



**International Olympic Committee**

# **Anti-Doping Rules**

**applicable to the Olympic Winter Games**

**PyeongChang 2018**

**(as of January 2018)**

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## **INTRODUCTION**

### **Preface**

The *International Olympic Committee (IOC)* is the supreme authority of the Olympic Movement and, in particular, the Olympic Games. Any *Person* belonging in any capacity whatsoever to the Olympic Movement is bound by the provisions of the Olympic Charter and is required to abide by the decisions of the *IOC*.

The Olympic Charter reflects the importance that the *IOC* places on the fight against doping in sport and its support for the World Anti-Doping Code (the *Code*) as adopted by the *IOC*.

The *IOC*, as *Code Signatory* has established and adopted these *IOC* Anti-Doping Rules (*Rules*) in accordance with the *Code*, expecting that, in the spirit of sport, it will contribute to the fight against doping in the Olympic Movement. The *Rules* are complemented by other *IOC* documents and *WADA* documents including, inter alia, the *International Standards*.

## **Scope of these Anti-Doping Rules**

These *Rules* apply in relation to *the Olympic Winter Games PyeongChang 2018*. They shall, without limitation, apply to all *Doping Controls* over which the *IOC* has jurisdiction in relation to the *Olympic Winter Games PyeongChang 2018*.

These *Rules* shall, without limitation, apply to (a) the *IOC*; (b) all *Athletes* entered in the *Olympic Winter Games PyeongChang 2018* or who have otherwise been made subject to the authority of the *IOC* in connection with the *Olympic Winter Games PyeongChang 2018* (see below); (c) all *Athlete Support Personnel* supporting such *Athletes*; (d) other *Persons* participating in, or accredited to, the *Olympic Winter Games PyeongChang 2018* including, without limitation, *International Federations* and *NOCs*; and (e) any *Person* operating (even if only temporarily) under the authority of the *IOC* in relation to the *Olympic Winter Games PyeongChang 2018*.

*Athletes* entered in the *Olympic Winter Games PyeongChang 2018* or who have otherwise been made subject to the authority of the *IOC* in relation to the *Olympic Winter Games PyeongChang 2018* are bound by these *Rules* as a condition of eligibility to participate in the *Olympic Winter Games PyeongChang 2018*. *Athletes* shall, without limitation, be subject to the authority of the *IOC* upon being put forward by their *NOC* as potential participants in the *Olympic Winter Games PyeongChang 2018* in advance of the *Period of the Olympic Winter Games PyeongChang 2018* and shall in particular be considered to be entered into the *Olympic Winter Games PyeongChang 2018* upon being included in the final *NOC* delegation list.

The *Athlete Support Personnel* supporting such *Athletes* and other *Persons* participating in, or accredited to, the *Olympic Winter Games PyeongChang 2018* are bound by these *Rules* as a condition of such participation or accreditation.

*Persons* operating (even if only temporarily) under the authority of the *IOC* in connection with the *Olympic Winter Games PyeongChang 2018* are bound by these *Rules* as a condition of their participation or involvement in the *Olympic Winter Games PyeongChang 2018*.

## **ARTICLE 1 DEFINITION OF DOPING**

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.10 of these *Rules*.

## **ARTICLE 2 ANTI-DOPING RULE VIOLATIONS**

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations.

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

The following constitute anti-doping rule violations:

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

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

**2.1.2** Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or, where the *Athlete's B Sample* is split into two bottles and the analysis of the second bottle confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first bottle.

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

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

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

**2.2.1** It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body and that no *Prohibited Method* is *Used*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

**2.2.2** The success or failure of the *Use* or *Attempted 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 Evading, Refusing or Failing to Submit to Sample Collection**

Evading *Sample* collection, or without compelling justification, refusing or failing to submit to *Sample* collection after notification as authorized in these *Rules* or other applicable anti-doping rules.

## **2.4 Whereabouts Failures**

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Testing and Investigations, within a twelve-month period by an *Athlete* in a *Registered Testing Pool*.

## **2.5 Tampering or Attempted Tampering with any part of Doping Control**

Conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, intentionally interfering or attempting to interfere with a *Doping Control* official, providing fraudulent information to an *Anti-Doping Organization* or intimidating or attempting to intimidate a potential witness.

## **2.6 Possession of a Prohibited Substance or a Prohibited Method**

**2.6.1** *Possession* by an *Athlete In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* unless the *Athlete* establishes that the *Possession* is consistent with a Therapeutic Use Exemption ("*TUE*") granted in accordance with Article 4.4 of the *Code* or other acceptable justification.

**2.6.2** *Possession* by an *Athlete Support Person In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an

*Athlete Support Person Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* in connection with an *Athlete*, *Competition* or training, unless the *Athlete Support Person* establishes that the *Possession* is consistent with a *TUE* granted to an *Athlete* in accordance with Article 4.4 of the *Code* or other acceptable justification.

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

## **2.8 Administration or Attempted Administration to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition**

## **2.9 Complicity**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation or violation of Article 10.12.1 of the *Code* by another *Person*.

## **2.10 Prohibited Association**

Association by an *Athlete* or other *Person* subject to the authority of an *Anti-Doping Organization* in a professional or sport-related capacity with any *Athlete Support Person* who:

**2.10.1** If subject to the authority of an *Anti-Doping Organization*, is serving a period of *Ineligibility*; or

**2.10.2** If not subject to the authority of an *Anti-Doping Organization*, and where *Ineligibility* has not been addressed in a results management process pursuant to the *Code*, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

**2.10.3** Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

In order for this provision to apply, it is necessary that the *Athlete* or other *Person* has previously been advised in writing by an *Anti-Doping Organization* with jurisdiction over the *Athlete* or other *Person*, or by *WADA*, of the *Athlete Support Person's* disqualifying status and the potential *Consequence* of prohibited association and that the *Athlete* or other *Person* can reasonably avoid the association. The *Anti-Doping Organization* shall also use reasonable efforts to advise the *Athlete Support Person* who is the subject of the notice to the *Athlete* or other *Person* that the *Athlete Support Person* may, within 15 days, come forward to the *Anti-Doping Organization* to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her. (Notwithstanding Article 16, this Article applies even when the *Athlete Support Person's* disqualifying conduct occurred prior to the effective date provided in Article 25 of the *Code*.)

The burden shall be on the *Athlete* or other *Person* to establish that any association with *Athlete Support Personnel* described in Article 2.10.1 or 2.10.2 is not in a professional or sport-related capacity.

If the *IOC* becomes aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1, 2.10.2 or 2.10.3, it shall submit that information to *WADA*.

## **ARTICLE 3 PROOF OF DOPING**

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

The *IOC* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the *IOC* has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probabilities 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 probabilities.

