

INTERNATIONAL BOXING ASSOCIATION

Anti-Doping Rules

Effective from August 1, 2013



TABLE OF CONTENTS

DEFINITIONS	3
PREFACE	7
FUNDAMENTAL RATIONALE FOR THE CODE AND AIBA ANTI-DOPING RULES	7
SCOPE	7
AIBA ANTI-DOPING ORGANIZATION	8
ARTICLE 1 DEFINITION OF DOPING	11
ARTICLE 2 ANTI-DOPING RULE VIOLATIONS	11
ARTICLE 3 PROOF OF DOPING	12
ARTICLE 4 THE PROHIBITED LIST	13
ARTICLE 5 TESTING	15
ARTICLE 6 ANALYSIS OF SAMPLES	19
ARTICLE 7 RESULT MANAGEMENT	20
ARTICLE 8 RIGHT TO A FAIR HEARING	23
ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS	26
ARTICLE 10 SANCTIONS ON INDIVIDUALS	26
ARTICLE 11 CONSEQUENCES TO TEAMS	38
ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS	38
ARTICLE 13 APPEALS	39
ARTICLE 14 NATIONAL FEDERATIONS' INCORPORATION OF AIBA RULES, REPORTING AND RECOGNITION	42
ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANIZATIONS	43
ARTICLE 16 STATUTE OF LIMITATIONS	44
ARTICLE 17 AIBA COMPLIANCE REPORTS TO WADA	44
ARTICLE 18 AMENDMENTS AND INTERPRETATION OF ANTI-DOPING RULES	44
ARTICLE 19 MISCELLANEOUS	45
ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES	46
APPENDIX I ACKNOWLEDGEMENT & AGREEMENT	47

DEFINITIONS

Adams - The Anti-Doping Administration and Management System, 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.

Adverse Analytical Finding - A report from a laboratory or other approved Testing entity that 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.

AIBA – The International Boxing Association.

AIBA Anti-Doping Administrator - The Person designated by AIBA to fill that role as provided for under these AIBA Anti-Doping Rules.

AIBA Competitions – All Competitions of AOB, APB and WSB.

Anti-Doping Organization - A Signatory to the Code 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.

AOB – The amateur boxing Competition named AIBA Open Boxing.

APB – The professional boxing Competition named AIBA Pro Boxing.

Athlete - Any Person who compete as a Boxer in an AIBA Competition, at national or international level (including, for the avoidance of doubt, at continental level).

Athlete Support Personnel - Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other Person working with, or treating, or assisting an Athlete participating in or preparing for sports and 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 laboratory or other WADA-approved entity 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.

CAS - The Court of Arbitration for Sport.

Code - The World Anti-Doping Code.

Competition - A single bout in an AIBA Competition, and includes, for the avoidance of doubt, an exhibition bout.

Consequences of Anti-Doping Rule Violations - An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Athlete's results in a particular Competition or Event are invalidated, with all resulting consequences including forfeiture of any medal, point and prize; (b) Ineligibility means the Athlete or other Person is barred for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.9; and (c) Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).]

Disqualification - See Consequences of Anti-Doping 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, result management, and hearings.

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

Franchisee - A Person who runs and operates a World Series of Boxing franchise.

In-Competition - Unless provided otherwise in the rules or another relevant Anti-Doping Organization, "In-Competition" means the period commencing twelve hours before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition. In respect of an Event, In-Competition means the period commencing 24 hours before the first bout of the Event and terminates 24 hours after the last bout of the Event.

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

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

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

International Level Athletes – The Athletes designated by one or more International Federations as being within the Registered Testing Pool for an International Federation. For the avoidance of doubt, all APB and WSB Boxers shall be considered as International Level Athletes.

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 Standard shall include any Technical Document issued pursuant to the International Standard.

Major Event Organizations - The continental associations of National Olympic Committees and other international multisport organizations that function as the ruling body for any regional, continental or other International Event.

Marker - A compound, group of compounds or biological parameter(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 majority as established by the applicable laws of his /her country of residence.

Missed Test - Missed Test has the meaning given to such term in Article 2.4.

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

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

National Federation - Any Federation that is admitted into membership of AIBA by the Congress, hence becoming a member of AIBA.

National Olympic Committee – The organization recognized by the International Olympic Committee as the national constituent for the Olympic Movement. The term National Olympic Committee shall also include the National Federation in those countries where the National Federation assumes typical National Olympic Committee responsibilities in the anti-doping area.

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

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

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

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

Participant - Any Athlete or Athlete Support Personnel.

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

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

[Comment: Under this definition, steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that case, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the steroids were in the cabinet and that the Athlete intended to exercise control over the steroids.]

Prohibited List - The list identifying the Prohibited Substances and Prohibited Methods.

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

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

Provisional Hearing - For purposes of Article 7.6, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the Athletes with notice and an opportunity to be heard in either written or oral form.

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

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

Registered Testing Pool - The pool of top level Athletes established separately by AIBA and each National Anti-Doping Organization who are subject to both In-Competition and Out-of-Competition Testing as part of AIBA's or the National Anti-Doping Organization's test distribution plan and which includes also Athletes who compete in APB and WSB.

Retroactive TUE - As defined in the International Standard for Therapeutic Use Exemptions.

Sample - Any biological material collected for the purposes of Doping Control.

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

Specified Substances - As defined in Article 4.2.2.

Substantial Assistance - For purposes of Article 10.5.3, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he/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; or providing fraudulent information to an Anti-Doping Organization.

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

Team Sport - A sport in which the substitution of Athletes 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.

Therapeutic Use Exemptions (TUEs) - As defined in Article 2.6.1.

Trafficking - Selling, giving, transporting, sending, delivering or distributing a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by an Athlete, Athlete Support Personnel 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.

TUE Panel - As defined in Article 4.4.3.

UNESCO Convention - The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on October 19, 2005 including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

Use - The utilization, application, ingestion, injection or consumption by any mean whatsoever of any Prohibited Substance or Prohibited Method.

WADA - The World Anti-Doping Agency.

World Series of Boxing - The international boxing league Competition known as the World Series of Boxing comprising multiple Franchisees which has been established by WSB.

WSB - World Series of Boxing SA. incorporated in Canton Vaud, Switzerland, or its successors in title, which owns and controls the World Series of Boxing.

WSB Board - The board of directors of WSB acting in accordance with the governing documents of WSB.

AIBA ANTI-DOPING RULES

INTRODUCTION

Preface

AIBA accepted the revised 2009 World Anti-Doping Code (the “Code”) on January 1, 2009 and WSB accepted the Code on July 1, 2010. These Anti-Doping Rules have been duly passed by AIBA and WSB and shall apply from August 1, 2013. These Anti-Doping Rules are adopted and implemented in conformance with AIBA’s and WSB’s responsibilities under the Code, and are in furtherance of AIBA’s and WSB’s continuing efforts to eradicate doping in the sport of boxing.

Anti-Doping Rules, like Competition Rules, are sport rules governing the conditions under which sport is played. Athletes and other Persons accept these rules as a condition of participation and shall be bound by them. These boxing-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore, not intended to be subject to, or limited by, any national requirements and legal standards applicable to criminal proceedings or employment matters. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

Fundamental Rationale for the Code and AIBA Anti-Doping Rules

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

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

Scope

These Anti-Doping Rules shall apply to AIBA, each National Federation of AIBA, each Franchisee, and each Participant in the activities of AIBA, WSB or any National Federation of AIBA by virtue of the Participant’s membership, accreditation, or participation in AIBA, WSB, National Federation of AIBA, or their activities or Events. The National Federation must guarantee that all Athletes registered for an AIBA Licence accept the Rules of AIBA, including these AIBA Anti-Doping Rules. Each Franchisee must guarantee that all Athletes registered with it accept the Rules of AIBA and WSB, including these AIBA Anti-Doping Rules.

It is the responsibility of each National Federation to ensure that all national level Testing on the National Federation’s Athlete complies with these Anti-Doping Rules. In some countries, the National Federation itself will be conducting the Doping Control described in these Anti-Doping Rules. In other countries, many of the Doping Control responsibilities of the National Federation have been delegated or assigned by statute or agreement to a National Anti-Doping Organization.

In those countries, references in these Anti-Doping Rules to the National Federation shall apply, as appropriate, to the National Anti-Doping Organization.

These Anti-Doping Rules shall apply to all Doping Controls over which AIBA and its National Federations and WSB have jurisdiction.

All Athletes shall submit to Doping Control carried out by AIBA In-Competition, Out-of-Competition, announced or unannounced. The Athletes shall submit to Doping Control whenever requested by an authorized official.

In order to be eligible to compete or participate in, or otherwise be accredited at an International Competition, Athletes and where applicable Athlete Support Personnel and other Persons must have signed a prior written "Acknowledgement and Agreement" official AIBA form for these AIBA Anti-Doping Rules. This official AIBA form shall be produced by the AIBA Anti-Doping Administrator. In guaranteeing the eligibility of their Athletes for International Competition, National Federations guarantee that the Athletes have signed a written acknowledgement and agreement in the required form and that a copy of the signed agreement has been sent to the AIBA Anti-Doping Administrator.

AIBA Anti-Doping Organization

AIBA shall principally act under these AIBA Anti-Doping Rules by the following Persons or bodies:

- a) the AIBA Executive Committee;
- b) the WSB Board;
- c) the AIBA Medical Commission;
- d) the AIBA Doping Control Sub-Commission (DCSC);
- e) the AIBA TUE Panel;
- f) the AIBA Anti-Doping Hearing Panel;
- g) the AIBA Anti-Doping Administrator.

The AIBA Executive Committee

The AIBA Executive Committee has a duty to oversee and supervise the activities of AIBA in accordance with its objectives. One of these objectives is to promote a true AIBA spirit.

The AIBA Executive Committee has specific powers under the AIBA Statutes (see AIBA Statutes - Article 38).

The AIBA Executive Committee has also the power:

- to approve, reject or amend the AIBA Anti-Doping Rules;
- to pronounce provisional suspensions;
- to appoint an AIBA Doping Hearing Panel and an AIBA TUE Panel;
- to reduce the period of Ineligibility in an individual case where the Athlete has provided Substantial Assistance to AIBA which results in AIBA discovering or establishing an anti-doping rule violation by another Person involving Possession under Article 2.6;
- to withhold some or all funding or other non-financial support to National Federations that are not in compliance with these AIBA Anti-Doping Rules;
- to request National Federations to reimburse AIBA for all costs related to a violation of these AIBA Anti-Doping Rules committed by an Athlete or other Person affiliated with that National Federation;
- to take additional disciplinary action against National Federations with respect to recognition, the eligibility of its officials and Athletes to participate in International Events and fines based on the Rules.

The WSB Board

The WSB Board has the power:

- to approve or reject the AIBA Anti-Doping Rules;
- to pronounce provisional suspensions;
- to reduce the period of Ineligibility in an individual case where the Athlete has provided Substantial Assistance to AIBA which results in AIBA discovering or establishing an anti-doping rule violation by another Person involving Possession under Article 2.6;
- to request Franchisees to reimburse AIBA for all costs related to a violation of these AIBA Anti-Doping Rules committed by an Athlete or other Person affiliated with that Franchisee;
- to take additional disciplinary action against Franchisees with respect to recognition, the eligibility of its officials and Athletes to participate in International Events and fines based on the Rules.

The AIBA Medical Commission

The AIBA Medical Commission is appointed as Commission to the AIBA Executive Committee to make recommendations in the first place to the AIBA Executive Committee with regard to the physical well-being of Athletes and collect information on medical matters relating to boxing. It shall:

- consist of its Chairperson, Vice Chairperson, Secretary and Members; the AIBA Medical Commission is built around 14 core Members (all of whom shall be qualified Doctors of Medicine) who shall meet at least once a year;
- report to the AIBA Executive Committee on its activities before each AIBA Executive Committee meeting and shall communicate with the AIBA Headquarters on all anti-doping and related matters through the AIBA Anti-Doping Department.

