.

**b. Races for nations**

- An Athlete drawn randomly and belonging to a nation, also drawn randomly, that has won a medal
- An Athlete drawn randomly and belonging to a participating nation, also drawn randomly

**15.1.1.2 Team Sports**

- a. Two Athletes drawn randomly and belonging to a nation, also drawn randomly, that has won a medal
- b. Two Athletes drawn randomly and belonging to a participating nation, also drawn randomly

**15.1.2 Competitions included in the C.M.A.S. calendar – Number of controls**

The following will have to undergo Anti-Doping controls

**15.1.2.1 Individual Sports**

**a. Individual races**

- The first classified in each trial
- A second Athlete drawn randomly among the other finalists, if there is a final, or all other participants if there are no preliminary heats.

**b. Races for nations**

- An Athlete drawn randomly and belonging to a nation, also drawn randomly, that has won a medal
- An Athlete drawn randomly and belonging to a participating nation, also drawn randomly.

**15.1.2.2 Team Sports**

- a. Two Athletes drawn randomly belonging to the nation which classified first
- b. Two Athletes drawn randomly and belonging to a participating nation, also drawn randomly.

**15.2 Choice of athletes to be controlled**

**15.2.1 Drawing procedure**

In order to avoid losing time or “out of control” periods for the Athletes that will have to be controlled, the random drawing will take place on the eve of the race, based on the following procedure

**15.2.1.1 Individual Sports – Individual races**

The finalist Athletes will be classified by random drawing from 1 to X

**a. Individual races with or without a final - C.M.A.S. Championships**

The finalists will be classified from 1 to X by random drawing, while the first non winner of a medal classified for the random drawing will be chosen as the fourth Athlete to be controlled.

**b. Individual races - C.M.A.S. Competitions**

The first classified by order, through random drawing, and who isn't the winner, will be chosen as the second Athlete to be controlled

### **15.2.1.2 Individual Sports – Races for Nations**

The participating nations will be classified by random drawing from 1 to X, besides two Athletes of each nation

*a. C.M.A.S. Championships – Races for Nations.*

The two Athletes of the first nation that hasn't won medals, classified by order, through random drawing, will be chosen as the last two Athletes to be controlled

*b. C.M.A.S. Competitions – Races for Nations.*

The two Athletes of the first classified nation, by order, through random drawing, and not belonging to the first classified nation in the competition will be chosen as the other two Athletes to be controlled

### **15.2.1.3 Team Sports**

The participating nations will be classified by random drawing from 1 to X, besides two Athletes for each nation

*a. C.M.A.S. Championships*

The two Athletes of the first nation winner of a medal, classified by order through random drawing, will be chosen as the last two Athletes to be controlled

*b. C.M.A.S. Competitions*

The two Athletes of the first classified nation, by order, through random drawing, and not belonging to the first classified nation in the competition will be chosen as the other two Athletes to be controlled

### **15.2.2 Notification – Surveillance of the Athletes chosen for controls**

15.2.2.1 For each control, the organization will have to choose a volunteer to assign to each Athlete, hereby referred to as the escort.

15.2.2.2 Each escort will be assigned the Athlete who will have to be escorted and followed up to the conclusion of the Athlete's Anti-Doping Control

15.2.2.3 A notification form (**Form 3**) having the name of the Athlete to be controlled will be sent, in order to notify the Athlete that he/she has been chosen for the control.

15.2.2.4 The Athlete will have to sign said form through a return receipt

15.2.2.5 Through the escort, the Athlete will be notified that he/she must go to the samples center, with the escort, in the shortest time possible and, at latest, within the hour after the notification

15.2.2.6 In the form, the escort must mention all movements of the escorted Athlete, mentioning time, place and length of movements.

### **15.3 National Events**

During each competition, each NF will decide the number of Athletes to be controlled and the selection procedures.

### **15.4 World Records**

Any Athlete setting or improving a World Record will have to undergo Anti-Doping Control. If this were not to take place, the Record will not be recognized.

## **VI. Anti-Doping Controls during competitions – Samples**

### **Art.16 Organization of samples**

16.1 One and only one organization will be responsible to start and carry out the collection of samples

16.2 For international events included in the C.M.A.S. calendar, the collection of samples will have to be started and carried out by C.M.A.S. itself. Otherwise, the NAO of the country hosting the event, in coordination and agreement with C.M.A.S. or W.A.D.A. will be able to start and carry out the controls.

