

THE WORLD ANTI-DOPING CODE : ATHLETE INFORMATION

The WADA Code Anti-Doping Rules apply to International Federations (IF) , each National Federation of the IF and each participant in the activities of the IF or any of its National Federations, by virtue of the participant's membership, accreditation or participation in the IF, its National Federations or their activities and events.

1. ANTI-DOPING RULE VIOLATIONS

- 1.1 **The presence** of a Prohibited Substance or its Metabolites or Markers in an athlete's bodily specimen
- 1.2 **The use or attempted use** of a Prohibited Substance or a Prohibited Method.
The success or failure of the use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the substance or method was used or attempted to be used.
- 1.3 **Refusing, or failing without compelling justification, to submit to Sample collection** after notification, or otherwise evading Sample collection.
- 1.4 **Violation of the requirements regarding athlete availability** for out-of-competition testing, including failure to provide required whereabouts information, and missed tests which are declared based on reasonable rules.
- 1.5 **Tampering or attempting to tamper with any part of doping control.**
- 1.6 **Possession** of Prohibited Substances and Methods. This includes :
 - (1.6.1) Possession by an athlete, at any time or place, of a substance that is prohibited in out-of-competition testing, or a Prohibited Method unless the athlete can establish therapeutic use exemption or other acceptable justification.
 - (1.6.2) Possession of a Prohibited Substance that is prohibited in out-of-competition Testing or a Prohibited Method by athlete support personnel in connection with an athlete, event or training, unless the athlete support personnel can establish that the athlete has been granted therapeutic use exemption or other acceptable justification.
- 1.7 **Trafficking** in any Prohibited Substance or Prohibited Method.
- 1.8 **Administration or attempted administration** of a Prohibited Substance or Prohibited Method to any athlete or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted violation.

REINSTATEMENT TESTING

An athlete must, during any period of provisional suspension or ineligibility, make himself/herself available for out of competition testing and must provide current and accurate whereabouts information.

If an athlete who has been suspended or retires from sport, later seeks reinstatement, he/she will not be eligible for reinstatement until he/she has been subject to out of competition testing for a period of time equal to the reinstatement period stipulated by the IF/National Federation. Immediately prior to the end of a suspension period the athlete must undergo testing for the Prohibited Substances and Methods for out-of-competition testing.

2. ATHLETE WHEREABOUTS INFORMATION : REQUIREMENTS

- 2.1 International Federations and the national anti-doping agency (the South African Institute for Drug-Free Sport) will each maintain, separately, a “Registered Testing Pool” database of international level athletes and national level athletes, who are subject to in- and out-of-competition testing.
- 2.2.1 These athletes are required to provide quarterly reports containing up-to-date information of their whereabouts to their International Federation (international athletes) and SAIDS (international and national level athletes) to facilitate no advance notice out-of-competition testing. Each athlete in the IF and SAIDS’ Registered Testing Pools must submit quarterly reports to the IF and SAIDS, which specify, on a daily basis, the locations and times where the athlete will be residing, training and competing. Athletes must update this information as necessary so that it is current at all times. Although it is the responsibility of the athlete to provide this whereabouts information, the National Federation must make every effort to assist the IF and SAIDS to obtain this information.
- 2.3 Any athlete in the IF and SAIDS Registered Testing Pool who is unavailable for testing on three attempts during any period of 18 consecutive months shall be considered to have committed an anti-doping rule violation. For each attempt to conduct testing, the Doping Control Officer will visit all locations during the times specified by the athlete for that date. Notification will be sent to the athlete between each attempt which has been designated an unavailable test.
- 2.4 Any athlete in the IF and SAIDS Registered Testing Pool who fails to submit a quarterly update of whereabouts information timeously, after receipt of two written warnings in the preceding 18 months from either the IF, the National Federation or SAIDS, will be considered to have committed an anti-doping rule violation.
- 2.5 The athlete’s whereabouts information may be shared by the IF and SAIDS with WADA and other anti-doping organisations having jurisdiction to test an athlete, on the strict condition that it is only used for doping control purposes.
- 2.6 All athletes in the IF and SAIDS’ Registered Testing Pools will continue to be subject to these anti-doping rules, including the obligation to be available for no advance notice out-of- competition testing, unless or until the athlete gives written notice to the IF and National Federation that he/she has retired or until he/she no longer satisfies the criteria for inclusion in the IF and SAIDS’ Registered Testing Pools.
- 2.7 Any athlete who has given notice of retirement to the IF and National Federation may not resume competing unless he/she has notified the IF and National Federation within a specified time (stipulated in the anti-doping rules of the IF and National Federation), before he/she expects to return to competition, and is available for unannounced out-of-competition testing at any time during the period before actual return to competition.

3. THERAPEUTIC USE EXEMPTION

Therapeutic Use Exemption (TUE) is approval granted to an athlete by the authorized TUE Committee to use a Prohibited Substance or Prohibited Method, for legitimate, medically justified reasons. Any athlete, including those with disabilities, with a documented, legitimate medical condition, may apply for TUE.

- Members of authorised TUE Committees and the administrative staff involved in processing TUE's will conduct all activities in strictest confidence and keep all information confidential.
- If an athlete wishes to revoke the right of the TUE Committee to obtain any health information on his/her behalf, the athlete must notify his/her medical practitioner in writing of this fact. As a consequence of such a decision, the athlete will not receive approval for a TUE or renewal of an existing TUE.

An athlete must establish whether he/she is classified as an **International Level Athlete** or **National Level Athlete** by his/her National Federation, and an application form must be completed and submitted, via the National Federation, to the responsible authority :

International Athletes : Applications to be submitted to his/her International Federation.