The AIBA Doping Control Sub-Commission (DCSC)

The AIBA DCSC is appointed as a Sub-Commission of the AIBA Medical Commission and shall have responsibility for the following further specific tasks under these AIBA Anti-Doping Rules:

- publish the AIBA Anti-Doping Rules and amendments to the Rules, as often as may be required.
The AIBA Anti-Doping Rules shall comprise, either directly or by reference, the following documents issued by WADA: the Prohibited List, the International Standard for Testing, the International Standard for Laboratories and the International Standard for Therapeutic Use Exemptions (TUEs) together with any addition to such documents, or further procedures or guidelines, that may be deemed necessary to comply with these AIBA Anti-Doping Rules or otherwise pursue the AIBA Anti-Doping Program. These AIBA Anti-Doping Rules, and any proposed amendment to them, unless otherwise stated in the Rules, must be approved by the AIBA Executive Committee. Upon giving its approval, the AIBA Executive Committee shall fix a date on which the AIBA Anti-Doping Rules, or any proposed amendment to them, shall take effect. The AIBA Headquarters shall notify the National Federations of this date and shall publish the AIBA Anti-Doping Rules, and any proposed amendment to them, on the AIBA website;
- advise the AIBA Medical Commission on amendments to these AIBA Anti-Doping Rules as may be necessary from time to time;
- plan, implement and monitor anti-doping information and anti-doping education programs;
- advise on sport-specific information in regard to the specificity of the sport and the type of performance enhancing substances;
- review the WADA Prohibited List in relation to specific knowledge about all disciplines of boxing;
- The AIBA DCSC shall report to the Chairperson of the AIBA Medical Commission on its activities before each AIBA Executive Committee meeting. It shall communicate with the AIBA Headquarters on all anti-doping and related matters through the AIBA Anti-Doping Department. The report will be part of the AIBA Medical Commission report.

The AIBA TUE Panel

The AIBA TUE Panel shall be appointed by the AIBA Executive Committee on recommendation of the AIBA Medical Commission and shall consider requests for TUEs. Upon AIBA's receipt of a TUE request, the Chairperson of the AIBA TUE Panel shall appoint three members of the AIBA TUE Panel (which may include the Chairperson) to consider such request. The AIBA TUE Panel member(s) so designated shall promptly evaluate such request in accordance with the International Standard for TUEs and render a decision on such request, which shall be the final decision of AIBA.

The AIBA Anti-Doping Hearing Panel

The AIBA Anti-Doping Hearing Panel shall be appointed by the AIBA Executive Committee. The Panel must consist of a Chairperson, the AIBA DCSC Chairperson and at least three other experts with experience in anti-doping. The Chairperson shall be a lawyer.

When sitting in judgment of a doping case, no panel member from the same country shall sit in the decision panel.

The AIBA Anti-Doping Hearing Panel must adjudicate when it appears, following the Result Management process described in Article 7 that these AIBA Anti-Doping Rules have been violated in connection with AIBA Testing or Testing at an International Event.

- Each case must be heard by a hearing panel comprised of three members of the Anti-Doping Hearing Panel (including the Chairperson) and the AIBA DCSC Chairperson. Appointed members shall have had no prior involvement with the case and shall not have the same nationality as the Athletes or other Person alleged to have violated these AIBA Anti-Doping Rules;
- The AIBA Anti-Doping Hearing Panel, upon request from AIBA, shall conduct a hearing at the responsibility and at the expense of the National Federation if the completion of the national hearing is delayed beyond three months.

The AIBA Anti-Doping Administrator

The AIBA Anti-Doping Administrator is the head of AIBA Anti-Doping Department. He/she shall have responsibility for implementing the anti-doping program which has been established by the AIBA DCSC. He/she shall report to the AIBA Medical Commission and to the AIBA DCSC in this regard at least twice a year at the time of the AIBA Medical Commission and AIBA DCSC meetings and, more regularly, if called upon to do so.

The AIBA Anti-Doping Administrator shall have responsibility for the day-to-day administration of doping cases arising under these AIBA Anti-Doping Rules. In particular, the AIBA Anti-Doping Administrator shall be the Person responsible, where applicable, for conducting the result management process in accordance with the AIBA Anti-Doping Rules.

Where Doping Control is the responsibility of the AIBA Anti-Doping Administrator under Article 7.1, the Athletes shall be suspended by the AIBA Anti-Doping Administrator after consultation of the AIBA DCSC Chairperson. The AIBA Anti-Doping Administrator may at any time in the course of his/her work seek an advisory opinion from the Chairperson of the AIBA Medical Commission and the Chairperson of the AIBA DCSC, from the AIBA TUE Panel, from the AIBA Anti-Doping Hearing Panel or from such other Person as he/she considers to be appropriate. The AIBA Anti-Doping Administrator shall participate at any International Competition or meeting needed for the administration of doping cases and the fight against doping.

These Anti-Doping Rules have been duly passed by the AIBA Executive Committee further to, and in accordance with, the regulations. They shall take effect from August 1, 2013 i.e. in relation to all samples provided, or (where no Sample is provided) to all anti-doping rule violations committed, on or after that date. They shall not be applied retrospectively to doping matters pending at August 1, 2013.

In the Event of any conflict between the potential different language versions of these Anti-Doping Rules, the English version shall be considered as the definitive version.

ARTICLE 1 DEFINITION OF DOPING

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

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Athletes and other *Persons* shall be responsible for knowing 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 The 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/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 violation under Article 2.1.
 - 2.1.2** Sufficient proof of an anti-doping rule violation under Article 2.1 is established by either 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*.
 - 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 Standard* 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/her body. 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* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was Used or attempted to be Used for an anti-doping rule violation to be committed.
- 2.3 Refusing or failing without compelling justification to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules, or otherwise evading *Sample* collection.**
- 2.4 Violation of applicable requirements regarding *Athlete's* availability for *Out-of-Competition Testing* set out in the *International Standard for Testing*, including failure to file whereabouts information in accordance with Article 11.3 of the *International Standard for Testing* (a "Filing Failure") and failure to be available for *Testing* at the declared whereabouts in accordance with Article 11.4 of the *International Standard for Testing* (a "Missed Test").**

Any combination of three Missed Tests and/or Filing Failures committed within an eighteen-month period, as declared by AIBA or any other *Anti-Doping Organization* with jurisdiction over an *Athlete*, shall constitute an anti-doping rule violation.

2.5 *Tampering or attempted Tampering with any part of Doping Control.*

2.6 *Possession of Prohibited Substances and Methods*

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

2.6.2 *Possession by Athlete Support Personnel In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by Athlete Support Personnel Out-of-Competition of any Prohibited Method or any Prohibited Substance which is prohibited Out-of-Competition, in connection with an Athlete, Competition or training, unless the Athlete Support Personnel establishes that the Possession is pursuant to a TUE granted to an Athlete in accordance with Article 4.4 (Therapeutic Use) 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 Method or Prohibited Substance, or administration or attempted administration to any Athlete Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted anti-doping rule violation.*

ARTICLE 3 PROOF OF DOPING

3.1 **Burdens and Standards of Proof**

AIBA and each of its *National Federations* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether AIBA or its *National Federation* 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 probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *Athletes* or other *Persons* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except as provided in Articles 10.4 and 10.6, where the *Athletes* must satisfy a higher burden of proof.

3.2 **Methods of Establishing Facts and Presumptions**

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

3.2.1 *WADA-accredited laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. Any Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard occurred which could reasonably have caused the Adverse Analytical Finding.*

If an *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*, then AIBA or its *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

- 3.2.2** Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or other anti-doping rule violation occurred, then AIBA or its *National Federation* shall have the burden to establish that such a departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.
- 3.2.3** 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.
- 3.2.4** The hearing panel in a hearing on an anti-doping rule violation may draw an inference 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 a reasonable time in advance of the hearing, to appear at the hearing (either personally or telephonically as directed by the tribunal) and to answer questions either from the hearing panel or from the *Anti-Doping Organization* asserting the anti-doping rule violation.

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

These Anti-Doping Rules incorporate the *Prohibited List* which is published and revised by WADA as described in Article 4.1 of the *Code*. AIBA will make the current *Prohibited List* available to each *National Federation*, and each *National Federation* shall ensure that the current *Prohibited List* is available to its members and constituents. WSB will make the current *Prohibited List* available to each *Franchisee*, and each *Franchisee* shall ensure that the current *Prohibited List* is available to its *Athletes* and officials.

[Comment to Article 4.1: The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made. The Prohibited List in force is available on WADA's website at www.WADA-ama.org. The Prohibited List is an integral part of the International Convention against Doping in Sport. WADA will inform the Director General of UNESCO of any change to the Prohibited List.]

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 Anti-Doping Rules three months after publication of the *Prohibited List* by WADA without requiring any further action by AIBA. As described in Article 4.2 of the *Code*, AIBA may upon the recommendation of its Anti-Doping DCSC request that WADA expands the *Prohibited List* for the sport of boxing or certain disciplines within the sport of boxing.

AIBA may also upon the recommendation of its Medical Commission request that WADA includes additional substances or methods, which have the potential for abuse in the sport of boxing, in the monitoring program described in Article 4.5 of the Code. As provided in the Code, WADA shall make the final decision on such requests by AIBA.

4.2.2 Specified Substances

For purposes of the application of Article 10 (Sanctions on Individuals), all *Prohibited Substances* shall be *Specified Substances* except (a) substances in the classes of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. *Prohibited Methods* shall not be *Specified Substances*.

4.2.3 New Classes of Prohibited Substances

In the case WADA expands the *Prohibited List* by adding a new class of *Prohibited Substances* in accordance with Article 4.1 of the Code, WADA's Executive Committee shall determine whether any or all *Prohibited Substances* within the new class of *Prohibited Substances* shall be considered *Specified Substances* under Article 4.2.2.

[Comment to Article 4.2.1: There will be one Prohibited List. The substances which are prohibited at all times would include masking agents and those substances which, when used in training, may have long term performance enhancing effects such as anabolic. All substances and methods on the Prohibited List are prohibited In-Competition. Out-of-Competition Use (Article 2.2) of a substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the substance or its Metabolites is reported for a Sample collected In-Competition (Article 2.1).]

There will be only one document called the "Prohibited List." WADA may add additional substances or methods to the Prohibited List for particular sports (e.g. the inclusion of beta-blockers for shooting) but this will also be reflected on the single Prohibited List. A particular sport is not permitted to seek exemption from the basic list of Prohibited Substances (e.g. eliminating anabolics from the Prohibited List for "mind sports"). The premise of this decision is that there are certain basic doping agents which anyone who chooses to call him/herself an Athlete should not take.]

4.3 Criteria for Including Substances and Methods on the Prohibited List

As provided in Article 4.3.3 of the Code, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* 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.

[Comment to Article 4.3: The question of whether a substance meets the criteria in Article 4.3 (Criteria for Including Substances and Methods on the Prohibited List) in a particular case cannot be raised as a defense to an anti-doping rule violation. For example, it cannot be argued that the Prohibited Substance detected would not have been performance enhancing in that particular sport. Rather, doping occurs when a substance on the Prohibited List is found in an Athlete's Sample. Similarly, it cannot be argued that a substance listed in the class of anabolic agents does not belong in that class.]

4.4 Therapeutic Use

4.4.1 *Athletes* with a documented medical condition requiring the Use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a TUE. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 2.1), Use or attempted Use of a *Prohibited Substance* or a *Prohibited Method* (Article 2.2.), Possession of *Prohibited Substances* or *Prohibited Methods* (Article 2.6) or administration of a *Prohibited Substance* or *Prohibited Method* (Article 2.8) consistent with the provisions of an applicable TUE issued pursuant to the *International Standard for TUEs* shall not be considered an anti-doping rule violation.