16.3 For national events, the collection of samples will be started and carried out by the country's National Anti-Doping Organization. C.M.A.S. will be responsible for starting and carrying out controls during an international event.

16.4 C.M.A.S. will obtain from the organizing federation a location for the collection of samples, consisting in

a. a room for the secretariat

b. a waiting room for male Athletes and one for female Athletes, with a refrigerator with water and plastic cups

c. at least one bathroom for females and one for males

d. a room that can be locked for the storing of sample collection material and samples, if the collection of the latter is not daily

16.5 The sample collection material will have to be defined in agreement with the laboratory. The latter will have to decide on dosages.

16.6 The samples center must be located on the competition's premises and, in absence of this, the competition's organizer will have to supply the necessary means of transportation for the chosen Athletes and their escort.

### **Art.17 Samples Commission**

A Samples Commission will have the responsibility to coordinate and carry out the samples collection.

Said commission is composed as follows

a. a physician chosen by the ACC as chair of the commission

b. a physician chosen by the organizing federation

c. a physician of the National Anti-Doping Agency, if the latter is an integral part, or a physician chosen by the laboratory receiving the analyses

d. a secretary

e. a female nurse if all physicians are male

### **Art.18 Accompaniment**

The Athlete appearing for a control may be accompanied by only one person of his/her choice and an interpreter, if necessary.

## **Art.19 Administration**

- 19.1 Upon the Athlete's arrival at the Samples Center, the following administrative procedures must be completed
- an ad hoc form (**Form 4**) showing the name, surname, nationality and address of the Athlete, besides the name of his/her federation will be compiled by the secretary
  - the Athlete will have to personally choose his/her sample collection kit; each kit carries a unique number and at least 5 adhesive labels with the same number
  - The ad hoc form (**Form 5**) in three copies (white, green and blue, in order) will be compiled and an adhesive label will be glued to each copy.
  - The form mentioned in point 18.1.a. and the form mentioned in point 18.1.c. will be placed in an envelope. The envelope will be sealed by an adhesive label on its side. The envelopes will be given to the Chair of the Samples Commission who will have to give them to C.M.A.S., the latter will have to store them until the controversy is solved.
  - The white copy of the form mentioned in point 18.1.c. must accompany the sample up to the analysis laboratory
  - The green copy mentioned in point 18.1.c. must be stored by the Chair of the ACC until the controversy is solved

## **Art.20 Sample**

- 20.1 The Athlete will be accompanied to the toilet for the collection of the sample or to the waiting room if he/she does not have the urge to urinate.
- 20.2 The emission of urine must compulsorily take place in the presence of a same-gender physician or, in his/her absence, of a nurse.
- 20.3 In order for it to be valid, the quantity of urine must be of 75 ml maximum.
- 20.4 Once the necessary quantity of urine has been emitted (in one single time), the Athlete returns to the secretariat carrying his/her sample.
- 20.5 Having reached the secretariat, the Athlete will have to divide, in equal parts, the emitted urine in the kits having the letters « A » and « B » and which he/she will have to seal directly.
- 20.6 The samples will be placed, together with the form mentioned in point 18.1.c., in the locked room before being sent to the laboratory that will have to carry out the analyses.

## **Art.21 Laboratory**

- 21.1 Only a laboratory recognized by WADA is authorized to carry out analyses.
- 21.2 A contract will have to be signed between the body responsible for the organization of the event and the recognized laboratory or with the National Anti-Doping Agency if the control is responsibility of the latter
- 21.3 No sample may be used for objectives other than the identification of substances, or metabolites or methods included in the Prohibited List or in any other way found by WADA