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

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

**3.2.1** Analytical methods and decision-limits approved by *WADA* after consultation within the relevant scientific community, which have been the subject of peer review, are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge,



first notify *WADA* of the challenge and the basis of the challenge. *CAS* on its own initiative may also inform *WADA* of any such challenge. At *WADA*'s request, the *CAS* panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of *WADA*'s receipt of such notice, and *WADA*'s receipt of the *CAS* file, *WADA* shall also have the right to intervene as a party, appear *amicus curiae* or otherwise provide evidence in such proceeding.

**3.2.2** *WADA*-accredited laboratories, and other laboratories approved by *WADA*, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the applicable International Standard for Laboratories. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*. If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then the *IOC* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

**3.2.3** Departures from any other applicable *International Standard* or other anti-doping rule or policy set forth in these *Rules* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such evidence or results. If the *Athlete* or other *Person* establishes a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or other anti-doping rule violation, then the *IOC* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

**3.2.4** The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.

**3.2.5** The hearing panel in a hearing on an anti-doping rule violation (including for the avoidance of doubt, the *CAS Anti-Doping Division*) may draw inferences adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the *IOC*.

## **ARTICLE 4 THE PROHIBITED LIST**

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

These *Rules* incorporate the *Prohibited List* which is published and revised by *WADA* as described in Article 4.1 of the *Code*. The *NOCs* shall be responsible for ensuring that their delegations, including their *Athletes*, are made aware of such *Prohibited List*. Notwithstanding the foregoing, ignorance of the *Prohibited List* shall not constitute an excuse for any Participant or other Person participating in, or accredited to, the *Olympic Winter Games PyeongChang 2018*.

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

#### **4.2.1 *Prohibited Substances and Prohibited Methods***

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

**4.2.2** All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

#### **4.2.3 *Specified Substances***

All *Prohibited Substances* shall be *Specified Substances* except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. The category of *Specified Substances* shall not include *Prohibited Methods*.

### **4.3 *WADA's Determination of the Prohibited List***

*WADA's* determination of the *Prohibited Substances and Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, and the classification of a substance as prohibited at all times or *In-Competition* only, is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

#### **4.4 Therapeutic Use Exemptions (“TUEs”)**

**4.4.1** The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession* or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method* shall not be considered an anti-doping rule violation if it is consistent with the provisions of a *TUE* granted in accordance with the International Standard for Therapeutic Use Exemptions.

**4.4.2** The *IOC* Medical and Scientific Commission shall appoint a Therapeutic Use Exemption Committee of at least three physicians (the “*TUEC*”). *Athletes* entered into the *Olympic Winter Games PyeongChang 2018* who wish to *Use* a *Prohibited Substance* or a *Prohibited Method* in relation to the *Olympic Winter Games PyeongChang 2018* and who do not already have a *TUE* should apply to the *TUEC* for a *TUE* as soon as the need arises and, unless there is a good reason, such as a medical emergency or a new treatment, at least 30 days before the start of the *Period of the Olympic Winter Games PyeongChang 2018*. The *TUEC* shall promptly evaluate the application and render a decision as quickly as possible, which decision shall be reported via *ADAMS*. The *IOC* Medical and Scientific Commission shall promptly notify the *Athlete*, the *Athlete’s NOC*, *WADA* and the relevant *International Federation* of the decision of the *TUEC*. The provisions of the International Standard for Therapeutic Use Exemptions shall be complied with during the whole process and applied automatically. *TUEs* granted by the *TUEC* shall be effective for the *Olympic Winter Games PyeongChang 2018* only.

**4.4.3** Where the *Athlete* already has a *TUE* granted by his or her *National Anti-Doping Organization* or *International Federation*, he/she shall file such *TUE* with the *TUEC* at least 30 days before the start of the *Period of the Olympic Winter Games PyeongChang 2018*. The *TUEC* shall be entitled, prior to the *Period of the Olympic Winter Games PyeongChang 2018*, to review any such *TUE* in order to ensure that it meets the criteria set out in the International Standard for Therapeutic Use Exemptions and, if necessary, request the provision of further supporting documentation. If the *TUEC* decides to review a *TUE* and determines that it does not meet the aforementioned criteria, and, accordingly, refuses to recognize it, it must notify the *Athlete* and the *Athlete’s NOC* promptly, explaining its reasons.

**4.4.4** A decision by the *TUEC* not to grant or not to recognize a *TUE* may be appealed by the *Athlete* exclusively to *WADA*. If the *Athlete* does not appeal (or *WADA* decides to uphold the refusal to grant/recognize the *TUE* and so rejects the appeal), the *Athlete* may not *Use* the substance or method in question in relation to the *Olympic Winter Games PyeongChang 2018*, but any *TUE* granted by his/her *National Anti-Doping Organization* or *International Federation* for that substance or method remains valid outside of the *Olympic Winter Games*

*PyeongChang 2018.*

**4.4.5** Notwithstanding Article 4.4.4, *WADA* may review the *TUEC*'s decisions on *TUEs* at any time, whether upon request by those affected or on its own initiative. If the *TUE* decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, *WADA* will not interfere with it. If the *TUE* decision does not meet those criteria, *WADA* will reverse it.

**4.4.6** All *TUEs* must be managed, requested and declared through *ADAMS* except in justified circumstances. All decisions regarding *TUEs* must be applied for, managed and notified as soon as possible through *ADAMS* except in justified circumstances.

## **ARTICLE 5 TESTING AND INVESTIGATIONS**

### **5.1 Purpose of *Testing* and Investigations**

*Testing* and investigations shall only be undertaken for anti-doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations and the specific protocols of the *IOC* supplementing that International Standard.

**5.1.1** *Testing* shall be undertaken to obtain analytical evidence as to the *Athlete's* compliance (or non-compliance) with the prohibition on the presence/*Use* of a *Prohibited Substance* or *Prohibited Method*. *Testing* shall be conducted in accordance with the provisions of the applicable International Standard for Testing and Investigations.

**5.1.2** Investigations shall be undertaken:

**5.1.2.1** in relation to *Atypical Findings*, in accordance with Article 7.3, gathering intelligence or evidence (including analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Article 2.1 and/or Article 2.2; and

**5.1.2.2** in relation to other indications of potential anti-doping rule violations, in accordance with Articles 7.4 and 7.5, gathering intelligence or evidence (including non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Articles 2.2 to 2.10.

**5.1.3** The *IOC* may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan *Target Testing*, and/or to form the basis of an investigation into a possible anti-doping rule violation(s).

## **5.2 Authority to conduct *Testing***

**5.2.1** For the *Period of the Olympic Winter Games PyeongChang 2018*, the IOC shall have *In-Competition* and *Out-of-Competition Testing* authority over *Athletes*: (i) entered in the long list, or (ii) who have otherwise been made subject to the *Testing* authority of the IOC in connection with the *Olympic Winter Games PyeongChang 2018*.

**5.2.2** The IOC may require any *Athlete* over whom it has *Testing* authority to provide a *Sample* at any time and at any place.