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- 4.4.2** Subject to Article 4.4.3, *Athletes* included in the *Registered Testing Pool* and other *Athletes* participating in any *International Event* must obtain a *TUE* from AIBA (regardless of whether the *Athlete* previously has received a *TUE* at the national level). The application for a *TUE* must be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any case (save in emergency situations) no later than 21 days before the *Athlete's* participation in the *Event*.
- 4.4.3** The only exception to Article 4.4.2 is that, in accordance with Article 7.13 of the *International Standard for TUEs*, *Athletes* not the *Registered Testing Pool* who inhale Glucocorticosteroids and/or formoterol, salbutamol, salmeterol or terbutaline to treat asthma or one of its clinical variants do not need a *TUE* in advance of participating in an *International Event* unless so specified by AIBA. Instead, if necessary, any such *Athlete* may apply for a *Retroactive TUE* after the *Event* in accordance with Article 7.13 of the *International Standard for TUEs* and Article 7.1.3 of these Anti-Doping Rules.
- 4.4.4** *TUEs* granted by AIBA shall be reported to the *Athlete's National Federation* and to WADA. Other *Athletes* subject to *Testing* who need to *Use a Prohibited Substance* or a *Prohibited Method* for therapeutic reasons must obtain a *TUE* from their *National Anti-Doping Organization* or other body designated by their *National Federation*, as required under the rules of the *National Anti-Doping Organization/other body*. *National Federations* shall promptly report any such *TUE* to AIBA and WADA.
- 4.4.5** The AIBA Executive Committee shall appoint a panel of medical doctors to consider requests for *TUEs* (the "*TUE Panel*"). Upon AIBA's receipt of a *TUE* request, the Chairperson of the *TUE Panel* shall appoint one or more members of the *TUE Panel* (which may include the Chairperson) to consider such request. The *TUE Panel* member(s) so designated shall promptly evaluate such request in accordance with the *International Standard for TUEs* and render a decision on such request, which shall be the final decision of AIBA.
- 4.4.6** WADA, at the request of an *Athlete* or on its own initiation, may review the granting or denial of any *TUE* by AIBA. If WADA determines that the granting or denial of a *TUE* did not comply with the *International Standard for TUEs* in force at the time then WADA may reverse that decision. Decisions on *TUEs* are subject to further appeal as provided in Article 13.

ARTICLE 5 TESTING

5.1 Authority to Test

All *Athletes* under the jurisdiction of a *National Federation* or *WSB* shall be subject to *In-Competition Testing* by AIBA, each *Athlete's National Federation*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* under the jurisdiction of a *National Federation* or *WSB*, including any *Athlete* serving a period of *Ineligibility* or a *Provisional Suspension*, shall also be subject to *Out-of-Competition Testing* at any time or place, with or without advance notice, by AIBA, WADA, the *Athlete's National Federation*, the *National Anti-Doping Organization* of any country where the *Athlete* is present, the International Olympic Committee during the Olympic Games, and the International Paralympic Committee during Paralympic Games. *Target Testing* will be made a priority.

[Comment to Article 5.1: *Target Testing* is specified because random *Testing*, or even weighted random *Testing*, does not ensure that all of the appropriate *Athletes* will be tested (e.g., world-class *Athletes*, *Athletes* whose performances have dramatically improved over a short period of time, *Athletes* whose coaches have had other *Athletes* test positive, etc.). Obviously, *Target Testing* must not be used for any purpose other than legitimate *Doping Control*. The Code makes it clear that *Athletes* have no right to expect that they will be tested only on a random basis. Similarly, it does not impose any reasonable suspicion or probable cause requirement for *Target Testing*.]

5.2 Responsibility for AIBA Testing

- 5.2.1 The AIBA Medical Commission shall be responsible for drawing up a test distribution plan for the sport of boxing in accordance with Article 4 of the *International Standard for Testing*, and for the implementation of that plan, including overseeing the *Testing* conducted by or on behalf of AIBA. *Testing* may be conducted by members of the AIBA DCSC or by other suitably qualified *Persons* so authorized by AIBA.
- 5.2.2 AIBA and its *National Federations* may delegate *Testing* under these Rules to any *National Federation*, WADA, governmental agency, *National Anti-Doping Organization* or other third party which they deem to be suitably qualified for the purpose.
- 5.2.3 AIBA shall have responsibility for initiating and directing *In-Competition Testing* at the following international *Competitions*: AIBA World Boxing Championships, AIBA Olympic Qualifying *Events*, APB Matches.
- 5.2.4 If AIBA has delegated *Testing* under Article 5.2.2 above, it may appoint a representative to attend at the international *Competition* in question to ensure that these Anti-Doping Rules are being properly applied.
- 5.2.5 In consultation with the relevant *National Federation* and NADO, AIBA may conduct, or assist in the conduct of, *Doping Controls* at a *National Federation's* National Championships. In consultation with the relevant Confederation, AIBA may conduct, or assist in the conduct of, *Doping Controls* at a Confederation's Championships.
- 5.2.6 In all other cases (except where *Doping Control* is carried out under the rules of another international sport organization ruling body), the *National Federation* conducting the controls, or in whose country or territory a *Competition* is held, shall be responsible for initiating and directing *In-Competition Testing*. If the *National Federation* has delegated its *Testing* under Article 5.2.2 above, it is the *National Federation's* responsibility to ensure that such *Testing* carried out in its country or territory complies with these Anti-Doping Rules.
- 5.2.7 AIBA shall focus its *Out-of-Competition Testing* primarily on *International Level Athletes* and *Athletes* preparing to compete in international *Competitions*. However, it may, at its discretion, conduct *Out-of-Competition Testing* on any *Athlete* at any time. In most cases, *Testing* shall be carried out without notice to the *Athlete* or his/her *Athlete Support Personnel* or *National Federation*.

5.3 Testing Standards

Testing conducted by AIBA and its *National Federations* shall be in substantial conformity with the *International Standard for Testing* in force at the time of *Testing*.

- 5.3.1 Blood (or other non-urine) *Samples* may be used to detect *Prohibited Substances* or *Prohibited Methods*, for screening procedure purposes, or for longitudinal hematological profiling ("the passport"). If the *Sample* is collected for screening only, it will have no *Consequences* for the *Athlete* other than to identify him/her for a urine test under these Anti-Doping Rules. In these circumstances, the AIBA may decide at its own discretion which blood parameters are to be measured in the screening *Sample* and what levels of those parameters will be used to indicate that an *Athlete* should be selected for a urine test. However, if the *Sample* is collected for longitudinal hematological profiling ("the passport"), it may be used for anti-doping purposes in accordance with Article 2.2 of the *Code*.

5.4 Coordination of Testing

AIBA and *National Federations* shall promptly report completed tests through the WADA Clearinghouse to avoid unnecessary duplication in *Testing*.

5.5 Athlete Whereabouts Requirements

- 5.5.1** AIBA has a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of the *International Standard for Testing*, and shall publish the criteria for *Athletes* to be included in this *Registered Testing Pool* as well as a list of the *Athletes* meeting those criteria for the period in question. AIBA shall review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. Each *Athlete* in the *Registered Testing Pool* shall:
- a) file quarterly reports with AIBA on forms provided by AIBA which specify on a daily basis the locations and times where the *Athlete* will be residing training and competing, advise AIBA of his/her whereabouts on a quarterly basis in the manner set out in Article 11.3 of the *International Standard for Testing*;
 - b) update that information as necessary so that it is current at all times, in accordance with Article 11.4.2 of the *International Standard for Testing*, so that it remains accurate and complete at all times; and
 - c) make him/herself available for *Testing* at such whereabouts, in accordance with Article 11.4 of the *International Standard for Testing*. The ultimate responsibility for providing whereabouts information rests with each *Athlete*; however, it shall be the responsibility of each *National Federation* to make its best efforts to assist AIBA in obtaining whereabouts information as requested by AIBA.

Members of the *Registered Testing Pool* are:

- In the Olympic Qualification Period, every *Athlete* who has obtained a quota place for his/her country, independently if he/she will be participating in the Olympic Games;
- The senior medal winners of the latest World & Continental Boxing Championships;
- The senior medal winners of the previous Olympic Games;
- The AIBA Medical Commission can include any other *Athlete*, member of a national team, in the *Registered Testing Pool* by written notice to the *National Federation* and the *Athlete* concerned;
- All *Athletes* participating in the *World Series of Boxing*;
- All *Athletes* participating in *APB* at world or continental level;
- If an *Athlete* no longer fulfills any of the above criteria, he/she will remain in the *Registered Testing Pool* until the end of the calendar year;
- The list of *Athletes* in the *Registered Testing Pool* shall be available on the AIBA website.

[Comment to Article 5.5.1: The purpose of the AIBA Registered Testing Pool is to identify top International Level Athletes who the AIBA requires to provide whereabouts information to facilitate Out-of-Competition Testing by AIBA and other Anti-Doping Organizations with jurisdiction over the Athletes. AIBA will identify such Athletes in accordance with the requirements of Articles 4 and 11.2 of the International Standard for Testing.]

- 5.5.2** Any *Athlete's* failure to advise AIBA of his/her whereabouts shall be deemed a Filing Failure for purposes of Article 2.4 where the conditions of Article 11.3.5 of the *International Standard for Testing* are met.
- 5.5.3** Any *Athlete's* failure to be available for *Testing* at his/her declared whereabouts shall be deemed a *Missed Test* for purposes of Article 2.4 where the conditions of Article 11.4.3 of the *International Standard for Testing* are met.
- 5.5.4** Each *National Federation* shall also assist its *National Anti-Doping Organization* in establishing a national level *Registered Testing Pool* of top level national *Athletes* to whom the whereabouts requirements of the *International Standard for Testing* shall also apply.

Where those *Athletes* are also in the AIBA *Registered Testing Pool*, the AIBA and the *National Anti-Doping Organization* will agree (with the assistance of WADA if required) on which of them will take responsibility for receiving whereabouts filings from the *Athletes* and sharing it with the other (and with other *Anti-Doping Organizations*) in accordance with Article 5.5.5.

- 5.5.5** Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with WADA and other *Anti-Doping Organizations* having jurisdiction to test an *Athlete* in accordance with Articles 11.7.1(d) and 11.7.3(d) of the *International Standard for Testing*, including the strict condition that it be used only for *Doping Control* purposes.

5.6 Retirement and Return to *Competition*

- 5.6.1** An *Athlete* who has been identified by AIBA for inclusion in the *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the *International Standard for Testing* unless and until the *Athlete* gives written notice to AIBA that he/she has retired or until he/she no longer satisfies the criteria for inclusion in the *Registered Testing Pool* and has been so informed by AIBA.
- 5.6.2** An *Athlete* who has given notice of retirement to AIBA or WSB may not resume competing unless he/she notifies AIBA or WSB at least six months before he/she expects to return to *Competition* and makes him/herself available for unannounced *Out-of-Competition Testing*, including (if requested) complying with the whereabouts requirements of the *International Standard for Testing*, at any time during the period before actual return to *Competition*.
- 5.6.3** *National Federations/National Anti-Doping Organizations* may establish similar requirements for retirement and returning to *Competition* for *Athletes* in the national *Registered Testing Pool*.

5.7 Selection of *Athletes* to be tested

- 5.7.1** At *International Events*, the Chairperson of the AIBA DCSC, together with the Chairperson of the AIBA Medical Commission, shall determine the number of finishing placement tests, random tests and target tests to be performed.

5.7.1.1 The following *Athletes* shall be tested at *International Events*:

Each Individual *Athlete* finishing in one of the top three placements in all weight categories in the *Event*, plus one other Boxer in the *Event* selected at random. The AIBA Medical Commission shall target a certain number of *Athletes* not necessarily linked to final placements in order to maximize the diversity of *Athletes* tested or based on information provided by the WADA Clearinghouse on previous tests.

The minimum number of tests for a World Boxing Championships shall be 20. The number of tests will be determined by the AIBA Medical Commission in cooperation with the organizing committee of the World Boxing Championships.

- 5.7.1.2** At Continental Boxing Championships, each Confederation shall determine the number of *Athletes* selected for *Testing* in each Continental Boxing Championships and shall submit its plan to the AIBA Medical Commission prior to the Championships.

