



Fédération Internationale de Bobsleigh et de Tobogganing

ANTI DOPING REGULATIONS

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PREAMBLE

At the FIBT Congress held on June 9th, 2003 in Leipzig, the FIBT accepted the World Anti-Doping Code (the "Code"). On November 17th, 2007 the World Anti-Doping Agency Foundation Board approved the revised World Anti-Doping Code. The enclosed incorporates the revised version of the FIBT Doping Control Regulations, based on the World Anti-Doping Code of 2007, which was accepted at the FIBT Congress held on June 8th, 2008 in Chianciano Terme. The revised FIBT Doping Control Regulations are effective as of January 1, 2009.

These Anti-Doping Regulations are adopted and implemented in conformance with the FIBT's responsibilities under the Code, and are in furtherance of the FIBT's continuing efforts to eradicate doping in the sports of bobsleigh and skeleton. Anti-Doping Regulations are sport rules governing the conditions under which sport is played. Athletes accept these rules as a condition of participation. Anti-Doping Regulations are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the Code and implemented in these Anti-Doping Regulations represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.

SCOPE

These Anti-Doping Regulations shall apply to the FIBT, each National Federation of the FIBT and each Participant in the activities of the FIBT or any of its National Federations by virtue of the Participant's membership, accreditation, or participation in the FIBT, its National Federations, or their activities or Events.

To be eligible for participation in the FIBT's events, a competitor must have a FIBT licence issued by his or her National Federation. The National Federation must guarantee that all Athletes registered for a FIBT Licence accept the Rules of the FIBT, including the FIBT's Anti-Doping Regulations compiled in accordance with the World Anti-Doping Code.

It is the responsibility of each National Federation to ensure that all national-level Testing on the National Federation's Athletes complies with these Anti-Doping Rules. In some cases, 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 to a National Anti-Doping Organisation. In those countries, references in these Anti-Doping Rules to the National Federation shall apply, as applicable, to the National Federation's National Anti-Doping Organisation.

These Anti-Doping Regulations shall apply to all Doping Controls over which the FIBT and its National Federations have jurisdiction.

1 ARTICLE 1 - DEFINITION OF DOPING

1.1 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 Regulations.

2 ARTICLE 2 - ANTI-DOPING RULE VIOLATION

Athletes or other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods that have been included on the Prohibited List.

The following constitute anti-doping rule violations:

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

2.1.1 It is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping 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 Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.
- 2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method
 - 2.2.1 It is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.
 - 2.2.2 The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was used or attempted to be used for an anti-doping rule violation to be committed.
- 2.3 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 availability for Out-of-Competition Testing set out in the International Standard for Testing, including failure to file required 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. Any combination of three missed tests and/or filing failures within an eighteen-month period as determined by the FIBT or any other Anti-Doping Organizations with jurisdiction over the 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 Prohibited 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 granted in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.
 - 2.6.2 Possession by an Athlete Support Personnel In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by an 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 therapeutic use exemption 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

3 ARTICLE 3 - PROOF OF DOPING

3.1 Burdens and Standards of Proof

The FIBT and its National Federations shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the FIBT and its National Federations have established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation that is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except as provided in Articles 10.4 and 10.6 where the Athlete 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 means, 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. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred that could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then the FIBT and its National Federations 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 that 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 the FIBT and its National Federations shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.
- 3.2.3 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 irrefutable 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 in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the Anti-Doping Organization asserting the anti-doping rule violation.

4 ARTICLE 4 - THE PROHIBITED LIST

4.1 Incorporation of the Prohibited List.

These Anti-Doping Rules incorporate the Prohibited List that is published and revised by WADA as described in Article 4.1 of the Code. The current Prohibited List is available to each National Federation on WADA's Web site. Each National Federation shall ensure that the current Prohibited List is available to its members and constituents. A revision of the Prohibited List shall go into effect under these Doping Control Regulations three (3) months after publication of the Prohibited List by WADA.

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

The Prohibited List shall identify those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times (both In-Competition and Out-of-Competition) because of their potential to enhance performance in future Competitions or their masking potential and those substances and

methods which are prohibited In-Competition only. The Prohibited List may be expanded by WADA for a particular sport. Prohibited Substances and Prohibited Methods may be included in the Prohibited List by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.

4.2.2 Specified Substances

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

4.2.3 New Classes of Prohibited Substances In the event WADA expands the Prohibited List by adding a new class of Prohibited Substances in accordance with Article 4.1, 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.