# **VII. Results Management**

## **Art.22 Management of the results of the controls initiated by C.M.A.S. during C.M.A.S. International events.**

- 22.1 The results from all analyses must be sent to IF in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential.
- 22.2 In case of positive control of the "A" sample, C.M.A.S. will inform the Antidoping Control Commission without any delay.
- 22.3 Upon reception of such a result, the ACC shall conduct a review to determine whether
- an applicable therapeutic use exemption has been granted,
  - or there is any apparent departure from the International Standards for Testing or Laboratory Analysis that undermines the validity of the Adverse Analytical Finding
- 22.4 If the initial review doesn't reveal an applicable TUE or departure from the International standards, the ACC shall, within the 3 weeks from the reception of the information, per mail, fax or e\_mail, the athlete and his NF about
- the Adverse Analytical Finding
  - the anti-doping rule violated, or a description of the additional investigation that will be conducted
  - the Athlete's right to promptly request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived
  - the right of the Athlete and/or the Athlete's representative to attend the B Sample opening and analysis if such analysis is requested
  - the Athlete's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratory Analysis
  - the fact that the costs deriving from the dosage of « B » Sample are at the Athlete's expense or, in the Athlete's absence, at the expense of the Athlete's National Federation
- 22.5 If the athlete waives the requirement for "B" sample analysis, C.M.A.S. may nonetheless elect to proceed with this analysis. On its own expenses.
- 22.6 The control will be declared as positive the three ( 3 ) following cases
- if there is an adverse analytical finding of the "A" and if the athlete waives, on written form, the requirement for "B" the sample analysis
  - if there is an adverse analytical finding of the "A" sample and if the athlete doesn't request for "B" sample analysis within the delay written under Art. 21.c
  - if there is an adverse analytical finding of the "A" sample confirmed by the "B" sample analysis.
- 22.7 If the control is declared as positive, C.M.A.S. has to inform, as soon as possible with notification of the results of the analysis
- its ADC
  - the controlled athlete informing him that he has the right to ask, within 30 days, to be heard by the Antidoping Hearing Commission ( AHC )
- 22.8 If the B *Sample* proves negative, the entire test shall be considered negative and the *Athlete*, his *National Federation*, C.M.A.S. and its ACC shall be so informed



**Art.23 Results Management for Tests Initiated During Other International Events**

Results management and the conduct of hearings from tests done during large sports events and not initiated by C.M.A.S. ( World Games ) shall be managed, as far as sanctions beyond disqualification from the event or the results of the event, by C.M.A.S..

**Art.24 Management for Tests initiated by National Federations**

Results of all Doping Controls shall be reported to C.M.A.S. within 14 days of the conclusion of the NF's results management process

## **VIII. Right to an impartial hearing**

**Art.25 Hearings arising out of C.M.A.S. Testing or Tests at C.M.A.S. International Events**

- 25.1 The C.M.A.S. Board of Directors shall appoint, for a four years period, a standing panel consisting of a Chair and four ( 4 ) other experts with experience in anti-doping called Doping Hearing Panel ( DHP )
- 25.2 The Chair shall be a lawyer.
- 25.3 When it appears, following the Results Management process described in Article 22, that the Anti-Doping Rules have been violated in connection with IF Testing or Testing at an International Event then the case shall be assigned to the C.M.A.S. DHP for adjudication.
- 25.4 The Chair of the C.M.A.S. DHP shall appoint three members from the panel (which may include the Chair) to hear each case. At least one appointed member shall be a lawyer. The appointed members shall have had no prior involvement with the case and shall not have the same nationality as the Athlete or other Person alleged to have violated these Anti-Doping Rules
- 25.5 The athlete found positive at the control has one month's time, starting on the notification date by C.M.A.S., to notify C.M.A.S. in written form
  - d. If the Athlete wishes to be heard by the DHP or
  - e. If the Athlete recognizes the violation of the Anti-Doping Rules
- 25.6 In the absence of the above, the Athlete is considered to have recognized violating the Anti-Doping Rules.
- 25.7 If the athlete asks to be heard by the DHP, C.M.A.S. will inform the Chair in the shortest time possible. The Chair will have to call for a DHP meeting within a reasonable amount of time and notify the date, time and place of the meeting to the Athlete
- 25.8 The NfF the Athlete or other Person alleged to have violated these Anti-Doping Rules may attend the hearing as an observer
- 25.9 Missions of the Chair of the DHP
  - 25.9.1 To assure
    - a. a timely hearing;
    - b. fair and impartial hearing body,
    - c. the right to be represented by counsel at the Person's own expense,
    - d. the right to be fairly and timely informed of the asserted anti-doping rule violation,
    - e. the right to respond to the asserted anti-doping rule violation and resulting Consequences,
    - f. the right of each party to present evidence, including the right to call and question witnesses;
    - g. the Person's right to an interpreter at the hearing, with the DHP to determine the identity, and responsibility for the cost of the interpreter;
    - h. a timely, written, reasoned decision.
  - 25.9.2 To keep WADA fully apprised as to the status of pending cases and the result of all hearings
  - 25.9.3 To inform WADA and C.M.A.S. about the conclusions and decisions of the DHP.