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

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- 5.7.3** In addition to the selection procedures set forth in Articles 5.7.1 and 5.7.2 above, the AIBA Medical Commission at *International Events*, and the *National Federation* at *National Events*, may also select *Athletes* or teams for *Target Testing* so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.
- 5.7.4** *Athletes* shall be selected for *Out-of-Competition Testing* by the AIBA DCSC, by *National Federations* and by WADA through a process that substantially complies with the *International Standard for Testing* in force at the time of selection.
- 5.8** *National Federations* and organizing committees for *National Federation Events* shall provide access to *Independent Observers* at *Events* as directed by AIBA. AIBA and its Confederations shall provide access to *Independent Observers* at their respective *International Events*.

ARTICLE 6 ANALYSIS OF SAMPLES

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

6.1 Approved Laboratories

AIBA shall send *Doping Control Samples* for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the *Sample* analysis shall be determined exclusively by AIBA.

[Comment to Article 6.1: Violations of Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers) may be established only by Sample analysis performed by a WADA-accredited laboratory or another laboratory specifically authorized by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

6.2 Purpose of Collection and Analysis of Samples

Samples shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the monitoring program described in Article 4.5 of the *Code* or to assist AIBA in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

[Comment to Article 6.2: For example, relevant profile information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 2.2 (Use of a Prohibited Substance), or both.]

6.3 Research on Samples

No *Sample* may be used for any purpose other than as described in Article 6.2 without the *Athlete's* written consent. *Samples* used (with the *Athlete's* consent) 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 *Doping Control Samples* and report results in conformity with the *International Standard for Laboratories*.

6.5 Retesting Samples

A *Sample* may be reanalyzed for the purposes described in Article 6.2 at any time exclusively at the direction of AIBA or WADA. The circumstances and conditions for retesting *Samples* shall conform to the requirements of the *International Standard for Laboratories*.

[Comment to Article 6.5: Although this Article is new, Anti-Doping Organizations have always had the authority to reanalyze Samples. The International Standard for Laboratories or a new technical document which is made a part of the International Standard will harmonize the protocol for such retesting.]

ARTICLE 7 RESULT MANAGEMENT

7.1 Result Management for Tests Initiated by AIBA

Result management for tests initiated by AIBA (including tests performed by WADA pursuant to agreement with AIBA) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to AIBA in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential. AIBA uses *Adams*, a database management tool developed by WADA.

Adams is consistent with data privacy statutes and norms applicable to WADA and other organizations using it.

7.1.2 Upon receipt of an *A Sample Adverse Analytical Finding*, the *AIBA Anti-Doping Administrator* shall conduct a review to determine whether:

- (a) the *Adverse Analytical Finding* is consistent with an applicable *TUE*, or
- (b) there is any apparent departure from the *International Standard for Testing or International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

7.1.3 In the following circumstances:

- a) The *Adverse Analytical Finding* is for a Glucocorticosteroid, formoterol, salbutamol, salmeterol or terbutaline; and
- b) The *Sample* in question was provided by an *Athlete* who is not in the *AIBA Registered Testing Pool*, during his/her participation in an *International Event* for which (in accordance with Article 7.13 of the *International Standard for TUEs* and Article 4.4.3 of these Anti-Doping Rules, AIBA does not require a *TUE* for asthma medication in advance; then, before the matter is referred to AIBA under Article 7.1, the *Athlete* shall be given an opportunity to apply to the *TUE Committee* for a *Retroactive TUE* in accordance with Article 7.13 of the *International Standard for TUEs*. The result of that application shall be forwarded to AIBA for consideration in its review of the *Adverse Analytical Finding* under Article 7.1.2.

7.1.4 If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable *TUE*, or departure from the *International Standard for Testing or the International Standard for Laboratories* that caused the *Adverse Analytical Finding*, the *AIBA Anti-Doping Administrator* shall promptly notify the *Athlete* 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 (which shall be within the time period specified in the *International Standard for Laboratories*) if the *Athlete* or AIBA 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 at the scheduled date, time and place 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. The *AIBA Anti-Doping Administrator* shall also notify the *Athlete's National Anti-Doping Organization* and *WADA*. If *AIBA* decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*, the *Athlete's National Anti-Doping Organization* and *WADA*.

7.1.5 Where requested by the *Athlete* or *AIBA*, arrangements shall be made for *Testing* the B *Sample* within the time period specified in the *International Standard for Testing*. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. *AIBA* may nonetheless elect to proceed with the B *Sample* analysis.

7.1.6 The *Athlete* and/or his/her representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard* for Laboratories. Also a representative of the *Athlete's National Federation* and in the case of a *World Series of Boxing Athlete*, a representative of the relevant *Franchisee* as well as a representative of *AIBA* shall be allowed to be present.

7.1.7 If the B *Sample* proves negative, then (unless *AIBA* takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Athlete*, his/her *National Federation*, and *AIBA* shall be so informed.

7.1.8 If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified, the findings shall be reported to the *Athlete*, his/her *National Federation*, the *AIBA Anti-Doping Administrator*, the *AIBA DCSC Chairperson*, and to *WADA*.

7.1.9 For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, the *AIBA Anti-Doping Administrator* shall conduct any necessary follow-up investigation and, at such time as it is satisfied that an anti-doping rule violation has occurred, he/she shall then promptly notify the *Athlete* of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.2 Result Management for *Atypical Findings*

7.2.1 As provided in the *International Standards*, in certain circumstances laboratories are directed to report the presence of *Prohibited Substances* that may also be produced endogenously as *Atypical Findings* that should be investigated further.

7.2.2 If a laboratory reports an *Atypical Finding* in respect of a *Sample* collected from an *Athlete* by or on behalf of *AIBA*, the *AIBA Anti-Doping Administrator* shall conduct a review to determine whether: (a) the *Atypical Finding* is consistent with an applicable *TUE* that has been granted as provided in the *International Standard for TUEs*, or (b) there is any apparent departure from the *International Standard for Testing* or *International Standard* for Laboratories that caused the *Atypical Analytical Finding*.

7.2.3 If the initial review of an *Atypical Finding* under Article 7.2.2 reveals an applicable *TUE* or departure from the *International Standard for Testing* or the *International Standard* for Laboratories that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, his/her *National Federation* and where the *Athlete* is a *World Series of Boxing Athlete*, his *Franchisee*, and *AIBA* shall be so informed.

7.2.4 If the initial review of an *Atypical Finding* under Article 7.2.2 does not reveal an applicable *TUE* or departure from the *International Standard for Testing* or the *International Standard* for Laboratories that caused the *Atypical Finding*, *AIBA* shall conduct the follow-up investigation required by the *International Standards*.

If, once that investigation is completed, it is concluded that the *Atypical Finding* should be considered an *Adverse Analytical Finding*, AIBA shall pursue the matter in accordance with Article 7.1.3.

7.2.5 AIBA will not provide notice of an *Atypical Finding* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

- a) If AIBA determines the B *Sample* should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the B *Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.1.3(c) to (f).
- b) If AIBA receives a request, either from a *Major Event Organization* shortly before one of its *International Events* or from a sport organization responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided but the *Major Event Organization* or sport organization has a pending *Atypical Finding*, AIBA shall so identify any such *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*.

7.3 Result Management for Tests initiated during Other *International Events*

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

7.4 Result Management for Tests initiated by *National Federations*

Result management conducted by *National Federations* shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Article 7. Results of all *Doping Controls* shall be reported to the AIBA DCSC Chairperson, the *AIBA Anti-Doping Administrator* and to WADA within 14 days of the conclusion of the *National Federation's* results management process. The relevant *Person* or body of the *National Federation* shall keep the *AIBA Anti-Doping Administrator* updated on the process at all times. Requests for assistance or information in conducting the results management process may be made to the *AIBA Anti-Doping Administrator* at any time. Any apparent anti-doping rule violation by an *Athlete* who is a member of that *National Federation* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *National Federation* or national laws. Apparent anti-doping rule violations by *Athletes* who are members of other *National Federations* shall be referred to the *Athletes' National Federations* for hearing.

7.5 Result Management for Whereabouts Violations

7.5.1 Result management in respect of an apparent *Filing Failure* by an *Athlete* in AIBA *Registered Testing Pool* shall be conducted by AIBA in accordance with Article 11.6.2 of the *International Standard for Testing* (unless it has been agreed in accordance with Article 5.5.4 that the *National Federation* or *National Anti-Doping Organization* shall take such responsibility).

7.5.2 Result management in respect of an apparent *Missed Test* by an *Athlete* in AIBA *Registered Testing Pool* as a result of an *Attempt* to test the *Athlete* by or on behalf of AIBA shall be conducted by AIBA in accordance with Article 11.6.3 of the *International Standard for Testing*. Result management in respect of an apparent *Missed Test* by such *Athlete* as a result of an *Attempt* to test the *Athlete* by or on behalf of another *Anti-Doping Organization* shall be conducted by that other *Anti-Doping Organization* in accordance with Article 11.7.6(c) of the *International Standard for Testing*.

7.5.3 Where, in any eighteen-month period, an *Athlete* in AIBA Registered Testing Pool is declared to have three Filing Failures, or three *Missed Tests*, or any combination of Filing Failures or *Missed Tests* adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other *Anti-Doping Organization*, AIBA shall bring them forward as an apparent anti-doping rule violation.

7.6 Provisional Suspensions

7.6.1 If analysis of an A *Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, and a review in accordance with Article 7.1.2 does not reveal an applicable *TUE* or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, AIBA shall *Provisionally Suspend* the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.

7.6.2 In any case not covered by Article 7.6.1 where AIBA decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, the AIBA Executive Committee, after consultation with the AIBA DCSC Chairperson and the AIBA Medical Commission, may *Provisionally Suspend* the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.

7.6.3 Where a *Provisional Suspension* is imposed, whether pursuant to Article 7.6.1 or Article 7.6.2, the *Athlete* shall be given either (a) an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 (Right to a Fair Hearing) on a timely basis after imposition of a *Provisional Suspension*. *National Federations* shall impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.6.

7.6.4 If a *Provisional Suspension* is imposed based on an *Adverse Analytical Finding* in respect of an A *Sample*, and any subsequent analysis of the B *Sample* analysis does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 of the *Code* (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*). In circumstances where the *Athlete* has been removed from a *Competition* based on a violation of Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, if, without otherwise affecting the *Competition*, it is still possible for the *Athlete* to be reinserted, the *Athlete* may continue to take part in the *Competition*.

[Comment to Article 7.6: Before a Provisional Suspension can be unilaterally imposed by an Anti-Doping Organization, the internal review specified in the Code must first be completed. In addition, a Signatory imposing a Provisional Suspension is required to give the Athlete an opportunity for a Provisional Hearing either before or promptly after the imposition of the Provisional Suspension, or an expedited final hearing under Article 8 promptly after imposition of the Provisional Suspension. The Athlete has a right to appeal under Article 13.2. In the rare circumstance where the B Sample analysis does not confirm the A Sample finding, the Athlete who had been provisionally suspended will be allowed, where circumstances permit, to participate in subsequent Competitions during the Event. Similarly, depending upon the relevant rules of the International Federation in a Team Sport, if the team is still in Competition, the Athlete may be able to take part in future Competitions. The Athlete shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed as provided in Article 10.9.3.]

7.5 Retirement from Sport

If an *Athlete* or other *Person* retires while a result management process is underway, AIBA retains jurisdiction to complete its result management process. If an *Athlete* or other *Person* retires before any result management process has begun and AIBA would have had result management jurisdiction over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, AIBA has jurisdiction to conduct result management.

[Comment to Article 7.7: Conduct by an Athlete or other Person before the Athlete or other Person was subject to the jurisdiction of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Athlete or other Person membership in a sport organization.]