**5.2.3** Subject to Article 5.3 of the *Code*, the IOC shall have exclusive authority to initiate and direct *Testing* at the *Event Venues* during the *Period of the Olympic Winter Games PyeongChang 2018*. In accordance with Article 5.3.1 of the *Code*, not only the IOC but also other *Anti-Doping Organizations* with *Testing* authority over *Athletes* participating at the *Olympic Winter Games PyeongChang 2018* may test such *Athletes* during the *Period of the Olympic Winter Games PyeongChang 2018* outside of the *Event Venues*. Such *Testing* shall be coordinated with, and approved by, the IOC.

**5.2.4** WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.8 of the *Code*.

## **5.3 Delegation of responsibility, overseeing and monitoring of *Doping Control***

**5.3.1** The IOC may delegate any of its obligations or responsibilities pursuant to these *Rules*, including the implementation of all or part of the *Doping Control* in connection with the *Olympic Winter Games PyeongChang 2018*, to the ITA or to an *Anti-Doping Organization* (in particular, *GAISF*). The ITA or such *Anti-Doping Organization* may in turn sub-delegate the responsibility for implementing all or part of the *Doping Control* in connection with the *Olympic Winter Games PyeongChang 2018* to the organising committee for the *Olympic Winter Games PyeongChang 2018* (*PYEONGCHANG 2018*) or any *Anti-Doping Organization* they deem to be appropriate.

**5.3.2** The IOC remains ultimately responsible for overseeing all *Doping Control* and any *Anti-Doping Organization* providing *Doping Control Services* under its authority.

**5.3.3** *Doping Control* may be monitored by qualified *Persons* so authorized by the IOC.

#### **5.4 Test Distribution Planning**

The *IOC* will develop and implement an effective test distribution plan for *the Olympic Winter Games PyeongChang 2018* complying with the requirements of the International Standard for Testing and Investigations. The *IOC* shall provide *WADA*, promptly upon request, with a copy of its test distribution plan.

#### **5.5 Coordination of Doping Control**

In order to deliver an effective anti-doping program for the *Olympic Winter Games PyeongChang 2018* and to avoid unnecessary duplication in *Doping Control*, the *IOC* will work with *WADA*, the *International Federations*, other *Anti-Doping Organizations* and the *NOCs* to ensure that there is coordination of the *Doping Control* during the *Period of the Olympic Winter Games PyeongChang 2018*.

The *IOC* shall also report information about all completed tests, including results, to the Independent Observers.

Where reasonably feasible, *Testing* shall be coordinated through *ADAMS* or another system approved by *WADA* in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*. All relevant information regarding *Doping Control* and *Sample Collection* should be promptly entered into *ADAMS* or another system approved by *WADA*.

#### **5.6 Athlete Whereabouts Information**

**5.6.1** Where an *Athlete* is in a *Registered Testing Pool*, the *IOC* may access his/her Whereabouts Filings (as defined in the International Standard for Testing and Investigations) for the period for which the *Athlete* is subject to the *IOC's Testing* authority. The *IOC* will access the *Athlete's* Whereabouts Filings generally not via the *Athlete* but rather via *ADAMS* and/or the *International Federations* or *National Anti-Doping Organization* that is receiving the *Athlete's* Whereabouts Filings.

**5.6.2** Upon request by the *IOC*, *NOCs* shall provide further details with respect to the location and arrival/departure dates of *Athletes* belonging to their delegation (including *Athletes* not forming part of a *Registered Testing Pool*) during the *Period of the Olympic Winter Games PyeongChang 2018*; such information shall include, for example, the name of the building and room number at which an *Athlete* is staying at the Olympic Village and his/her training schedules and venues. For the avoidance of doubt, the *IOC* may use this information for the purposes of its investigations and *Doping Controls* in connection with the *Olympic Winter Games PyeongChang 2018*. The *NOCs* shall also provide any further reasonable assistance requested by the *IOC* in order to locate *Athletes* belonging to their delegations during the *Period of the Olympic Winter Games PyeongChang 2018*. Without prejudice to any other consequences, which, depending on the circumstances, might be applicable if such failure constitutes an anti-doping rule violation pursuant to these *Rules*, failure to provide the

above-mentioned assistance may give rise to measures or sanctions in application of Rule 59.1 and/or Rule 59.2 of the Olympic Charter.

**5.6.3** Upon request by the *IOC*, *Athletes* shall directly provide to the *IOC* (or make available to the *IOC*) information regarding their location during the *Period of the Olympic Winter Games PyeongChang 2018* (information as mentioned above under Article 5.6.2.), in the manner requested by the *IOC*. *Athletes* shall respect any time-limit imposed by the *IOC* for the provision of such information. Without prejudice to any other consequences, which, depending on the circumstances, might be applicable if such failure constitutes an anti-doping rule violation pursuant to these *Rules*, failure to provide the above-mentioned information may give rise to measures or sanctions in application of Rule 59.2 of the Olympic Charter.

## **5.7 Independent Observer Program**

The *IOC* shall authorize and facilitate the *Independent Observer Program* at the *Olympic Winter Games PyeongChang 2018*.

## **ARTICLE 6 ANALYSIS OF SAMPLES**

*Samples* shall be analyzed in accordance with the following principles:

### **6.1 Use of Accredited and Approved Laboratories**

For purposes of Article 2.1, *Samples* shall be analyzed only in laboratories (or satellite facilities) accredited or otherwise approved by *WADA*. The choice of the *WADA*-accredited or *WADA*-approved laboratory used for the *Sample* analysis under these *Rules* shall be determined by the *IOC*.

### **6.2 Purpose of Analysis of Samples**

*Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* and other substances as may be directed by *WADA* pursuant to the Monitoring Program described in Article 4.5 of the *Code*; or to assist in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purpose. *Samples* may be collected and stored for future analysis.

### **6.3 Research on Samples**

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

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

Laboratories shall analyze *Samples* and report results in conformity with the International Standard for Laboratories. To ensure effective *Testing*, the Technical Document referenced at Article 5.4.1 of the *Code* will establish risk assessment-based *Sample* analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze *Samples* in conformity with those menus, except as follows:

**6.4.1** The *IOC* may request that laboratories analyze its *Samples* using more extensive menus than those described in the Technical Document.

**6.4.2** As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the *Sample* analysis menu described in the Technical Document or specified by the *Testing* authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

## **6.5 Further Analysis of *Samples***

Any *Sample* may be subject to further analysis by the *IOC* at any time before both the A and B *Sample* analytical results (or A *Sample* results where B *Sample* analysis has been waived or will not be performed) have been notified by the *IOC* to the *Athlete* as the asserted basis for an Article 2.1 anti-doping rule violation.

All *Samples* may be stored and may be subject to further analyses at any time for the purpose of Article 6.2 by either the *IOC* or *WADA*. Such further analysis of *Samples* shall conform with the requirements of the International Standard for Laboratories applicable at the time of the further analysis.

## **ARTICLE 7 RESULTS MANAGEMENT**

### **7.1 Responsibility for Conducting Results Management**

**7.1.1** The *IOC* shall be responsible for results management for anti-doping rule violations arising under these *Rules* in relation to the consequences that are specified at Articles 9, 10.1, 10.2.1 and 11.