**Art.26 Hearings Arising Out of National Testing**

- 26.1 The athlete or another involved person will have to appear before the Disciplinary Committee of the NF, which will decide whether a violation of the Anti-Doping Rules has taken place
- 26.2 The hearings of the athlete or of the person involved must take place within the shortest time possible.
- 26.3 The NFs will have to inform C.M.A.S. and WADA
  - a. On the evolution of the current cases
  - b. On the conclusions of the works of their Disciplinary Committee
- 26.4 If the hearing does not take place within three months, C.M.A.S. may decide to bring the case before the DHP, under the responsibility and at the expense of the National Federation.

## **IX. Automatic disqualification of individual results**

**Art.27 Automatic disqualification of individual results**

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

## X. Sanctions

### **Art.28 Sanctions on Individuals**

#### **28.1 General**

##### **28.1.1 Date of the beginning of the sanction.**

28.1.2 The period of Ineligibility shall start on the date of the hearing decision providing for Ineligibility

28.1.3 Where required by fairness for delays in the hearing process not attributable to the Athlete, the C.M.A.S. may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection.

##### **28.1.2 Statut during ineligibility**

No Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in an Event or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by IF or any National Federation. In addition, for any anti-doping rule violation not involving specified substances described in Article 28.3, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by IF and its National Federations. A Person subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate in local sport events in a sport other than sports subject to the jurisdictions of IF and its National Federations, but only so long as the local sport event is not at a level that could otherwise qualify such Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event.

##### **28.1.3 Reinstatement testing**

As a condition to regaining eligibility at the end of a specified period of Ineligibility, an Athlete must, during any period of Provisional Suspension or Ineligibility, make him or herself available for Out-of-Competition Testing by C.M.A.S., the applicable NF, and any other Antidoping Organisation having Testing jurisdiction, and must provide current and accurate whereabouts information as provided in Art. 12. If an Athlete subject to a period of Ineligibility retires from sport and is removed from Out-of-Competition Testing pools and later seeks reinstatement, the Athlete shall not be eligible for reinstatement until the Athlete has notified C.M.A.S. and his NF and has been subject to Out-of-Competition Testing for a period of time equal to the longer of the period set forth in Article 5.6 or the period of Ineligibility remaining as of the date the Athlete had retired. During such remaining period of Ineligibility, a minimum of three ( 3 ) tests must be conducted on the Athlete with at least three months between each test. The National Federation shall be responsible for conducting the necessary tests., but tests by any Anti-Doping Organization may be used to satisfy the requirement. The results of such tests shall be reported to C.M.A.S. In addition, immediately prior to the end of the suspension period, an Athlete must undergo Testing by C.M.A.S. for the Prohibited Substances and Methods for Out-of-Competition Testing. Once the period of an Athlete's suspension has expired, and the Athlete has fulfilled the conditions of reinstatement, then the Athlete will become automatically re-eligible and no application by the Athlete or by the Athlete's National Federation will then be necessary.

#### **28.2 Violation of the Art 2.1, 2.2 and 2.6 of the rulest**

If the violation concerns these articles, the sanction will be

- a. First violation : two ( 2 ) year's ineligibility
- b. Second violation : lifetime ineligibility

#### **28.3 Specified substances**

The Prohibited List may identify specified substances which are particularly susceptible to unintentional anti-doping rules violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an Athlete can establish that the Use of such a specified substance was not intended to enhance sport performance, the period of Ineligibility found in Article 28.2 shall be replaced with the following:

- a. First violation : At a minimum, a warning and reprimand and no period of Ineligibility from future Events, and at a maximum, one year's Ineligibility.
- b. Second violation : two ( 2 ) year's ineligibility
- c. Third violation : lifetime ineligibility

#### **28.4 Violation of the Art. 2.3 et 2.5**

The Ineligibility periods set forth in Article 10.2 shall apply.

#### **28.5 Violation of the Art. 2.7 et 2.8**

Minimum : four ( 4 ) year's ineligibility

Maximum : lifetime ineligibility

Such an anti-doping rule violation involving a Minor shall be considered a particularly serious violation.

If committed by Athlete Support Personnel for violations other than specified substances referenced in Article 28.3, shall result in lifetime Ineligibility for such Athlete Support Personnel.