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings arising out of AIBA Testing or Tests at International Events, for sanctioning beyond Disqualification

- 8.1.1** The AIBA Executive Committee shall appoint a standing panel consisting of a Chairperson, the AIBA DCSC Chairperson and at least three other experts with experience in anti-doping (“AIBA Doping Hearing Panel”). The Chairperson shall be a lawyer. Each panel member shall be otherwise independent of his/her *National Federation* in so far as he is not an elected officer, employee, consultant or holds a position of responsibility within a *National Federation*. Each panel member shall serve a term of four years.
- 8.1.2** When it appears, following the result management process described in Article 7, that these Anti-Doping Rules have been violated in connection with AIBA *Testing* or *Testing* at an *International Event* then the case shall be assigned to the AIBA Doping Hearing Panel for adjudication.
- 8.1.3** The Chairperson of the AIBA Doping Hearing Panel shall appoint three members from the panel (which may include the Chairperson) to hear each case. The appointed members shall have had no prior involvement with the case and shall not have the same nationality as the *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules.
- 8.1.4** Hearings pursuant to this Article shall be completed expeditiously following the completion of the result management process described in Article 7. Hearings held in connection with *Events* may be conducted on an expedited basis.
- 8.1.5** The *National Federation* of the *Athlete* (or where the *Athlete* is a *World Series of Boxing Athlete*, the relevant *Franchisee*) or other *Person* alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.
- 8.1.6** The *AIBA Anti-Doping Administrator* shall keep *WADA* fully apprised as to the status of pending cases and the result of all hearings.
- 8.1.7** An *Athlete* or other *Person* may forego a hearing by acknowledging the anti-doping rule violation and accepting *Consequences* consistent with Articles 9 and 10 as proposed by AIBA. The right to a hearing may be waived either expressly or by the *Athlete’s* or other *Person’s* failure to challenge AIBA’s assertion that an anti-doping rule violation has occurred within 21 (twenty one) days. Where no hearing occurs, AIBA shall submit to the *Persons* described in Article 13.2.3 a reasoned decision explaining the action taken.
- 8.1.8** Decisions of the AIBA Doping Hearing Panel may be appealed to CAS as provided in Article 13.

8.2 Hearings arising out of National Testing

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

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- 8.2.2** Hearings pursuant to this Article 8.2 shall be completed expeditiously and in all cases within three months of the completion of the result management process described in Article 7.

Hearings held in connection with *Events* may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, AIBA may elect to bring the case directly before the AIBA Doping Hearing Panel at the responsibility and at the expense of the *National Federation*.

- 8.2.3** When a Boxer is notified that his/her explanation has been rejected and that he/she is to be *Provisionally Suspended* in accordance with Article 7.4, he/she shall also be told of his/her right to request a hearing. If the *Athlete* fails to confirm in writing to his/her *National Federation* or other relevant body within fourteen (14) days of such notice that he/she wishes to have a hearing, he will be deemed to have waived his/her right to a hearing and to have accepted that he committed the anti-doping rule violation in question. This fact shall be confirmed in writing to the *AIBA Anti-Doping Administrator* by the *National Federation* within five (5) working days.
- 8.2.4** If a hearing is requested by an *Athlete*, it shall be convened without delay and the hearing held within three (3) months of the date of notification of the *Athlete's* request to the *National Federation*. *National Federations* shall keep the *AIBA Anti-Doping Administrator* fully informed as to the status of all cases pending hearing and of all hearing dates as soon as they are fixed. AIBA's attendance at a hearing, or any other involvement in a case, shall not affect its right to appeal the *National Federation's* decision to CAS pursuant to Article 13.
- 8.2.5** The *Athlete's* hearing shall take place before the relevant hearing body constituted or otherwise authorized by the *National Federation*. The relevant hearing shall respect Article 8.3.
- 8.2.6** At the hearing of the *Athlete's* case, the relevant tribunal shall consider first whether or not an anti-doping rule violation has been committed.
- 8.2.7** If the relevant tribunal of the *National Federation* considers that an anti-doping rule violation has not been committed, this decision shall be notified to the *AIBA Anti-Doping Administrator* in writing within five (5) working days of the decision being made (together with a copy of the written reasons for such decision). The case shall then be reviewed by the AIBA Doping Hearing Panel which shall decide whether or not it should be referred to arbitration before CAS pursuant to Article 13. If the AIBA Hearing Panel does so decide, it may at the same time re-impose, where appropriate, the *Athlete's Provisional Suspension* pending resolution of the appeal by CAS.
- 8.2.8** *National Federations* shall keep the *AIBA Anti-Doping Administrator*, the AIBA DCSC Chairperson, the AIBA Medical Commission Chairperson, AIBA and WADA fully apprised as to the status of pending cases and the results of all hearings.
- 8.2.9** The *AIBA Anti-Doping Administrator*, the AIBA DCSC Chairperson, the AIBA Medical Commission Chairperson, AIBA and WADA shall have the right to attend hearings as an observer.
- 8.2.10** The Boxer or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *National Federation*.
- 8.2.11** Decisions by *National Federations*, whether as the result of a hearing or the *Athlete's* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.
- 8.2.12** Hearing decisions by the *National Federation* shall not be subject to further administrative review at the national level except as provided in Article 13 or required by applicable national law.

8.3 Principles for a Fair Hearing - All Hearings pursuant to either Article 8.1 or Article 8.2 shall respect the Following Principles:

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

ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS

A violation of these Anti-Doping Rules in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any medal, point and prize.

[Comment to Article 9: When an Athlete wins a gold medal with a Prohibited Substance in his/her system that is unfair to the other Athletes in that Competition regardless of whether the gold medalist was at fault in any way. Only a "clean" Athlete should be allowed to benefit from his/her competitive results.]

In sports which are not Team Sports but where awards are given to teams, Disqualification or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of AIBA.]

ARTICLE 10 SANCTIONS ON INDIVIDUALS

10.1 *Disqualification* of Results in *Event* during which an Anti-Doping Rule Violation occurs

An anti-doping rule violation occurring during or in connection with an *Event* may lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of any medal, point and prize, except as provided in Article 10.1.1.

[Comment to Article 10.1: Whereas Article 9 (Automatic Disqualification of Individual Results) disqualifies the result in a single Competition in which the Athlete tested positive, this Article may lead to Disqualification of all results during the Event. Factors to be included in considering whether to disqualify other results in an Event might include, for example, the severity of the Athlete's anti-doping rule violation and whether the Athlete tested negative in other Competitions.]

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

10.2 *Ineligibility for Presence, Use or attempted Use, or Possession of Prohibited Substances and Prohibited Methods*

The period of *Ineligibility* imposed for a violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use* or attempted *Use* of *Prohibited Substance* or *Prohibited Methods*) or Article 2.6 (*Possession* of *Prohibited Substances* and *Methods*) shall be as follows, unless the conditions for eliminating or reducing the period of *Ineligibility*, as provided in Articles 10.4 and 10.5, or the conditions for increasing the period of *Ineligibility*, as provided in Article 10.6, are met:

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

[Comment to Article 10.2: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Athletes are professionals making a sizable income from the sport and in others, the Athletes are true amateurs; in those sports where an Athlete's career is short (e.g., artistic gymnastics) a two year Disqualification has a much more significant effect on the Athlete than in sports where careers are traditionally much longer (e.g., equestrian and shooting); in individual sports, the Athlete is better able to maintain competitive skills through solitary practice during Disqualification than in other sports where practice as part of a team is more important. A primary argument in favor of harmonization is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting bodies to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between AIBA and National Anti-Doping Organizations.]

10.3 *Ineligibility for Other Anti-Doping Rule Violations*

The period of *Ineligibility* for violations of these Anti-Doping Rules other than as provided in Article 10.2 shall be as follows:

- 10.3.1** For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering* with *Doping Control*), the *Ineligibility* period shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in Article 10.6, are met.
- 10.3.2** For violations of Article 2.7 (*Trafficking*) or Article 2.8 (Administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* unless the conditions provided in Article 10.5 are met. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than *Specified Substances* shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, significant violations of such Articles which also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

[Comment to Article 10.3.2: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to Ineligibility for credentials, membership and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.]

- 10.3.3** For violations of Article 2.4 (Filing Failures and/or *Missed Tests*), the period of *Ineligibility* shall be: at a minimum one (1) year and at a maximum two (2) years based on the *Athlete's* degree of fault.

[Comment to Article 10.3.3: The sanction under Article 10.3.3 shall be two years where all three Filing Failures or Missed Tests are inexcusable. Otherwise, the sanction shall be assessed in the range of two years to one year, based on the circumstances of the case.]

10.4 Elimination or Reduction of the Period of *Ineligibility* for *Specified Substances* under Specific Circumstances

Where an *Athlete* or other *Person* can establish how a *Specified Substance* entered his/her body or came into his/her *Possession* and that such *Specified Substance* was not intended to enhance the *Athlete's* sport performance or mask the *Use* of a performance enhancing substance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) years of *Ineligibility*.

To justify any elimination or reduction, the *Athlete* or other *Person* must produce corroborating evidence in addition to his/her word which establishes to the comfortable satisfaction of the hearing panel the absence of the intent to enhance sport performance or mask the *Use* of a performance enhancing substance. The *Athlete's* or other *Person's* degree of fault shall be the criterion considered in assessing any reduction of the period of *Ineligibility*.

[Comment to Article 10.4: Specified Substances as now defined in Article 4.2.2 are not necessarily less serious agents for purposes of sports doping than other Prohibited Substances (for example, a stimulant that is listed as a Specified Substance could be very effective to an Athlete In-Competition); for that reason, an Athlete who does not meet the criteria under this Article would receive a two year period of Ineligibility and could receive up to a four-year period of Ineligibility under Article 10.6. However, there is a greater likelihood that Specified Substances, as opposed to other Prohibited Substances, could be susceptible to a credible, non-doping explanation.]

This Article applies only in those cases where the hearing panel is comfortably satisfied by the objective circumstances of the case that the *Athlete* in taking a *Prohibited Substance* did not intend to enhance his/her sport performance.

Examples of the type of objective circumstances which in combination might lead a hearing panel to be comfortably satisfied of no performance enhancing intent would include: the fact that the nature of the *Specified Substance* or the timing of its ingestion would not have been beneficial to the *Athlete*; the *Athlete's* open *Use* or disclosure of his/her *Use* of the *Specified Substance*; and a contemporaneous medical records file substantiating the non-sport-related prescription for the *Specified Substance*. Generally, the greater the potential performance-enhancing benefit, the higher the burden on the *Athlete* to prove lack of intent to enhance sport performance.

While the absence of intent to enhance sport performance must be established to the comfortable satisfaction of the hearing panel, the *Athlete* may establish how the *Specified Substance* entered the body by a balance of probability.

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/her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of *Ineligibility* under this Article. It is anticipated that the period of *Ineligibility* will be eliminated entirely in only the most exceptional cases.

10.5 Elimination or Reduction of Period of *Ineligibility* based on Exceptional Circumstances

10.5.1 *No Fault or Negligence*

If an *Athlete* establishes in an individual case that he/she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Sample* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his/her system in order to have the period of *Ineligibility* eliminated.

In the *Event* this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.7.

10.5.2 No Significant Fault or Negligence

If an *Athlete* or other *Person* establishes in an individual case that he/she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Sample* in violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), the *Athlete* must also establish how the *Prohibited Substance* entered his/her system in order to have the period of *Ineligibility* reduced.

[Comment to Articles 10.5.1 and 10.5.2: AIBA Anti-Doping Rules provide for the possible reduction or elimination of the period of Ineligibility in the unique circumstance where the Athlete can establish that he/she had No Fault or Negligence, or No Significant Fault or Negligence, in connection with the violation. This approach is consistent with basic principles of human rights and provides a balance between those Anti-Doping Organizations that argue for a much narrower exception, or none at all, and those that would reduce a two year suspension based on a range of other factors even when the Athlete was admittedly at fault. These Articles apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. Article 10.5.2 may be applied to any anti-doping violation even though it will be especially difficult to meet the criteria for a reduction for those anti-doping rule violations where knowledge is an element of the violation. Articles 10.5.1 and 10.5.2 are meant to have an impact only in cases where the circumstances are truly exceptional and not in the vast majority of cases.]