**7.1.1.1** The *IOC* Medical and Scientific Director (or a person designated by him) shall conduct the reviews discussed in this Article 7.

**7.1.2** Responsibility for results management and the conduct of hearings for anti-doping rule violations arising under these *Rules* in relation to *Consequences* that extend beyond the *Olympic Winter Games PyeongChang 2018* shall be referred to the applicable *International Federation*.



## **7.2 Review of *Adverse Analytical Findings* from Tests Initiated by IOC**

Results management in respect of the results of tests initiated by the IOC (including any tests performed by WADA in respect of which the IOC was appointed as results management authority by WADA) shall proceed as follows:

**7.2.1** The results from all analyses must be sent to the IOC as follows:

- (a) during the *Period of the Olympic Winter Games PyeongChang 2018*, to the IOC Medical and Scientific Director; and
- (b) outside of the *Period of the Olympic Winter Games PyeongChang 2018*, to the IOC Medical and Scientific Director.

All communications and reports must be provided in a manner preserving confidentiality, in conformity with the International Standard for Laboratories and through ADAMS as applicable.

**7.2.2** Upon receipt of an *Adverse Analytical Finding*, the IOC 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, or (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*.

**7.2.3** If the review of an *Adverse Analytical Finding* under Article 7.2.2 reveals an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, the entire test shall be considered negative and the *Athlete*, the *Athlete's International Federation* and WADA shall be so notified.

**7.2.4** If the review of an *Adverse Analytical Finding* under Article 7.2.2 does not reveal an applicable TUE or entitlement to a TUE as provided in the International Standard for Therapeutic Use Exemptions, or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, the IOC Medical and Scientific Director or a person designated by him (e.g. the ITA or any other *Anti-Doping Organization* (in particular, GAISF)) shall notify:

- (a) the *Athlete*;
- (b) the *Athlete's NOC*;

- (c) the *Athlete's International Federation* (who will be entitled to send a representative(s) to attend the hearing);
- (d) *WADA* and, during the *Period of the Olympic Winter Games PyeongChang 2018*, a representative of the *Independent Observer Program* (one of whom will be entitled to send a representative to attend the hearing)

of the existence of the *Adverse Analytical Finding*, and the essential details available concerning the case.

**7.2.5** The notifications specified above under Article 7.2.4 (a) to (d) shall be done in the manner set out in Articles 13.1 and 14, and shall give notification of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated; (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived; (d) the scheduled date, time and place for the *B Sample* analysis if the *Athlete* or the *IOC* chooses to request an analysis of the *B Sample*; (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis in accordance with the International Standard for Laboratories if such analysis is requested; and (f) the *Athlete's* right to request copies of the *A* and *B Sample* laboratory documentation package which includes information as required by the International Standard for Laboratories and (g) to the extent applicable, the application for either mandatory or optional *Provisional Suspension*.

It shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*. The notification of the *Athlete* or other *Person* shall constitute the commencement of the proceeding in respect of the asserted anti-doping rule violation for the purposes of Article 16.

**7.2.6** In parallel with the above notifications, an application shall be filed by the *IOC* with the *CAS Anti-Doping Division*, as per Article 8 and the *CAS Anti-Doping Division Rules*, by the *IOC* Medical and Scientific Director, in collaboration with the *IOC* Department of Legal Affairs.

**7.2.7** Where requested by the *Athlete* or the *IOC*, arrangements shall be made to analyze the *B Sample* in accordance with the International Standard for Laboratories. An *Athlete* may accept the *A Sample* analytical results by waiving the requirement for *B Sample* analysis. The *IOC* may nonetheless elect to proceed with the *B Sample* analysis.

**7.2.8** The *Athlete* and/or his or her representative shall be allowed to be present at the opening and analysis of the *B Sample*. Also, a representative of the *IOC* shall be allowed to be present.

**7.2.9** If the *B Sample* analysis does not confirm the *A Sample* analysis, then (unless the *IOC* takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative

and the *Athlete*, the *Athlete's NOC*, the *Athlete's International Federation* and *WADA* shall be so notified. It shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*.

**7.2.10** If the *B Sample* analysis confirms the *A Sample* analysis, the findings shall be notified to the *Athlete*, the *Athlete's NOC*, the *Athlete's International Federation* and to *WADA*. It shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*.

### **7.3 Review of Atypical Findings**

**7.3.1** As provided in the International Standard for Laboratories, in some circumstances, laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously, as *Atypical Findings*, i.e., as findings that are subject to further investigation.

**7.3.2** Upon receipt of an *Atypical Finding*, the *IOC* 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, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Atypical Finding*.

**7.3.3** If the review of an *Atypical Finding* under Article 7.3.2 reveals an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, the *Athlete's NOC*, the *Athlete's International Federation* and *WADA* shall be so notified. It shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*.

**7.3.4** If that review does not reveal an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the *IOC* shall conduct the required investigation or cause it to be conducted. After the investigation is completed, either the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*, in accordance with Article 7.2.4 and 7.2.5, or else the *Athlete*, the *Athlete's NOC*, the *Athlete's International Federation* and *WADA* shall be notified that the *Atypical Finding* will not be brought forward as an *Adverse Analytical Finding*. It shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*.

**7.3.5** The *IOC* will not provide notification of an *Atypical Finding* unless and until it has completed its investigation and has decided that it will

bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless the following circumstance exists:

**7.3.5.1** If the *IOC* determines the *B Sample* should be analyzed prior to the conclusion of its investigation, it may conduct the *B Sample* analysis after notifying the *Athlete*, with such notification to include a description of the *Atypical Finding* and the information described in Article 7.2.5(d) - (g).

#### **7.4 Review of Whereabouts Failures**

The *IOC* shall refer potential filing failures and missed tests (as defined in the International Standard for Testing and Investigations) to whichever of the *Athlete's International Federation* and *National Anti-Doping Organization* receives that *Athlete's* whereabouts filings and so has responsibility for results management of whereabouts failures by that *Athlete*.

#### **7.5 Review of Other Anti-Doping Rule Violations Not Covered by Articles 7.2 – 7.4**

The *IOC* (through the *IOC* Medical and Scientific Department, in collaboration with the *IOC* Legal Affairs Department), with the assistance of outside help as necessary, shall conduct any follow-up investigation required into a possible anti-doping rule violation not covered by Articles 7.2 to 7.4. At such time as the *IOC* is satisfied that an anti-doping rule violation has occurred, it shall promptly notify the *Athlete* or other *Person* (and the *Athlete's* or other *Person's NOC*, the *Athlete's International Federation* and *WADA*) of the anti-doping rule violation asserted, and the basis of that assertion. It shall be the responsibility of the *NOC* to promptly inform the relevant *National Anti-Doping Organization* of the *Athlete*.