#### **28.6 Violation of the l'Art 2.4**

For such a violation concerning whereabouts and missing tests, the sanctions will be

Minimum: three ( 3 ) months ineligibility

Maximum: two ( 2 ) years' ineligibility

**Art.29 Sanctions against teams.**

**29.1 *Stricto Sensu Team Sports***

- 29.1.1 If a member of a sports team is found positive during a control and if the violation of the Anti-Doping Rules is confirmed, the Athlete will be inflicted, on a personal level, a suspension sanction identical to those foreseen in Art. 27.2 to 27.6.
- 29.1.2 If two or more Athletes of the same sports team are found positive during a control and if the violation of the Anti-Doping Rules is confirmed for both, they will be inflicted, on a personal level, a suspension sanction identical to those foreseen in Art. 27.2 to 27.6 and the team will be disqualified and declassified.

**29.2 *Individual Sports that participate as teams for some races***

If an Athlete who is member of a Double or Relay team is found positive during an Anti-Doping control and if the violation of the Anti-Doping Rules is confirmed, the Athlete will be inflicted, on a personal level, a suspension sanction identical to those foreseen in Art. 28.2 to 27.6. and the Double or Relay team will be disqualified and declassified.

**29.3 *Results for nations based on the sum of individual results***

- 29.3.1 If an Athlete participating in such a competition is found positive during an Anti-Doping control and if the violation is confirmed, the Athlete will be inflicted a sanction identical to those foreseen in Art. 28.2 to 28.6.
- 29.3.2 The results of the Athlete having committed the violation will be subtracted from the team's result and substituted with the results of the following member. If in this way the number of necessary athletes for the team is lower than the needed number, the team will be eliminated from the results.

**Art.30 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances.**

**30.1 *Elimination in case of violation of the 2.1 or 2.2 rules***

If the Athlete establishes in an individual case involving an anti-doping rule violation under Articles 2.1 or 2.2 that he or she bears No Fault or Negligence for the violation, the otherwise applicable period of Ineligibility shall be eliminated. If the violation concerns 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility eliminated. In the event the period of Ineligibility otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Article 31.1, 31.3 and 31.6.

**30.2 *Elimination in case of violation of the 2.1, 2.2 or 2.8 rules***

If an Athlete establishes in an individual case involving rule violation under Articles 2.1 or 2.2 that he or she bears No Significant Fault or Negligence, then the period of Ineligibility may be reduced, but the reduced period of Ineligibility

- 30.2.1 may not be less than one-half of the minimum period of Ineligibility otherwise applicable.
- 30.2.2 may not be less than 8 years if the period of Ineligibility otherwise applicable is a lifetime one
- 30.2.3 if the violation concerns Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility reduced.

**30.3 *Reduction in case the athlete has provided substantial assistance to C.M.A.S. during its Anti-Doping activities.***

If the athlete to whom a suspension sanction is applied has given C.M.A.S. important help, allowing it to discover or assess the Anti-Doping Rules violations committed by another subject, in violation of art. 2.6, 2.7 and/or 2.8, the suspension period may be reduced according to the same limits as foreseen by Art. 30.2.1 and 30.2.2

**30.4 *Organes décisionnels***

- 30.4.1 The decision to apply a reduction or the annulment of a suspension period according to Art. 30.1 and 30.2 lies within the responsibility of DHP.
- 30.4.2 The decision to apply a reduction of a suspension period based on Art. 30.3. lies within the responsibility of the C.M.A.S. Board of Directors.

**Art.31 Rules for Certain Potential Multiple Violations**

- 31.1 For purposes of imposing sanctions under Article 28.2, 28.3 and 28.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if the C.M.A.S. (or its NF) can establish that the Athlete or other Person committed the second anti-doping rule violation after the Athlete or other Person received notice, or after C.M.A.S. (or its NF) made a reasonable attempt to give notice, of the first anti-doping rule violation. If C.M.A.S. (or its NF) cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction
- 31.2 Where an Athlete, based on the same Doping Control, is found to have committed an anti-doping rule violation involving both a specified substance under Article 28.3 and another Prohibited Substance or Prohibited Method, the Athlete shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the Prohibited Substance or Prohibited Method that carries the most severe sanction
- 31.3 Where an Athlete is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 28.3 and the other involving a Prohibited Substance or Prohibited Method governed by the sanctions set forth in Article 28.2 or a violation governed by the sanctions in Article 28.4, the period of Ineligibility imposed for the second offense shall be at a minimum two years' Ineligibility and at a maximum three years' Ineligibility. Any Athlete found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 27.3 and any other anti-doping rule violation under Article 28.2 or 28.4. shall receive a sanction of lifetime Ineligibility