To illustrate the operation of Article 10.5.1, an example where No Fault or Negligence would result in the total elimination of a sanction is where an Athlete could prove that, despite all due care, he/she was sabotaged by a competitor. Conversely, a sanction could not be completely eliminated on the basis of No Fault or Negligence in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Article 2.1.1) and have been warned against the possibility of supplement contamination); (b) the administration of a Prohibited Substance by an Athlete's personal doctor or trainer without disclosure to the Athlete (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Athlete's food or drink by a spouse, coach or other Person within the Athlete's circle of associates (Athletes are responsible for what they ingest and for the conduct of those persons to whom they entrust access to their food and drink).

However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction based on No Significant Fault or Negligence. (For example, reduction may well be appropriate in illustration (a) if the Athlete clearly establishes that the cause of the positive test was contamination in a common multiple vitamin purchased from a source with no connection to Prohibited Substances and the Athlete exercised care in not taking other nutritional supplements.)

For purposes of assessing any Athlete's or other Person's fault under Articles 10.5.1 and 10.5.2, the evidence 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/her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of Ineligibility under this Article.

While Minors are not given special treatment per se in determining the applicable sanction, certainly youth and lack of experience are relevant factors to be assessed in determining the Athlete's or other Person's fault under Article 10.5.2, as well as Articles 10.4 and 10.5.1.

Article 10.5.2 should not be applied in cases where Articles 10.3.3 or 10.4 apply as those Articles already take into consideration the Athlete's or other Person's degree of fault for purposes of establishing the applicable period of Ineligibility.]

10.5.3 Substantial Assistance in discovering or establishing Anti-Doping Rule Violations

The AIBA Doping Hearing Panel may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another *Person*. After a final appellate decision under Article 13 or the expiration of time to appeal, AIBA may only suspend a part of the applicable period of *Ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than 8 years. If AIBA suspends any part of the period of *Ineligibility* under this Article, it shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If AIBA subsequently reinstates any part of the suspended period of *Ineligibility* because the *Athlete* or other *Person* has failed to provide the *Substantial Assistance* which was anticipated, the *Athlete* or other *Person* may appeal the reinstatement pursuant to Article 13.2.

[Comment to Article 10.5.3: The cooperation of Athletes, Athlete Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.

Factors to be considered in assessing the importance of the Substantial Assistance would include, for example, the number of individuals implicated, the status of those individuals in the sport, whether a scheme involving Trafficking under Article 2.7 or administration under Article 2.8 is involved and whether the violation involved a substance or method which is not readily detectible in Testing. The maximum suspension of the Ineligibility period shall only be applied in very exceptional cases.

An additional factor to be considered in connection with the seriousness of the anti-doping rule violation is any performance enhancing benefit which the Person providing Substantial Assistance may be likely to still enjoy. As a general matter, the earlier in the result management process the Substantial Assistance is provided, the greater the percentage of the period of Ineligibility may be suspended.

If the Athlete or other Person who is asserted to have committed an anti-doping rule violation claims entitlement to a suspended period of Ineligibility under this Article in connection with the Athlete or other Person's waiver of a hearing under Article 8.3 (Waiver of Hearing), AIBA shall determine whether a suspension of a portion of the period of Ineligibility is appropriate under this Article. If the Athlete or other Person claims entitlement to a suspended period of Ineligibility before the conclusion of a hearing under Article 8 on the anti-doping rule violation, the hearing panel shall determine whether a suspension of a portion of the period of Ineligibility is appropriate under this Article at the same time the hearing panel decides whether the Athlete or other Person has committed an anti-doping rule violation. If a portion of the period of Ineligibility is suspended, the decision shall explain the basis for concluding the information provided was credible and was important to discovering or proving the anti-doping rule violation or other offense. If the Athlete or other Person claims entitlement to a suspended period of Ineligibility after a final decision finding an anti-doping rule violation has been rendered and is not subject to appeal under Article 13, but the Athlete or other Person is still serving the period of Ineligibility, the Athlete or other Person may apply to AIBA to consider a suspension in the period of Ineligibility under this Article. Any such suspension of the period of Ineligibility shall require the approval of WADA. If any condition upon which the suspension of a period of Ineligibility is based is not fulfilled, AIBA shall reinstate the period of Ineligibility which would otherwise be applicable. Decisions rendered by AIBA under this Article may be appealed pursuant Article 13.2.

This is the only circumstance under AIBA Anti-Doping Rules where the suspension of an otherwise applicable period of Ineligibility is authorized.]

10.5.4 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

[Comment to Article 10.5.4: This Article is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Athlete or other Person knows he/she is about to be caught.]

10.5.5 Where an *Athlete* or Other *Person* establishes Entitlement to Reduction in Sanction under more than One Provision of this Article

Before applying any reduction under Articles 10.5.2, 10.5.3 or 10.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 10.5.2, 10.5.3 or 10.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.

[Comment to Article 10.5.5: The appropriate sanction is determined in a sequence of four steps. First, the hearing panel determines which of the basic sanctions (Article 10.2, Article 10.3, Article 10.4 or Article 10.6) applies to the particular anti-doping rule violation. In a second step, the hearing panel establishes whether there is a basis for elimination or reduction of the sanction (Articles 10.5.1 through 10.5.4). Note, however, not all grounds for elimination or reduction may be combined with the provisions on basic sanctions. For example, Article 10.5.2 does not apply in cases involving Articles 10.3.3 or 10.4, since the hearing panel, under Articles 10.3.3 and 10.4, will already have determined the period of Ineligibility based on the Athlete or other Person's degree of fault. In a third step, the hearing panel determines under Article 10.5.5 whether the Athlete or other Person is entitled to a reduction under more than one provision of Article 10.5. Finally, the hearing panel decides on the commencement of the period of Ineligibility under Article 10.9. The following four examples demonstrate the proper sequence of analysis:

Example 1

Facts: An Adverse Analytical Finding involves the presence of an anabolic steroid; the Athlete promptly admits the anti-doping rule violation as alleged; the Athlete establishes No Significant Fault (Article 10.5.2); and the Athlete provides important Substantial Assistance (Article 10.5.3).

Application of Article 10:

- 1. The basic sanction would be two years under Article 10.2. (Aggravating circumstances (Article 10.6) would not be considered because the Athlete promptly admitted the violation. Article 10.4 would not apply because a steroid is not a Specified Substance.)*
- 2. Based on No Significant Fault alone, the sanction could be reduced up to one-half of the two years. Based on Substantial Assistance alone, the sanction could be reduced up to three-quarters of the two years.*
- 3. Under Article 10.5.5, in considering the possible reduction for No Significant Fault and Substantial Assistance together, the most the sanction could be reduced is up to three-quarters of the two years. Thus, the minimum sanction would be a six-month period of Ineligibility.*
- 4. Under Article 10.9.2, because the Athlete promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any Event the Athlete would have to serve at least one-half of the Ineligibility period (minimum three months) after the date of the hearing decision.*

Example 2

Facts: An Adverse Analytical Finding involves the presence of an anabolic steroid; aggravating circumstances exist and the Athlete is unable to establish that he/she did not knowingly commit the anti-doping rule violation; the Athlete does not promptly admit the anti-doping rule violation as alleged; but the Athlete does provide important Substantial Assistance (Article 10.5.3).

Application of Article 10:

- 1. The basic sanction would be between two and four years Ineligibility as provided in Article 10.6.*
- 2. Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the maximum four years.*
- 3. Article 10.5.5 does not apply.*
- 4. Under Article 10.9.2, the period of Ineligibility would start on the date of the hearing decision.*

Example 3

Facts: An Adverse Analytical Finding involves the presence of a Specified Substance; the Athlete establishes how the Specified Substance entered his/her body and that he/she had no intent to enhance his/her sport performance; the Athlete establishes that he/she had very little fault; and the Athlete provides important Substantial Assistance (Article 10.5.3).

Application of Article 10:

- 1. Because the Adverse Analytical Finding involved a Specified Substance and the Athlete has satisfied the other conditions of Article 10.4, the basic sanction would fall in the range between a reprimand and two years Ineligibility. The hearing panel would assess the Athlete's fault in imposing a sanction within that range. (Assume for illustration in this example that the panel would otherwise impose a period of Ineligibility of eight months.)*
- 2. Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the eight months. (No less than two months.) [No Significant Fault (Article 10.2) would not be applicable because the Athlete's degree of fault was already taken into consideration in establishing the eight month period of Ineligibility in step 1.]*
- 3. Article 10.5.5 does not apply.*
- 4. Under Article 9.2, because the Athlete promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any Event, the Athlete would have to serve at least half of the Ineligibility period after the date of the hearing decision (minimum one month.)*

Example 4

Facts: An Athlete who has never had an Adverse Analytical Finding or been confronted with an anti-doping rule violation spontaneously admits that he/she intentionally used multiple Prohibited Substances to enhance his/her performance. The Athlete also provides important Substantial Assistance (Article 10.5.3).

Application of Article 10:

- 1. While the intentional Use of multiple Prohibited Substances to enhance performance would normally warrant consideration of aggravating circumstances (Article 10.6), the Athlete's spontaneous admission means that Article 10.6 would not apply. The fact that the Athlete's Use of Prohibited Substances was intended to enhance performance would also eliminate the application of Article 10.4 regardless of whether the Prohibited Substances Used were Specified Substances. Thus, Article 10.2 would be applicable and the basic period of Ineligibility imposed would be two years.*
- 2. Based on the Athlete's spontaneous admissions (Article 10.5.4) alone, the period of Ineligibility could be reduced up to one-half of the two years. Based on the Athlete's Substantial Assistance (Article 10.5.3) alone, the period of Ineligibility could be reduced up to three-quarters of the two years.*
- 3. Under Article 10.5.5, in considering the spontaneous admission and Substantial Assistance together, the most the sanction could be reduced would be up to three-quarters of the two years. (The minimum period of Ineligibility would be six months.)*

4. *If Article 10.5.4 was considered by the hearing panel in arriving at the minimum six month period of Ineligibility at step 3, the period of Ineligibility would start on the date the hearing panel imposed the sanction. If, however, the hearing panel did not consider the application of Article 10.5.4 in reducing the period of Ineligibility in step 3, then under Article 10.9.2, the commencement of the period of Ineligibility could be started as early as the date the anti-doping rule violation was committed, provided that at least half of that period (minimum of three months) would have to be served after the date of the hearing decision.]*

10.6 Aggravating Circumstances which may increase the Period of *Ineligibility*

If AIBA establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (*Trafficking*) and 2.8 (Administration) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he/she did not knowingly violate these Anti-Doping Rules.

An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by AIBA.

[Comment to Article 10.6: Examples of aggravating circumstances which may justify the imposition of a period of Ineligibility greater than the standard sanction are: the Athlete or other Person committed the anti-doping rule violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit anti-doping rule violations; the Athlete or other Person used or possessed multiple Prohibited Substances or Prohibited Methods or used or possessed a Prohibited Substance or Prohibited Method on multiple occasions; a normal individual would be likely to enjoy the performance enhancing effects of the anti-doping rule violation beyond the otherwise applicable period of Ineligibility; the Athlete or Person engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an anti-doping rule violation. For the avoidance of doubt, the examples of aggravating circumstances described in this comment to Article 10.6 are not exclusive and other aggravating factors may also justify the imposition of a longer period of Ineligibility. Violations under Article 2.7 (Trafficking or attempted Trafficking) and 2.8 (Administration or attempted Administration) are not included in the application of Article 10.6 because the sanctions for these violations (from four years to lifetime Ineligibility) already build in sufficient discretion to allow consideration of any aggravating circumstance.]

10.7 Multiple Violations

10.7.1 Second Anti-Doping Rule Violation

For an *Athlete's* or other *Person's* first anti-doping rule violation, the period of *Ineligibility* is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction or suspension under Articles 10.4 or 10.5, or to an increase under Article 10.6). For a second anti-doping rule violation the period of *Ineligibility* shall be within the range set forth in the table below.