In parallel with the above notifications, an application shall be filed, on behalf of the *IOC*, by the *IOC* Medical and Scientific Director, in collaboration with the *IOC* Legal Affairs Department, with the *CAS Anti-Doping Division* in accordance with the *CAS Anti-Doping Division Rules*.

#### **7.6 Provisional Suspensions**

**7.6.1 Mandatory Provisional Suspension:** If analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, or for a *Prohibited Method*, and a review in accordance with Article 7.2.2 does not reveal an applicable *TUE* or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, a *Provisional Suspension* shall be imposed by the *CAS-Anti Doping Division* upon or promptly after the notification described in Article 7.2.4. In accordance with Article 7.1.2, the scope of the *Provisional Suspension* shall be limited to the *Olympic Winter Games PyeongChang 2018*.

**7.6.2 Optional Provisional Suspension:** In case of an *Adverse Analytical Finding* for a *Specified Substance*, or in the case of any other anti-doping rule violations not covered by Article 7.6.1, a *Provisional Suspension* on the *Athlete* or other *Person* against whom the anti-doping rule violation is asserted may be imposed by the *CAS Anti-Doping Division* upon or promptly after the notification described in Article 7.2.4. In accordance with Article 7.1.2, the scope of the *Provisional Suspension* shall be limited to the *Olympic Winter Games PyeongChang 2018*.

**7.6.3** The *Athlete* or other *Person* against whom a *Provisional Suspension* is sought or has been imposed either under Articles 7.6.1 or 7.6.2 shall be given, if he or she so requests, either: (a) an opportunity for a *Provisional Hearing* before the *CAS Anti-Doping Division*, on a timely basis, before or after imposition (in that case to reconsider a decision issued without a hearing) of the *Provisional Suspension*; or (b) an opportunity for an expedited final hearing before the *CAS Anti-Doping Division* in accordance with Article 8 on a timely basis after imposition of the *Provisional Suspension*.

**7.6.3.1** The *Provisional Suspension* may not be imposed or may be lifted if the *Athlete* demonstrates to the *CAS Anti-Doping Division* that the violation is likely to have involved a *Contaminated Product*. A hearing panel's decision to impose or not to lift a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

**7.6.4** If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and subsequent analysis of the *B Sample* does not confirm the *A Sample* analysis, then the *Provisional Suspension* shall automatically be lifted. In circumstances where the *Athlete* (or the *Athlete's* team) has been removed from a *Competition* or *Event* based on a violation of Article 2.1 and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, then if it is still possible for the *Athlete* or team to be reinserted without otherwise affecting the *Competition* or *Event*, the *Athlete* or team may continue to take part in the *Competition* or *Event*. In addition, the *Athlete* or team may thereafter take part in other *Competitions* and *Events* at the *Olympic Winter Games PyeongChang 2018*.

**7.6.5** In all cases where an *Athlete* or other *Person* has been notified of an anti-doping rule violation but a *Provisional Suspension* has not been imposed on him or her, the *Athlete* or other *Person* shall have the opportunity to accept a *Provisional Suspension* voluntarily pending the resolution of the matter.

## **7.7 Resolution Without a Hearing or Written Defense**

**7.7.1** An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may admit that violation at any time, waive a hearing and the right to a written defense, and accept the consequences applicable under these *Rules*.

**7.7.2** Alternatively, if the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the *CAS Anti-Doping Division* asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing and the right to a written defense, and to have accepted the consequences applicable under these *Rules*.

**7.7.3** In cases where Article 7.7.1 or Article 7.7.2 applies, a hearing before a hearing panel shall not be required. Instead, the *CAS Anti-Doping Division* shall, if it considers that no hearing is necessary or desirable, promptly issue a written decision confirming the commission of the anti-doping rule violation and imposing the relevant consequences. The *CAS Anti-Doping Division* shall send copies of that decision to other *Anti-Doping Organizations* with a right to appeal under Article 12.2.2, and that decision shall be *Publicly Disclosed* in accordance with Article 13.3.2. Notwithstanding the foregoing, it shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*.

## **7.8 Notice of Results Management Decisions**

In all cases where the *CAS Anti-Doping Division* has issued a decision stating that an anti-doping rule violation has been committed or has not been committed, a *Provisional Suspension* has been issued or lifted, or an agreement with an *Athlete* or other *Person* on the imposition of *Consequences* without a hearing (or written defense) has been entered, notice thereof shall be given in accordance with Article 13.1.2 to other *Anti-Doping Organizations* with a right to appeal under Article 12.2.2. Notwithstanding the foregoing, it shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*.

## **7.9 Retirement from Sport**

Retirement after participation at the *Olympic Winter Games PyeongChang 2018* has no effect on the application of these *Rules*. If an *Athlete* or other *Person* retires while the *IOC* is conducting the results management process, the *IOC* retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun, the *IOC* retains jurisdiction to initiate, conduct and complete the results management process provided that the *Athlete* or other *Person* was subject to these *Rules* at the time of the asserted anti-doping rule violation.

## **ARTICLE 8 RIGHT TO BE HEARD**

### **8.1 CAS Anti-Doping Division**

**8.1.1** Where the *IOC* decides to assert an anti-doping rule violation, the *IOC* shall promptly file an application with the *CAS Anti-Doping Division* as per the *CAS Anti-Doping Division Rules*.

**8.1.2** The composition of the panel and procedures applicable to the *CAS Anti-Doping Division* shall be as per the *CAS Anti-Doping Division Rules*.

### **8.2 Hearings and disciplinary procedures of the CAS Anti-Doping Division**

**8.2.1** In all procedures relating to any alleged anti-doping rule violation pursuant to these *Rules*, the right of any *Person* to be heard pursuant to paragraph 3 to the Bye-law to Rule 59 of the Olympic Charter will be exercised solely before the *CAS Anti-Doping Division*.

Pursuant to Rule 59.2.4 of the Olympic Charter, the *IOC* Executive Board delegates to the *CAS Anti-Doping Division* all powers which are necessary for it to take the measures and sanctions envisaged by these *Rules* including, in particular, Articles 9, 10.1, 10.2 and 11.

**8.2.2** The *CAS Anti-Doping Division* shall issue a timely reasoned decision. The *CAS Anti-Doping Division* shall promptly notify such decision to the *IOC*, the *Athlete* or other *Person* concerned, the relevant *NOC*, the *International Federation* concerned, a representative of the *Independent Observer Program* (during the *Period of the Olympic Winter Games PyeongChang 2018*) and *WADA* of such decision, by sending a full copy of the decision to the addressees. It shall be the responsibility of the *NOC* to inform the relevant *National Anti-Doping Organization* of the *Athlete*.

**8.2.3** The decision of the *CAS Anti-Doping Division* shall also be *Publicly Disclosed* as provided in Article 13.3 and may be appealed as provided in Article 12. The principles contained at Article 13.3.5 shall be applied in cases involving a *Minor*.

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

An anti-doping rule violation in *Individual Sports* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in the *Competition* in question (and any other subsequent *Competitions* in the same *Event* for which the *Athlete* only qualified as a result of his/her participation in the *Competition* in question) with all resulting *Consequences*, including forfeiture of any medals, diplomas, points and prizes.