## **XI. Sanctions and costs assessed against NFs**

- Art.32 NFs shall be obligated to reimburse C.M.A.S. for all costs, including but not limited to laboratory fees, hearing expenses and travel related to a violation of these Anti-Doping Rules committed by an Athlete or other Person affiliated with that NF.
- Art.33 Multiple rules violation by athletes affiliated with the same NF**
- 33.1 Multiple violations by athletes of the same sports discipline**
- 33.1.1 If four or more violations of these Anti-Doping Rules are committed by Athletes or other Persons of the same sports discipline and affiliated with the same NF within a 12-month period, the NF will be fined EUR. 10,000 (ten thousand) in the case it has begun and carried out official controls, if the controls are carried out elsewhere or during a competition and regardless of the nature of the competition itself.
- 33.1.2 If two violations of these Anti-Doping Rules are committed by Athletes or other Persons affiliated with the same NF during the same event, the NF will be fined 5000 EUR (five thousand)
- Art.34 If a NF has failed to make diligent efforts to keep C.M.A.S. informed about an Athlete's whereabouts after receiving a request for that information from C.M.A.S., la FN se verra imposer une amende de 1.000 EUR ( mille ) par sportif pour lequel elle n'aura pas fourni les renseignements demandés.

## **XII. Appeals**

- Art.35 Decisions Subject to Appeal**
- 35.1 Any decision made by C.M.A.S. under these Anti-Doping Rules may be appealed as set forth below in Articles 35 to 38
- 35.2 Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise
- Art.36 Appeals from Decisions Regarding Anti-Doping Rule Violation**
- A decision that an anti-doping rule violation was committed, a decision imposing Consequences for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that the C.M.A.S. or its NF lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences, may be appealed exclusively as provided in this Article .
- 36.1 In cases arising from competition in a C.M.A.S. Championship or in a Competition of the C.M.A.S. Calendar or in cases involving International-Level Athletes including Out of competitions controls, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court
- 36.2 In cases involving Athletes that do not have a right to appeal under Article 35.1, each NF shall have in place an appeal procedure that respects the following principles:
- a timely hearing,
  - a fair and impartial hearing body;
  - the right to be represented by a counsel at the person's expense;
  - a timely, written, reasoned decision.
- C.M.A.S. rights of appeal with respect to these cases are set forth in Articles 36.3, 36.4, 36.5, 37, 38 and 39 below.
- 36.3 In cases under Article 36.1, the following parties shall have the right to appeal to CAS:
- a the Athlete or other Person who is the subject of the decision being appealed;
  - b the other party to the case in which the decision was rendered;
  - c C.M.A.S. and any other Anti-Doping Organization under whose rules a sanction could have been imposed;
  - d WADA
- 36.4 In cases under Article 36.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the NF's rules but, at a minimum, shall include:
- a the Athlete or other Person who is the subject of the decision being appealed;
  - b the other party to the case in which the decision was rendered;
  - c C.M.A.S.
  - a WADA
- 36.5 For cases under Article 13.2.2, WADA and C.M.A.S. shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body
- Art.37 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption**
- Decisions by WADA reversing the grant or denial of a TUE exemption may be appealed exclusively to CAS by the Athlete, IF, or National Anti-Doping Organization or other body designated by a National Federation which granted or denied the exemption. Decisions to deny therapeutic use exemptions, and which are not reversed by WADA, may be appealed by International-Level Athletes to CAS and by other Athletes to the national level reviewing body described in Article 35.2. If the national level reviewing body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by WADA.
- Art.38 Appeal from Decisions Pursuant to chapter XI**
- Decisions by C.M.A.S. pursuant to Chapter XI may be appealed exclusively to CAS by the NF.
- Art.39 Time for Filing Appeals**
- 39.1 The time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party
- 39.2 The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:
- 39.2.1 Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied
- 39.2.2 If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS..

### **XIII. National Federations incorporation of C.M.A.S. Rules.**

#### **Art.40 Incorporation of C.M.A.S. Anti-Doping Rules**

All NFs affiliated to C.M.A.S.