<i>Second Violation</i> <i>First Violation</i>	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	Life	life	life	life	life

Definitions for purposes of the second anti-doping rule violation table:

RS (Reduced sanction for *Specified Substance* under Article 10.4): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.4 because it involved a *Specified Substance* and the other conditions under Article 10.4 were met.

FFMT (Filing Failures and/or *Missed Tests*): The anti-doping rule violation was or should be sanctioned under Article 10.3.3 (Filing Failures and/or *Missed Tests*).

NSF (Reduced sanction for *No Significant Fault or Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.5.2 because *No Significant Fault or Negligence* under Article 10.5.2 was proved by the *Athlete*.

St (Standard sanction under Articles 10.2 or 10.3.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two years under Article 10.2 or 10.3.1.

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.6 because the *Anti-Doping Organization* established the conditions set forth under Article 10.6.

TRA (*Trafficking* or attempted *Trafficking* and administration or attempted administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.3.2.

[Comment to Article 10.7.1: The table is applied by locating the Athlete's or other Person's first anti-doping rule violation in the left-hand column and then moving across the table to the right to the column representing the second violation. By way of example, assume an Athlete receives the standard period of Ineligibility for a first violation under Article 10.2 and then commits a second violation for which he/she receives a reduced sanction for a Specified Substance under Article 10.4. The table is used to determine the period of Ineligibility for the second violation. The table is applied to this example by starting in the left-hand column and going down to the fourth row which is "St" for standard sanction, then moving across the table to the first column which is "RS" for reduced sanction for a Specified Substance, thus resulting in a 2-4 year range for the period of Ineligibility for the second violation. The Athlete's or other Person's degree of fault shall be the criterion considered in assessing a period of Ineligibility within the applicable range.]

[Comment to Article 10.7.1 RS Definition: See Article 25.4 with respect to application of Article 10.7.1 to pre-Code anti-doping rule violations.]

10.7.2 Application of Articles 10.5.3 and 10.5.4 to Second Anti-Doping Rule Violation

Where an *Athlete* or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 10.5.3 or Article 10.5.4, the hearing panel shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

10.7.3 Third Anti-Doping Rule Violation

A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4 or involves a violation of Article 2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of *Ineligibility* shall be from eight (8) years to life ban.

10.7.4 Additional Rules for Certain Potential Multiple Violations

For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if AIBA (or its *National Federation*) can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7 (Result Management), or after AIBA (or its *National Federation*) made reasonable efforts to give notice of the first anti-doping rule violation; if AIBA (or its *National Federation*) cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Article 10.6).

If, after the resolution of a first anti-doping rule violation, AIBA discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then AIBA shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time.

Results in all *Competitions* dating back to the earlier anti-doping rule violation will be disqualified as provided in Article 10.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the *Athlete* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he/she is first charged. The same rule shall also apply when AIBA discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

[Comment to Article 10.7.4: For example, in the hypothetical situation an Athlete commits an anti-doping rule violation on January 1, 2008 which AIBA does not discover until December 1, 2008. In the meantime, the Athlete commits another anti-doping rule violation on March 1, 2008 and the Athlete is notified of this violation by AIBA on March 30, 2008 and a hearing panel rules on June 30, 2008 that the Athlete committed the March 1, 2008 anti-doping rule violation. The later-discovered violation which occurred on January 1, 2008 will provide the basis for Aggravating Circumstances because the Athlete did not voluntarily admit the violation in a timely basis after the Athlete received notification of the later violation on March 30, 2008.]

10.7.5 Multiple Anti-Doping Rule Violations during an Eight-Year Period

For purposes of Article 10.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

10.8 **Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation**

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

10.8.1 10.8.1 As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the *Athlete* must first repay all prize money forfeited under this Article.

10.8.2 Allocation of Forfeited Prize Money

Forfeited prize money shall be reallocated to other *Athlete*.

[Comment to Article 10.8.2: Nothing in AIBA Anti-Doping Rules precludes clean Athletes or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such Person.]

10.9 Commencement of *Ineligibility* Period

Except as provided below, the period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed.

10.9.1 Delays not attributable to the *Athlete* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, the AIBA or Anti-Doping Organization imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

10.9.2 Timely Admission

Where the *Athlete* promptly (which, in all *Events*, means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by AIBA, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

[Comment to Article 10.9.2: This Article shall not apply where the period of Ineligibility already has been reduced under Article 10.5.4 (Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence).]

10.9.3 If a *Provisional Suspension* is imposed and respected by the *Athlete*, then the *Athlete* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

10.9.4 If an *Athlete* voluntarily accepts a *Provisional Suspension* in writing from AIBA and thereafter refrains from competing, the *Athlete* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 14.1.

[Comment to Article 10.9.4: An Athlete's voluntary acceptance of a Provisional Suspension is not an admission by the Athlete and shall not be used in any way as to draw an adverse inference against the Athlete.]

10.9.5 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension* regardless of whether the *Athlete* elected not to compete or was suspended by his/her team.

[Comment to Article 10.9: The text of Article 10.9 has been revised to make clear that delays not attributable to the Athlete, timely admission by the Athlete and Provisional Suspension are the only justifications for starting the period of Ineligibility earlier than the date of the hearing decision. This amendment corrects inconsistent interpretation and application of the previous text.]

10.10 Status during *Ineligibility*

10.10.1 Prohibition against Participation during *Ineligibility*

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *Event* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by AIBA or any *National Federation* or a club or other member organization of AIBA or any *National Federation*, or in Competitions authorized or organized by any professional league or any international or national level *Event* organization.

An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport *Events* in a sport other than sports subject to the jurisdictions of AIBA and its *National Federations*, but only so long as the local sport *Event* is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a *National Event* or *International Event*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

[*Comment to Article 10.10.1: For example, an ineligible Athlete cannot participate in a training camp, exhibition or practice organized by his/her National Federation or a club which is a member of that National Federation. Further, an ineligible Athlete may not compete in a non-Signatory professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory International Event organization or a non-Signatory national level Event organization without triggering the Consequences set forth in Article 10.10.2. Sanctions in one sport will also be recognized by other sports (see Article 15).*]

10.10.2 Violation of the Prohibition of Participation during *Ineligibility*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.10.1, the results of such participation shall be disqualified and the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation. The new period of *Ineligibility* may be reduced under Article 10.5.2 if the *Athlete* or other *Person* establishes he/she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by AIBA.

[*Comment to Article 10.10.2: If an Athlete or other Person is alleged to have violated the prohibition against participation during a period of Ineligibility, AIBA shall determine whether the Athlete or other Person violated the prohibition and, if so, whether the Athlete or other Person has established grounds for a reduction in the restarted period of Ineligibility under Article 10.5.2. Decisions rendered by AIBA under this Article may be appealed pursuant to Article 13.2.*]

[*Where an Athlete Support Personnel or other Person substantially assists an Athlete in violating the prohibition against participation during Ineligibility, AIBA may appropriately impose sanctions under its own disciplinary rules for such assistance.*]

10.10.3 Withholding of Financial Support during *Ineligibility*

In addition, for any anti-doping rule violation not involving a reduced sanction for *Specified Substances* as described in Article 10.4, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by AIBA and its *National Federations*.

10.11 Reinstatement *Testing*

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him/herself available for *Out-of-Competition Testing* by AIBA, the applicable *National Federation*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must comply with the whereabouts requirements of Article 11 of the *International Standard for Testing*. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified AIBA and the applicable *National Federation* and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of

- (a) the period set forth in Article 5.6; and
- (b) the period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, a minimum of 2 tests must be conducted on the *Athlete* with at least three months between each test. The *National Federation* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement.

The results of such tests shall be reported to AIBA. In addition, immediately prior to the end of the period of *Ineligibility*, an *Athlete* must undergo *Testing* by AIBA for the *Prohibited Substances* and *Methods* that are prohibited in *Out-of-Competition Testing*. Once the period of an *Athlete's Ineligibility* has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Federation* will then be necessary.

ARTICLE 11 CONSEQUENCES TO TEAMS

Article 11 intentionally left blank.

ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS AND FRANCHISEES

- 12.1 The AIBA Executive Committee has the authority to withhold some or all funding or other non-financial support to *National Federations* that are not in compliance with these Anti-Doping Rules.
- 12.2 *National Federations* may be obligated by the AIBA Executive Committee to reimburse AIBA for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to the violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *National Federation*. In the case of a *World Series of Boxing Athlete*, the relevant *Franchisee* may be obligated by the *WSB Board* to reimburse AIBA for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to the violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *Franchisee*.
- 12.3 The AIBA Executive Committee may elect to take additional disciplinary action against *National Federations* with respect to recognition, the eligibility of its officials and *Athletes* to participate in *International Events* and **fines based on the following:**
 - 12.3.1 Four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period in *Testing* conducted by AIBA or *Anti-Doping Organizations* other than the *National Federation* or its *National Anti-Doping Organization*. In such *Event* AIBA may in its discretion elect to: (a) ban all officials from that *National Federation* for participation in any AIBA activity for a period of up to two years and/or (b) fine the *National Federation* in an amount up to CHF 10'000.-- (Swiss Francs ten thousands). (For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)

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- 12.3.2** More than one *Athlete* or other *Person* from a *National Federation* commits an Anti-Doping Rule violation during an *International Event*. In such *Event* AIBA may fine that *National Federation* in an amount up to CHF 10'000.-- (Swiss Francs ten thousands).
- 12.3.3** A *National Federation* has failed to make diligent efforts to keep AIBA informed about an *Athlete's* whereabouts after receiving a request for that information from AIBA. In such *Event*, AIBA may fine the *National Federation* in an amount up to CHF 1'000.-- (Swiss Francs one thousand) per *Athlete* in addition to all of AIBA costs incurred in *Testing* that *National Federation's Athlete*.
- 12.4** AIBA may temporarily exclude the *National Federation Athlete* from any one or more *International Competition* if the *National Federation* does not give the requested information with AIBA after 2 reminders to do so.
- 12.5** In respect of an *World Series of Boxing Athlete*, in addition to any *Consequence* of anti-doping violations imposed upon individual *WSB Athlete* having committed an anti-doping rule violation, the *WSB Board* may elect to take additional disciplinary action against *Franchisees* with respect to recognition, the eligibility of its officials, *Athletes* and *Athlete Support Personnel* to participate in the *World Series of Boxing Competitions* and fines based on the following:
- 12.5.1** If four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by *Athletes* or other *Persons* affiliated with a *Franchisee* within a 12-month period in *Testing* conducted by *WSB*, then *WSB* may in its discretion elect to:
- (i) ban all officials and *Athlete Support Personnel* from that *Franchisee* from participation in any activity of the *World Series of Boxing* for a period of up to 6 months; and/or
 - (ii) fine the *Franchisee* in an amount up to CHF 10'000.--;
- 12.5.2** If more than one *Athlete* or other *Person* from a *Franchisee* commits an anti-doping rule violation during a single *World Series of Boxing Competition*, *WSB* may fine the *Franchisee* in an amount up to CHF 10'000.;;; and
- 12.5.3** If a *Franchisee* has failed to make diligent efforts to keep AIBA informed about an *Athlete's* whereabouts after receiving a request for that information from *WSB*, *WSB* may fine the *Franchisee* in an amount up to CHF 1'000.-- per *Athlete* in addition to all of costs incurred in *Testing* that *Franchisee's Athlete*.

ARTICLE 13 APPEALS

13.1 Decisions subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Articles 13.2 through 13.4 or as otherwise provided in these Anti-Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in these Anti-Doping Rules must be exhausted (except as provided in Article 13.1.1).

13.1.1 WADA not required to exhaust Internal Remedies

Where *WADA* has a right to appeal under Article 13 and no other party has appealed a final decision within AIBA or its *National Federation's* process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in AIBA or its *National Federation's* process.

[Comment to Article 13.1.1: Where a decision has been rendered before the final stage of AIBA's process (for example, a first hearing) and no party elects to appeal that decision to the next level of AIBA's process (e.g., the Managing Board), then WADA may bypass the remaining steps in AIBA's internal process and appeal directly to CAS.]