## **ARTICLE 10 SANCTIONS ON INDIVIDUALS**

### **10.1 *Disqualification of Results in the Olympic Winter Games PyeongChang 2018***

An anti-doping rule violation occurring during or in relation to the *Olympic Winter Games PyeongChang 2018* may, pursuant to the decision of the *CAS Anti-Doping Division*, lead to *Disqualification* beyond the application of Article 9 of all of the *Athlete's* individual results obtained in the *Olympic Winter Games PyeongChang 2018* (or in one or more *Events or Competitions*) with all *Consequences*, including forfeiture of all medals, diplomas, points and prizes, except as provided in Article 10.1.1.

Factors to be included in considering whether to *Disqualify* results in the *Olympic Winter Games PyeongChang 2018* which are not to be disqualified in application of Article 9 may include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative further to *Testing* conducted after other *Competitions*.

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

### **10.2 *Ineligibility and other consequences***

**10.2.1** Should an *Athlete* or other *Person* be found to have committed an anti-doping rule violation, the *CAS Anti-Doping Division* may declare the *Athlete* or other *Person* ineligible for such *Competitions* at the *Olympic Winter Games PyeongChang 2018* in which he/she has not yet participated, along with other sanctions and measures which may follow, such as exclusion of the *Athlete* and other *Persons* concerned from the *Olympic Winter Games PyeongChang 2018* and the loss of accreditation.

No *Person* who has been declared ineligible may, during the period of ineligibility, participate in any capacity in the *Olympic Winter Games PyeongChang 2018*.

**10.2.2** In accordance with Article 7.1.2, responsibility for results management in terms of sanctions beyond the *Olympic Winter Games PyeongChang 2018* itself shall be referred to the applicable *International Federation*.

### **10.3 Automatic Publication of Sanction**

Sanctions issued in application of Article 10 shall mandatorily be published, as



provided in Article 13.3.

## **ARTICLE 11 CONSEQUENCES TO TEAMS**

### **11.1 *Testing of Team Sports***

Where more than one member of a team in a *Team Sport* has been notified of an anti-doping rule violation under Article 7 in connection with the *Olympic Winter Games PyeongChang 2018*, the *IOC* shall conduct appropriate *Target Testing* of the team during the *Period of the Olympic Winter Games PyeongChang 2018*.

### **11.2 *Consequences for Team Sports***

If one or more members of a team in a *Team Sport* is found to have committed an anti-doping rule violation during the *Period of the Olympic Winter Games PyeongChang 2018*, the *CAS Anti-Doping Division* shall impose the consequences on the team results (e.g., loss of points, *Disqualification* from a *Competition, Event* or the *Olympic Winter Games PyeongChang 2018*, or other consequences), which are provided in this respect in the applicable rules of the relevant *International Federation*, in addition to any consequences imposed pursuant to these *Rules* on the individual *Athlete(s)* found to have committed the anti-doping rule violation.

### **11.3 *Consequences to Teams in sports which are not Team Sports***

If one or more members of a team in a sport which is not a *Team Sport* but where awards are given to teams, is found to have committed an anti-doping rule violation during the *Period of the Olympic Winter Games PyeongChang 2018*, the *CAS Anti-Doping Division* shall impose the consequences on the team (e.g., loss of points, *Disqualification* from a *Competition, Event* or the *Olympic Winter Games PyeongChang 2018*, or other consequences) which are provided in this respect in the applicable rules of the relevant *International Federation*, in addition to any consequences imposed pursuant to these *Rules* on the individual *Athlete(s)* found to have committed the anti-doping rule violation.

Pursuant to the request of the World Curling Federation, with respect to team results in the sport of curling, *Disqualification* and all resulting consequences shall apply if: (i) more than one team member has committed an anti-doping rule violation in the men's or women's event, respectively, or (ii) one or more team members has committed an anti-doping rule violation in the mixed doubles event.

## **ARTICLE 12 APPEALS**

### **12.1 Decisions Subject to Appeal**

Decisions made under these *Rules* may be appealed as set forth below in Articles 12.2 through 12.5 or as otherwise provided in these *Rules*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

#### **12.1.1 Scope of Review Not Limited**

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.

#### **12.1.2 CAS Shall Not Defer to the Findings Being Appealed**

In making its decision, *CAS* need not give deference to the discretion exercised by the body whose decision is being appealed.

### **12.2 Appeals of Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Recognition of Decisions and Jurisdiction**

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by *WADA* assigning results management under Article 7.1 of the *Code*; a decision by the *IOC* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Article 7.5; a decision not to lift a *Provisional Suspension* as a result of a *Provisional Hearing*; the *CAS Anti-Doping Division's* failure to comply with Article 7.6.1; a decision that the *IOC* or the *CAS Anti-Doping Division* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; and a decision by the *IOC* not to recognize another *Anti-Doping Organization's* decision under Article 15 may be appealed exclusively as provided in this Article 12.

**12.2.1** Subject to Article 12.3 below, decisions made under these *Rules* may be appealed exclusively to *CAS*.

### **12.2.2 Persons Entitled to Appeal**

The following *Persons* 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 *IOC*; (c) the relevant *International Federation*; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; and (e) *WADA*.

Notwithstanding any other provision herein, the only *Person* who may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

### **12.2.3 Cross Appeals and other Subsequent Appeals Allowed**

Cross appeals and other subsequent appeals by any respondent named in cases brought to *CAS* under the *Code* are specifically permitted. Any party with a right to appeal under this Article 12 must file a cross appeal or subsequent appeal at the latest with the party's answer.

## **12.3 Appeals Relating to TUEs**

*TUE* decisions may be appealed exclusively as provided in Article 4.4.

## **12.4 Notice of Appeal Decisions**

Any *Anti-Doping Organization* that is a party to an appeal shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Article 12.2.2 as provided under Article 13.2.

## **12.5 Time for Filing Appeals**

The time to file an appeal to *CAS* shall be twenty-one days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings that led to the decision being appealed:

- a) Within fifteen days from notice of the decision, such party/ies shall have the right to request a copy of the case file from the body that issued the decision;
- b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to *CAS*.

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

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

## **ARTICLE 13 CONFIDENTIALITY AND REPORTING**

### **13.1 Information Concerning *Adverse Analytical Findings, Atypical Findings*, and Other Asserted Anti-Doping Rule Violations**

#### **13.1.1** Notification of Anti-Doping Rule Violations to *Athletes* and other *Persons*

Notification to *Athletes* or other *Persons* of anti-doping rule violations asserted against them shall occur as provided under Articles 7, 13 and 14 of these *Rules*.

#### **13.1.2** Notification of Anti-Doping Rule Violations to *NOCs*, a representative of the *Independent Observer Program*, the *International Federation* concerned and *WADA*

Notification of the assertion of an anti-doping rule violation to the *NOC*, a representative of the *Independent Observer Program*, the *International Federation* concerned and *WADA* shall occur as provided under Articles 7 and 13 of these *Rules*, together with the notification to the *Athlete* or other *Person*.