- 40.1 shall comply with these Anti-Doping Rules which shall also be incorporated either directly or by reference into each NF Rules
- 40.2 shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules
- 40.3 shall obtain the written acknowledgement and agreement, in the form attached as Form 6, of all Athletes subject to Doping Control and Athlete Support Personnel for such Athletes
- 40.4 notwithstanding whether or not the required form has been signed, the Rules of each National Federation shall specifically provide that all Athletes, Athlete Support Personnel and other Persons under the jurisdiction of the National Federation shall be bound by these Anti-Doping Rules

#### **Art.41 Statistical Reporting**

NFs shall report to C.M.A.S. at the end of every six months period results of all Doping Controls within their jurisdiction sorted by Athlete and identifying

- a. each date on which the Athlete was tested,
- b. the entity conducting the test,
- c. whether the test was In-Competition or Out-of-Competition.

#### **Art.42 Doping Control Information Clearing House**

When a NF has received an Adverse Analytical Finding on one of its Athletes it shall report the following information to C.M.A.S. and WADA within fourteen (14) days of the process described in Articles 22.3 and 22.4: the Athlete's name, country, sport and discipline within the sport, whether the test was In-Competition or Out-of-Competition, the date of Sample collection and the analytical result reported by the laboratory. The NF shall also regularly update C.M.A.S. and WADA on the status and findings of any review or proceedings conducted pursuant to Chapter VII (Results Management), VIII (Right to a Fair Hearing) or XII (Appeals). In any case in which the period of Ineligibility is eliminated under Chapter X (No Fault or Negligence) or reduced under Article 30 (No Significant Fault or Negligence), C.M.A.S. and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither C.M.A.S. nor WADA shall disclose this information beyond those persons within their organisations with a need to know until the NF has made public disclosure or has failed to make public disclosure as required in Article 43 below.

#### **Art.43 Public Disclosure**

Neither C.M.A.S. nor its NF shall publicly identify Athletes whose Samples have resulted in Adverse Analytical Findings, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Chapter VIII, that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged [or the Athlete has been Provisionally Suspended]

.Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days..

#### **Art.44 Recognition of Decisions by C.M.A.S. and NFs**

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

### **XIV. Recognition of decisions by other organisations**

Art.45 Subject to the right to appeal provided in Chapter XII, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* to the *Code* which are consistent with the *Code* and are within the *Signatory's* authority, shall be recognised and respected by C.M.A.S. and its *NFs*. C.M.A.S. and its *NFs* may recognise the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

### **XV. Statute of limitation**

Art.46 No action may be commenced under these Anti-Doping Rules against an Athlete or other Person for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight years from the date the violation occurred

### **XVI. C.M.A.S. compliance reports to WADA**

Art.47 The IF will report to WADA on the IF's compliance with the Code every second year and shall explain reasons for any noncompliance

## **XVII. Control and management organisation**

### **Art.48 C.M.A.S. Anti-Doping Control Commission ( ACC )**

#### **48.1 Composition**

The ACC is composed of 4 members, as follows

- a. A physician having specific qualifications in the field of Doping Control
- b. A jurist
- c. Two other members

all named by the C.M.A.S. Managing Board on proposal of the C.M.A.S. Board of Directors

None of these members may have another elective function within the C.M.A.S. managing and/or directing bodies

#### **48.2 Missions**

48.2.1 To propose any additions to the Prohibited Substances List

48.2.2 To propose to the C.M.A.S. Managing Board the ACC representative who will have to chair the Samples Commission for C.M.A.S. championships,

48.2.3 To update and manage, every semester, the list of high level Athletes nominated by CMAS and their whereabouts and inform WADA, NFs and the CMAS sports commissions.

48.2.4 To intervene on a NF level so as to make sure that Athletes send in

- a. The identification and acceptance form as seen in annex 1
- b. The form regarding their whereabouts

48.2.5 In case of a positive control, define whether a TUE had been granted and if the normality limits used by the laboratory that performed the analysis are or are not in conformity and if they have or have not had an influence the positive result.

48.2.6 To send WADA and C.M.A.S. a report every six months listing the results of all controls carried out by C.M.A.S. and all controlled Athletes, classified by name, place, date, event and result of the control and the applied sanctions.

### **Art.49 Therapeutic Use Exemption Commission ( TUEC )**

#### **49.1 Composition**

TUEC is composed of three physicians having specific qualifications in the field of Doping Control, none of these physicians may carry out activities or have responsibilities within the C.M.A.S. commission that manages or organizes the C.M.A.S. sports disciplines.