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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, 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 under Article 10.10.2 (prohibition of participation during *Ineligibility*); a decision that AIBA or its *National Federations* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision by any *National Federation* 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 7.4; and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 7.4] may be appealed exclusively as provided in this Article 13.2. [Notwithstanding any other provision herein, the only *Person* who may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

13.2.1 Appeals involving *International Level Athletes*

In cases arising from *Competition* in an *International Event* or in cases involving *International Level Athletes*, the decision may be appealed exclusively to CAS in accordance with the provisions applicable before such court.

[Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

13.2.2 Appeals Involving National Level *Athletes*

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

[Comment to Article 13.2.2: AIBA may elect to comply with this Article by giving its national level Athlete the right to appeal directly to CAS.]

13.2.3 Persons entitled to Appeal

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS:

- (a) the *Athlete* or other *Person* who is the subject of the decision being appealed
- (b) the other party to the case in which the decision was rendered
- (c) AIBA, *WSB* and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed
- (d) the International Olympic Committee as applicable, where the decision may have an effect in relation to the Olympic Games, including decisions affecting eligibility for the Olympic Games, and
- (e) *WADA*.

In cases under Article 13.2.2, the parties having the right to appeal to the national level reviewing body shall be as provided in the *National Federation's* rules but, at a minimum, shall include the following parties:

- (a) the *Athlete* or other *Person* who is the subject of the decision being appealed;
- (b) the other party to the case in which the decision was rendered;
- (c) AIBA, and
- (d) *WADA*.

For cases under Article 13.2.2, WADA and AIBA shall also have the right to appeal to CAS with respect to the decision of the national level reviewing body.

13.3 Failure to render a Timely Decision by AIBA and its *National Federations*

Where, in a particular case, AIBA or its *National Federations* fail to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if AIBA or its *National Federations* had rendered a decision finding no anti-doping rule violation. If the CAS panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by AIBA or its *National Federations*.

[Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and result management process, it is not feasible to establish a fixed time period for AIBA to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with AIBA and give AIBA an opportunity to explain why it has not yet rendered a decision. Nothing in this rule prohibits AIBA from also having rules which authorize it to assume jurisdiction for matters in which the result management performed by one of its National Federations has been inappropriately delayed.]

13.4 Appeals from Decisions granting or denying a TUE

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

When AIBA, *National Anti-Doping Organizations* or other bodies designated by *National Federations* fail to take action on a properly submitted TUE application within a reasonable time, their failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

13.5 Appeals from Decisions pursuant to Article 12

Decisions by AIBA pursuant to Article 12 may be appealed exclusively to CAS by the *National Federations*. Decisions by WSB pursuant to Article 12 may be appealed exclusively to CAS by the *Franchisees*.

13.6 Time for filing Appeals

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

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

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

- (a) Twenty-one (21) days after the last day on which any other party in the case could have appealed, or
- (b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

ARTICLE 14

NATIONAL FEDERATIONS' INCORPORATION OF AIBA RULES, REPORTING AND RECOGNITION

14.1 Incorporation of AIBA Anti-Doping Rules

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

14.2 Statistical Reporting

14.2.1 *National Federations* shall report to the *AIBA Anti-Doping Administrator* within the first three (3) months of each year, results of all *Doping Controls* within their jurisdiction sorted by *Athlete* and identifying each date on which the *Athlete* was tested, the entity conducting the test, and whether the test was *In-Competition* or *Out-of-Competition*.

14.2.2 AIBA may periodically publish *Testing* data received from *National Federations* as well as comparable data from *Testing* under AIBA's jurisdiction. AIBA shall publish annually a general statistical report of its *Doping Control* activities during the calendar year with a copy provided to WADA.

14.2.3 Every *National Federation* shall report to the *AIBA Anti-Doping Administrator* promptly the names of *Athletes* who have signed a written acknowledgement and agreement to these Anti-Doping Rules in order to be eligible to compete in *International Competitions*. A copy of the signed agreement shall in each case be forwarded by the *National Federation* to the *AIBA Anti-Doping Administrator*. If such a form is not signed by the *Athlete* prior to his/her arrival in the *Competition* place, he/she must sign a form during the weigh-in session.

14.3 Doping Control Information Clearinghouse

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

14.4 Public Disclosure

- 14.4.1 Neither AIBA nor its *National Federations* nor WSB nor the *Franchisees* shall publicly identify any *Athlete* whose *Samples* have resulted in *Adverse Analytical Findings*, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged or the *Athlete* has been *Provisionally Suspended*. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days. AIBA or its *National Federations* must also report within 20 days appeal decisions on an anti-doping rule violation. AIBA or its *National Federations* shall also, within the time period for publication, send all hearing and appeal decisions to WADA.
- 14.4.2 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 disclosed publicly only with the consent of the *Athlete* or other *Person* who is the subject of the decision. AIBA or its *National Federations* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 14.4.3 Neither AIBA nor its *National Federations* nor WSB nor WADA-accredited laboratories, or officials of either, shall publicly comment on the specific facts of pending cases (as opposed to general description of process and science) except in response to public comments attributed to *Athletes*, other *Persons* or their representatives.
- 14.4.4 For the purposes of Article 14.4.1, publication shall be accomplished at a minimum by placing the required information on the website of AIBA or WSB (as the case may be) and leaving the information up for at least one (1) year.

14.5 Recognition of Decisions by AIBA and *National Federations*

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

ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANIZATIONS

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

[Comment to Article 15: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, AIBA or its National Federations should Attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in his body but the period of Ineligibility applied is shorter than the period provided for in the Code, then AIBA or its National Federation should recognize the finding of an anti-doping rule violation and they should conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed.]

ARTICLE 16 STATUTE OF LIMITATIONS

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

ARTICLE 17 AIBA COMPLIANCE REPORTS TO WADA

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

ARTICLE 18 AMENDMENTS AND INTERPRETATION OF ANTI-DOPING RULES

- 18.1 These Anti-Doping Rules are bylaws under the AIBA Rules and may be amended from time to time by the AIBA Executive Committee.
- 18.2 Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing laws or statutes.
- 18.3 The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
- 18.4 The INTRODUCTION and the DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.
- 18.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The comments annotating various provisions of the *Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.
- 18.6 Notice to an *Athlete* or other *Person* who is a member of a *National Federation* may be accomplished by delivery of the notice to the *National Federation* by email, registered post or courier mail. Notice to an *Athlete* or other *Person* who is affiliated with a *Franchisee* may be accomplished by delivery of the notice to the *Franchisee* by email, registered post or courier mail.
- 18.7 These Anti-Doping Rules shall come into full force and effect on August 1, 2013 (the "Effective Date"). They shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:
 - 18.7.1 Any case pending prior to the Effective Date, or brought after the Effective Date based on an anti-doping rule violation that occurred prior to the Effective Date, shall be governed by the predecessor to these Anti-Doping Rules in force at the time of the anti-doping rule violation, subject to any application of the principle of *lex mitior* by the hearing panel determining the case.
 - 18.7.2 Any Article 2.4 whereabouts violation (whether a Filing Failure or a *Missed Test*) declared by AIBA under rules in force prior to the Effective Date that has not expired prior to the Effective Date and that would qualify as a whereabouts violation under Article 11 of the *International Standard for Testing* shall be carried forward and may be relied upon, prior to expiry, as one of the three Filing Failures and/or *Missed Tests* giving rise to an anti-doping rule violation under Article 2.4 of these Anti-Doping Rules unless otherwise stated by AIBA, however:
 - a. a Filing Failure that is carried forward in this manner may only be combined with (post-Effective Date) Filing Failures

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- b. a *Missed Test* that is carried forward in this manner may only be combined with (post-Effective Date) *Missed Tests*, and
 - c. a Filing Failure or *Missed Test* declared by any *Anti-Doping Organization* other than AIBA and a *National Federation* prior to the Effective Date may not be combined with any Filing Failure or *Missed Test* declared under these Anti-Doping Rules.
- 18.7.3** Where a period of *Ineligibility* imposed by AIBA or *WSB* under rules in force prior to the Effective Date has not yet expired as of the Effective Date, the *Person* who is Ineligible may apply to AIBA or *WSB* for a reduction in the period of *Ineligibility* in light of the amendments made to the *Code* as from the Effective Date. To be valid, such application must be made before the period of *Ineligibility* has expired.
- 18.7.4** Subject always to Article 10.7.5, anti-doping rule violations committed under rules in force prior to the Effective Date shall be taken into account as prior offences for purposes of determining sanctions under Article 10.7. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a *Specified Substance* under these Anti-Doping Rules, for which a period of *Ineligibility* of less than two years was imposed, such violation shall be considered a reduced sanction violation for purposes of Article 10.7.1.

ARTICLE 19 MISCELLANEOUS

19.1 Notices

- 19.1.1** Except where expressly stated otherwise, a notice under these Anti-Doping Rules shall only be effective if it is in writing. Faxes and email are permitted.
- 19.1.2** Any notice given under these Anti-Doping Rules shall, in the absence of earlier receipt, be deemed to have been duly given as follows:
- 19.1.2.1** if delivered personally, on delivery;
 - 19.1.2.2** if sent by first class post, two clear business days after the date of posting;
 - 19.1.2.3** if sent by airmail, six clear business days after the date of posting;
 - 19.1.2.4** if sent by facsimile, at the expiration of 48 hours after the time it was sent; and
 - 19.1.2.5** if sent by email, at the time at which it was sent.

19.2 Language

- 19.2.1** Each notice or other communication under or in connection with these Anti-Doping Rules shall be:
- 19.2.1.1** in English; or
 - 19.2.1.2** if not in English, accompanied by an English translation made by a translator, and certified to be accurate.
- 19.2.2** The receiving party shall be entitled to assume the accuracy of and rely upon any English translation of any document provided pursuant to Article 19.2.1.2.

19.3 Costs and Expenses

Except as otherwise stated in these Anti-Doping Rules, each party shall pay its own costs and expenses in relation to the any matter to be dealt with under these Anti-Doping Rules.

ARTICLE 20

ADDITIONAL ROLES AND RESPONSIBILITIES

20.1 Roles and Responsibilities of *Athletes*

All *Athletes* are obliged:

- 20.1.1** to be knowledgeable of and comply with these Anti-Doping Rules;
- 20.1.2** to be available for *Sample* collection;
- 20.1.3** to take responsibility, in the context of anti-doping, for what they ingest and use;
and
- 20.1.4** to inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules.

20.2 Roles and Responsibilities of *Athlete Support Personnel*

All *Athlete Support Personnel* are obliged:

- 20.2.1** to be knowledgeable of and comply with these Anti-Doping Rules;
- 20.2.2** to cooperate with the *Athlete Testing* program; and
- 20.2.3** to use their influence on *Athletes'* values and behavior to foster anti-doping attitudes.

APPENDIX I - ACKNOWLEDGMENT AND AGREEMENT

I, as a member of [*National Federation*] and/or a *Participant* in a [*National Federation* or AIBA] authorized or recognized *Event*, hereby acknowledge and agree as follows:

I have received and had an opportunity to review the AIBA Anti-Doping Rules.

I consent and agree to comply with and be bound by all of the provisions of the AIBA Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all *International Standards* incorporated in the Anti-Doping Rules.

I acknowledge and agree that AIBA and *National Federations* have jurisdiction to impose sanctions as provided in the AIBA Anti-Doping Rules.

I also acknowledge and agree that any dispute arising out of a decision made pursuant to the AIBA Anti-Doping Rules, after exhaustion of the process expressly provided for in the AIBA Anti-Doping Rules, may be appealed exclusively as provided in Article 13 of the AIBA Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of *International Level Athletes* is the Court of Arbitration for Sport (CAS).

I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.

I have read and understand this Acknowledgement and Agreement.

Date

Print Name (Last Name, First Name)

Date of Birth
(day/month/year)

Signature (or, if a minor, signature of
the parents or legal caretaker)