#### **13.1.3** Content of an Anti-Doping Rule Violation Notification

Notification of an anti-doping rule violation under Article 2.1 shall include: the *Athlete's* name, country, sport and discipline within the sport, the *Athlete's* competitive level, 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. Notification of anti-doping rule violations other than under Article 2.1 shall include the rule violated and the basis of the asserted violation.

#### **13.1.4 Confidentiality**

The recipient organizations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee, National Federation, and team in a Team Sport*) until the *CAS Anti-Doping Division* has made *Public Disclosure* or has failed to make *Public Disclosure* as required in Article 13.3.

The *CAS Anti-Doping Division* shall ensure that information concerning *Adverse Analytical Findings, Atypical Findings, and other asserted anti-doping rule violations* remains confidential until such information is *Publicly Disclosed* in accordance with Article 13.3.

### **13.2 Notice of Anti-Doping Rule Violation Decisions and Request for Files**

**13.2.1** Anti-doping rule violation decisions rendered pursuant to these *Rules* shall include the full reasons for the decision.

**13.2.2** An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Article 13.2.1 may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

### **13.3 Public Disclosure**

**13.3.1** The identity of any *Athlete* or other *Person* who is asserted by the *IOC* to have committed an anti-doping rule violation may be *Publicly Disclosed* only after notice has been provided to the *Athlete* or other *Person* in accordance with Article 7 and also to the *NOC*, a representative of the *Independent Observer Program*, *WADA* and the *International Federation of the Athlete* or other *Person* in accordance with Article 13.1.2.

**13.3.2** No later than twenty days after it has been determined in a final appellate decision under Article 12.2.1, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, the disposition of the matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance or Prohibited Method* involved (if any) and the *Consequences* imposed must be *Publicly Reported*. The results of final appeal decisions concerning anti-doping rule violations, including the information described above must also be *Publicly Reported* within the same deadline.

**13.3.3** In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be *Publicly Disclosed* only with the consent of the *Athlete* or other *Person* who is the subject of the decision. Reasonable efforts shall be made to obtain such consent. If consent is obtained, the decision shall be *Publicly Disclosed* in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.

**13.3.4** No public comment shall be made on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted, or their representatives.

**13.3.5** The mandatory *Public Reporting* required in Article 13.3.2 shall not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*. Any optional *Public Reporting* in a case involving a *Minor* shall be proportionate to the facts and circumstances of the case.

#### **13.4 Data Privacy**

**13.4.1** The *IOC* and *other Anti-Doping Organizations* shall be authorized to:

- collect;
- store;
- transfer, to any location, including to territories with data protection laws which do not provide for the same level of data protection as the territory where the data is transferred from;
- disclose and/or
- otherwise process

any personal information relating to *Participants* and other *Persons* for the duration and in all manners necessary and adequate to conduct their anti-doping activities under these *Rules*. Further information addressing the requirements of the International Standard for the Protection of Privacy and Personal Information in relation to the processing of personal information will be communicated to *Athletes* subject to a *Doping Control*.

**13.4.2** The “personal information” referred to in Article 13.4.1 above and more generally in these *Rules* shall include any information related to identified or identifiable *Participants* and other *Persons* subject to their application, including for example and without limitation, name, date of birth, contact details and sporting affiliations, whereabouts, designated therapeutic use exemptions (if any), anti-doping test results, and results management (including disciplinary hearings, appeals and sanctions) and other information as further determined in the *Code* and the International Standard for the Protection of Privacy and Personal Information.

**13.4.3** By consenting to be bound by these *Rules* and to comply with them, as part of the accreditation process to the *Olympic Winter Games PyeongChang 2018* or otherwise, *Participants* or other *Persons* have agreed that their personal information, as defined in Article 13.4.2 may be used by the *IOC* or any other *Anti-Doping Organization* in the manner and for the purposes set forth in Article 13.4.1 above.

**13.4.4** The *IOC* and other *Anti-Doping Organizations* will implement adequate security safeguards, including physical, organizational, technical, environmental and other measures, to prevent the loss, theft, or unauthorized access, destruction, use, modification or disclosure (including disclosures made via electronic networks) as required under the International Standard for the Protection of Privacy and Personal Information.

**13.4.5** *Participants* or other *Persons* to whom the personal information relates shall have the right to access their personal information, to request the modification or deletion of their personal information or to initiate a complaint in accordance with the provisions of the International Standard for the Protection of Privacy and Personal Information.

## **ARTICLE 14 DEEMED NOTIFICATION & REPRESENTATION**

**14.1** Any notification under these *Rules* by the *IOC* to an *Athlete* or other *Person* accredited pursuant to the request of an *NOC* shall be deemed as accomplished by delivery of the notification to that *NOC*. This applies without limitation for all notifications before, during and after the *Period of the Olympic Winter Games PyeongChang 2018*. It shall be the responsibility of the *NOC* to notify the *Athlete* or other *Person* in person. Bona fide efforts by the *IOC* to secure notification in person shall be without prejudice to the validity of notifications to the *NOC* in application of this provision.

**14.2** Notification under these *Rules* to an *NOC* shall be deemed to be accomplished by delivery of the notification to either the President, or the Secretary General, the chef de mission, or the deputy chef de mission or another representative of the *NOC* in question designated by the *NOC* for that purpose.

**14.3** During the *Period of the Olympic Winter Games PyeongChang 2018* and for the purpose of the application of these *Rules*, the *Athlete* and other *Person* shall be deemed to be validly represented by the *NOC*, acting through the persons mentioned in Article 14.2. Without limitation, this applies in the context of the application of Article 7 of these *Rules*.

## **ARTICLE 15 APPLICATION AND RECOGNITION OF DECISIONS**

**15.1** Subject to the right to appeal provided in Article 12, *Testing*, *Provisional Suspensions*, hearing results, or other final adjudications of any *Signatory* which are consistent with the *Code* and are within that *Signatory's* authority, shall be applicable worldwide and shall be recognized and respected by the *IOC*.

**15.2** The *IOC* shall recognize the measures taken by other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

## **ARTICLE 16 STATUTE OF LIMITATIONS**

No anti-doping rule violation proceeding may be commenced against an *Athlete* or other *Person* unless he or she has been notified of the anti-doping rule violation as provided in Articles 7 and 13, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

## **ARTICLE 17 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES**

**17.1** These *Rules* may be amended from time to time by the *IOC* Executive Board. The English version of these *Rules* shall prevail.

**17.2** These *Rules* shall be governed by Swiss law and the Olympic Charter.

**17.3** Nothing in these *Rules* shall be interpreted as to limit or waive any rights granted to *Anti-Doping Organizations* to conduct their anti-doping activities under applicable laws.