National Athletes : Applications to be submitted to the national anti-doping agency:

The South African Institute for Drug-Free Sport (SAIDS).

Tel. (+27 (021) 683 7129 / Fax (+27) (021) 683 7274 / email drugfree@iafrica.com

PO Box 2553, Clareinch, 7740 South Africa

Note : Athletes competing in an international event must request a Therapeutic Use Exemption from their International Federations 21 days before participation in that international event, **regardless of whether he/she previously received a TUE at national level.**

APPLICATION FORMS can be downloaded from the WADA website (www.wada-ama.org) or obtained from the South African Institute for Drug-Free Sport (tel. 021 683 7129) (www.drugfreesport.org.za) There are two Application Forms: the standard form and the simplified (abbreviated) form.

Abbreviated Application Forms may only be used in respect of the following Prohibited Substances: Beta-2 agonists (formoterol, salbutamol, salmeterol and terbutaline) by inhalation, and glucocorticosteroids by non-systemic routes.

CRITERIA FOR THE GRANTING OF TUE's

An exemption will be granted **ONLY** in strict accordance with the following criteria :

- The athlete would experience a significant impairment to health if the prohibited substance or prohibited method was withheld when treating an acute or chronic medical condition.
- The therapeutic use of the prohibited substance or prohibited method would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The use of any prohibited substance or prohibited method to increase "low-normal" levels of any endogenous hormone is not considered an acceptable therapeutic intervention.
- There is no reasonable therapeutic alternative to its use.
- The necessity for the use of the otherwise prohibited substance or prohibited method cannot be a consequence, wholly or in part, of prior non-therapeutic use of any substance from the prohibited list.

THERAPEUTIC USE EXEMPTION : APPLICATION GUIDELINES

TUE Committee members shall evaluate all requests in accordance with the International Standard for Therapeutic Use Exemptions.

- Except for justified emergency situations, applications for TUE's must be submitted at least 21 days before the event in which the athlete will compete.
- Applicants must provide written consent for the transmission of information pertaining to the application to the TUE Committee and, as required, other independent medical and/scientific experts and necessary administrative staff involved in the management/review/appeal of TUE's.
- The athlete may not apply to more than one anti-doping organization for a TUE.
- The application must identify the athlete's sport and, where appropriate, discipline.
- The application must list any previous and/or current requests for permission to use an otherwise prohibited substance or prohibited method, the body to whom that request was made and the decision of that body, a comprehensive medical history and the result of all examinations, laboratory investigations and imaging studies relevant to the application.
- Any additional relevant investigations, examinations or imaging studies requested by the TUE Committee will be undertaken at the expense of the applicant or National Federation.
- The application must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise prohibited substance or prohibited method in the treatment of the athlete and describing why an alternative permitted medication can not be used.
- The dose, frequency, route and duration of administration of the otherwise prohibited substance or prohibited method in question must be specified in the application.
- If a TUE is granted, the athlete will be provided with an Approval Certificate which includes the duration of the exemption and any conditions associated with it.
- The decision of the TUE Committee will be conveyed in writing to other relevant parties : the athlete's National/International Federation/ the World Anti-Doping Agency/ the national anti-doping agency.

REVIEW OF A THERAPEUTIC USE EXEMPTION

- Review by the TUE Committee of a TUE can be initiated at any time during its duration.
- WADA may, on its own initiative, review the granting of a TUE to any athlete. Upon the request of any athlete denied a TUE, WADA may review such denial. If WADA determines that the granting or denial of the TUE did not comply with the World Anti-Doping Code International Standard for Therapeutic Use Exemption, WADA may reverse that decision.
- Until the review process has been completed the original decision remains in effect. If the decision regarding the granting of a TUE is reversed on review, the reversal shall not apply retroactively; shall not disqualify the athlete's results during the period that the TUE has been granted; and shall take effect no later than 14 days following notification of the decision to the athlete.
- A TUE may be cancelled by the TUE Committee or WADA at any time. The athlete, the International/ National Federation and anti-doping organization shall be notified immediately.
- In instances where the TUE has expired or been withdrawn and the prohibited substance is still present in the athlete's body, the anti-doping organization conducting the initial review of the adverse finding will consider whether the finding is consistent with expiry or withdrawal of the TUE.

THERAPEUTIC USE EXEMPTION : APPEALS

Decisions by WADA reversing the granting or denial of a TUE, or decisions to deny therapeutic use exemption which are not reversed by WADA, may be appealed by international level athletes to the International Court of Arbitration for Sport (CAS) by the athlete, the IF , the national anti-doping agency or other body designated by a National Federation which granted or denied the exemptions.

Each National Federation shall develop and implement an appeal procedure for the national level athletes that do not have the right to appeal to CAS. The appeal procedure shall respect the following principles : a timely hearing / a fair and impartial reviewing body with the expertise and experience to make informed judgements/ the right to be represented by a counsel at the person's expense/ a timely, written, reasoned decision.

RETROACTIVE APPROVAL OF A THERAPEUTIC USE EXEMPTION

An application for a TUE will not be considered for retroactive approval except where

- Emergency treatment or treatment of an acute medical condition was necessary
- Due to exceptional circumstances, there was insufficient time or opportunity for an application to submit, or a TUEC to consider, an application, prior to doping control.

CANCELLATION OF A THERAPEUTIC USE EXEMPTION

The TUE will be cancelled by the granting body if :

- the athlete does not promptly comply with any requirements or conditions imposed by the body granting the TUE
- the term for which the TUE was granted has expired
- the athlete is advised that the TUE has been withdrawn by the body granting the TUE