#### **49.2 Missions**

49.2.1 To grant or refuse a TUE to high level Athletes and/or Athletes participating in C.M.A.S. championships or competitions

49.2.2 To examine the granting or refusal of a TUE given by NFs and give CMAS, in the shortest time possible, their opinion on the decision or decisions made by the NF or NFs and on the usefulness and/or need for CMAS to present an appeal

49.2.3 To inform the NFs et WADA on the granted TUEs

### **Art.50 C.M.A.S. Doping Hearing Panel ( DHP )**

#### **50.1 Composition**

The DHP is composed of four members, as follows

- a. a jurist who must, compulsorily, chair the commission
- b. a physician having specific qualifications in the field of Doping Control
- c. two members

all named by the C.M.A.S. Managing Board on proposal of the C.M.A.S. Board of Directors

None of these members may have another elective function within the C.M.A.S. managing and/or directing bodies.

In order to aid the dissemination of documents, the C.M.A.S. General Secretary will act as clerk, with no right to speak or to vote.

### **Art.51 C.M.A.S. Samples Commission**

#### **51.1 Missions**

a. To hear the athletes or Personnel members for whom the violation of the Anti-Doping Rules has been recognized and who ask, within the decided time deadline, to be heard in order to defend themselves and obtain the annulment or reduction of sanctions.

b. To communicate their conclusions to C.M.A.S.

# **APPENDIX 1**

## **DEFINITIONS**

### **Adverse Analytical Finding.**

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

### **Anti-Doping Organization**

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

### **Athlete**

For purposes of Doping Control, any Person who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each National Anti-Doping Organization) and any additional Person who participates in sport at a lower level if designated by the Person's National Anti-Doping Organization. For purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code.

### **Athlete Support Personnel**

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

### **Attempt**

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

### **Code**

The World Anti-Doping Code.

### **Competition**

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

### **Consequences of Anti-Doping Rules Violations**

An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following

- (a) Disqualification means the Athlete's results in a particular Competition or Event are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes;
- (b) Ineligibility means the Athlete or other Person is barred for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.9;
- (c) Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).]

### **Disqualification**

See Consequences of Anti-Doping Rules Violations above.

### **Doping Contro**

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

### **Event**

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

### **In-Competition**

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

### **Independent Observer Program**

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

### **Ineligibility**

See Consequences of Anti-Doping Rules Violations above.

### **International Event**

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

### **International-Level Athlete**

Athletes designated by one or more International Federations as being within the Registered Testing Pool for an International Federation.

### **International Standard**

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

**Major Event Organizations**

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

**Marker**

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

**Metabolite**

Any substance produced by a biotransformation process.

**Minor**

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

**National Anti-Doping Organization**

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

**National Event**

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

**National Federation**

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

**National Olympic Committee**

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

**No Advance Notice**

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

**No Fault or Negligence**

The Athlete's establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had Used or been administered the Prohibited Substance or Prohibited Method.

**No Significant Fault or Negligence**

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

**Out-of-Competition**

Any Doping Control which is not In-Competition.

**Participant**

Any Athlete or Athlete Support Personnel.

**Person**

A natural Person or an organization or other entity.

**Possession**

The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists); provided, however, that if the person does not have exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive possession shall only be found if the person knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person no longer intends to have Possession and has renounced the Person's previous Possession.

**Prohibited List**

The List identifying the Prohibited Substances and Prohibited Methods.

**Prohibited Method**

Any method so described on the Prohibited List.

**Prohibited Substance**

Any substance so described on the Prohibited List.

**Provisional Hearing**

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

**Publicly Disclose or Publicly Report**



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

**Registered Testing Pool**

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

**Sample/Specimen**

Any biological material collected for the purposes of Doping Control.

**Signatories**

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

**Tampering**

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

**Target Testing**

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

**Team Sport**

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

**Testing**

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

**Trafficking**

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

**Use**

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

**WADA**

The World Anti-Doping Agency.

**APPENDICE 2**  
**ABBREVIATION**

<b>ACC</b>	<b>Anti-Doping Control Commission</b>
<b>CAS</b>	<b>Court of Arbitration for Sport</b>
<b>DHP</b>	<b>Doping Hearing Pane</b>
<b>IF</b>	<b>International Federation</b>
<b>NAO</b>	<b>National Anti-Doping Oeganisation</b>
<b>NF</b>	<b>National Federation</b>
<b>TUE</b>	<b>Therapeutic Use Exemption</b>
<b>TUEC</b>	<b>TUE Commission</b>
<b>WADA</b>	<b>World Anti-Doping Agency</b>