**17.4** The headings used for the various Parts and Articles of these *Rules* are for convenience only and shall not be deemed part of the substance of these *Rules* or to affect in any way the language of the provisions to which they refer. The masculine gender used in relation to any physical *Person* shall, unless there is a specific provision to the contrary, be understood as including the feminine gender.

**17.5** The *Code* and the *International Standards* shall be considered integral parts of these *Rules* and shall prevail in case of conflict.



**17.6** These *Rules* have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The Introduction and Appendices shall be considered an integral part of these *Rules*. In the event that these *Rules* do not cover an issue arising in connection with such *Rules*, the relevant provisions from the *Code* shall apply *mutatis mutandis*. For the sake of clarity, in the event that there are any inconsistencies or lacunae within these *Rules*, such inconsistencies or lacunae shall be resolved so as to carry out the spirit of the *Code* and these *Rules*.

**17.7** The comments annotating various provisions of the *Code* are incorporated by reference into these *Rules*, shall be treated as if set out in full herein, and shall be used to interpret these *Rules*.

**17.8** In the event that there is any conflict between these *Rules* and the *CAS Anti-Doping Division Rules*, such conflict shall be resolved so as to carry out the spirit of both sets of rules in a reasonable manner.

## APPENDIX 1 DEFINITIONS

**ADAMS**: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and *WADA* in their anti-doping operations in conjunction with data protection legislation.

**Administration**: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method* used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

**Adverse Analytical Finding**: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

**Adverse Passport Finding**: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

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

**Athlete**: Any *Person* who competes, or may potentially compete, in the *Olympic Winter Games PyeongChang 2018*.

**Athlete Biological Passport**: The program and methods of gathering and collating data as described in the International Standard for Testing and Investigations and International Standard for Laboratories.

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

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

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

Atypical Passport Finding: A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

CAS: The Court of Arbitration for Sport; unless the contrary is stated, references to the CAS shall include its ad hoc Division on the occasion of the *Olympic Winter Games PyeongChang 2018*, to the exclusion of its *CAS Anti-Doping Division*.

CAS Anti-Doping Division: the Division of the Court of Arbitration for Sport set up by the *CAS Anti-Doping Division Rules*.

CAS Anti-Doping Division Rules: the Arbitration Rules applicable to doping-related cases arising during the Olympic Games adopted by ICAS, setting up the *CAS Anti-Doping Division* to conduct hearings and issue decisions under the *Rules*.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest at the *Olympic Winter Games PyeongChang 2018*. For example, a Men's ice hockey match or the final of the Women's downhill.

Consequences of Anti-Doping Rule Violations ("Consequences"): 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 on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.12.1 of the *Code*; (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure or Public Reporting means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 13. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Disqualification: See *Consequences of Anti-Doping Rule Violations* above.

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

*Event*: A series of individual *Competitions* forming part of the *Olympic Winter Games PyeongChang 2018* in respect of which medals are awarded (e.g., the Men's ice hockey tournament, the Women's downhill).

*Event Venues*: Those venues for which it is necessary to have an accreditation, ticket or permission from the *IOC* or *PYEONGCHANG 2018* and any other areas that are specifically designated as such by the *IOC*.

*Fault*: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Minor*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in his or her career, or the timing of the sporting calendar, are not relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.5.1 or 10.5.2 of the *Code*.

*Financial Consequences*: See *Consequences of Anti-Doping Rule Violations* above.

*GAISF*: Global Association of International Sports Federations.

*In-Competition*: For purposes of these *Rules*, *In-Competition* means the period commencing twelve hours before a *Competition* in which the *Athlete* is scheduled to participate through to the end of such *Competition* and the *Sample* collection process related to such *Competition*.

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

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

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

*International Event*: An *Event* or *Competition* 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 Federation*: shall mean an international non-governmental organisation, recognised by the IOC, administering one or several sports at world level and encompassing organisations administering such sports at national level.

*International-Level Athletes*: *Athletes* who compete in sport at the international level, as defined by each *International Federation*, consistent with the International Standard for Testing and Investigations.

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

*IOC*: The International Olympic Committee

*ITA*: International Testing Agency; set up as a Swiss foundation and having the purpose of providing independent *Doping Control Services* to *Anti-Doping Organizations*, including without limitation the *IOC*.

*Major Event Organizations*: The continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*. For purposes of these *Rules*, the *Major Event Organization* is the *IOC*.

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

*Metabolite*: Any substance produced by a biotransformation process.

*Minor*: A natural *Person* who has not reached the age of eighteen years.

*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 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* or *Competition* 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 an *International Federation* as the entity governing the *International Federation's* sport in that nation or region.

*National-Level Athletes*: Athletes who compete in sport at the national level, as defined by each *National Anti-Doping Organization*, consistent with the International Standard for Testing and Investigations.

*National Olympic Committee or NOC*: The organization recognized by the *IOC*. 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 Fault or Negligence*: The *Athlete* or other *Person'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* or otherwise violated an anti-doping rule. Except in the case of a *Minor*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

*No Significant Fault or Negligence*: The *Athlete* or other *Person'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. Except in the case of a *Minor*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

*Olympic Winter Games PyeongChang 2018*: XXIII Olympic Winter Games, PyeongChang, 2018.

*Out-of-Competition*: Any period which is not *In-Competition*.

*Participant*: Any *Athlete* or *Athlete Support Person*.

*Period of the Olympic Winter Games PyeongChang 2018*: The period commencing on the date of the opening of the athlete village for the *Olympic Winter Games PyeongChang 2018*, namely, 1 February 2018, up until and including the day of the closing ceremony of the *Olympic Winter Games PyeongChang 2018*, namely, 25 February 2018.

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

demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.

*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, or class of substances, so described on the *Prohibited List*.

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

*Provisional Suspension*: See *Consequences of Anti-Doping Rule Violations* above.

*Public Disclosure or Public Reporting*: See *Consequences of Anti-Doping Rule Violations* above.

*Regional Anti-Doping Organization*: A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of *Samples*, the management of results, the review of *TUEs*, the conduct of hearings, and the conduct of educational programs at a regional level.

*Registered Testing Pool*: The pool of highest-priority *Athletes* established separately at the international level by *International Federations* and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that *International Federation's* or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.6 of the *Code* and the International Standard for Testing and Investigations.

*PYEONGCHANG 2018*: *The organising committee for the Olympic Winter Games PyeongChang 2018.*

*Rules*: The International Olympic Committee Anti-Doping Rules applicable to the Games of the XXIII Olympic Winter Games, PyeongChang, 2018.

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

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, as provided in Article 23 of the *Code*.

Specified Substance: See Article 4.2.3.

Strict Liability: The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, *Fault*, negligence, or knowing *Use* on the *Athlete's* part be demonstrated by the *Anti-Doping Organization* in order to establish an anti-doping rule violation.

Substantial Assistance: For purposes of Article 10.6.1 of the *Code*, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

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

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the International Standard for Testing and Investigations.

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

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

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

TUE: Therapeutic Use Exemption, as described in Article 4.4.



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

WADA: The World Anti-Doping Agency.