4.3 Criteria for Including Substances and Methods on the Prohibited List

The following criteria in deciding whether to include a substance or method on the Prohibited List shall be taken in consideration.

4.3.1 A substance or method shall be considered for inclusion on the Prohibited List if WADA determines that the substance or method meets any two of the following three criteria:

4.3.1.1 Medical or other scientific evidence, pharmacological effect or experience that the substance or method, alone or in combination with other substances or methods, has the potential to enhance or enhances sport performance;

4.3.1.2 Medical or other scientific evidence, pharmacological effect or experience that the Use of the substance or method represents an actual or potential health risk to the Athlete;

4.3.1.3 WADA's determination that the Use of the substance or method violates the spirit of sport described in the Introduction to the Code.

4.3.2 A substance or method shall also be included on the Prohibited List if WADA determines there is medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to mask the Use of other Prohibited Substances or Prohibited Methods.

4.3.3 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.

4.4 Therapeutic Use

4.4.1 WADA has adopted an International Standard for the process of granting therapeutic use exemptions. For International-Level Athletes or any other Athlete who is entered in an International Event, a process is in place whereby Athletes with documented medical conditions requiring the Use of a Prohibited Substance or a Prohibited Method may request a therapeutic use exemption. Athletes who have been identified as included in the FIBT's Registered Testing Pool may only obtain therapeutic use exemptions in accordance with the rules of the FIBT. The FIBT shall publish a list of those International Events for which a therapeutic use exemption from the FIBT is required. FIBT's National Federations shall ensure, for all Athletes within its jurisdiction that have not been included in FIBT's Registered Testing Pool, that a process is in place whereby Athletes with documented medical conditions requiring the Use of a Prohibited Substance or a Prohibited Method may request a therapeutic use exemption. Such requests shall be evaluated in accordance with the International Standard for Therapeutic Use Exemptions.

4.4.2 Subject to Article 4.4.8, Athletes who are included in the FIBT's Registered Testing Pool and any other athlete participating in any International event must obtain a therapeutic use exemption from the FIBT (regardless of whether the Athlete previously had received a therapeutic use exemption at the national

level). The application for a therapeutic use exemption must be made as soon as possible or, in case of Athletes who are included in the FIBT Registered Testing Pool, this would be when he/she is first notified of his/her inclusion in the pool and, except in emergency situations, no later than 21 days before the Athlete's participation at an International Event.

- 4.4.3 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.
- 4.4.4 The FIBT and its National Federations shall promptly report to WADA through ADAMS the granting of any therapeutic use exemption except as regards national-level Athletes who are not included in the National Federation's Registered Testing Pool. Other *Athletes* subject to *Testing* who need to use a *Prohibited Substance* or a *Prohibited Method* for therapeutic reasons must obtain a therapeutic use exemption 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 therapeutic use exemptions to the FIBT and *WADA*.
- 4.4.5 The FIBT Executive Committee may on its own initiation review the granting or denial of any therapeutic use exemptions to an International Level Athlete or a national level Athlete that is included in a Registered Testing Pool. Decisions on TUE's are subject to further appeal as provided in Article 13.
- 4.4.6 WADA, on its own initiative, may review at any time the granting of a therapeutic use exemption to any International-Level Athlete or national-level Athlete who is included in his or her National Anti-Doping Organization's Registered Testing Pool. Further, upon the request of any such Athlete who has been denied a therapeutic use exemption, WADA may review such denial. If WADA determines that such granting or denial of a therapeutic use exemption did not comply with the International Standard for Therapeutic Use Exemptions, WADA may reverse the decision.
- 4.4.7 Athletes with a documented medical condition requiring the use of a Prohibited substance or a Prohibited Method must first obtain a therapeutic use exemption. 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 and Prohibited Methods (Article 2.6) or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method (Article 2.8) consistent with the provisions of an applicable therapeutic use exemption issued pursuant to the International Standard for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.
- 4.4.8 The only exception to Article 4.4.2 is that, in accordance with Article 7.13 of the *International Standard for Therapeutic Use Exemptions*, *Athletes* not in FIBT's *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 therapeutic use exemption in advance of participating in an *International Event* unless so specified by FIBT. Instead, if necessary, any such *Athlete* may apply for a Retroactive therapeutic use exemption after the *Event* in accordance with Article 7.13 of the *International Standard for Therapeutic Use Exemptions* and Article 7.1.12 of these Anti-Doping Rules.
- 4.4.9 The FIBT Executive shall appoint a panel of physicians to consider requests for therapeutic use exemptions (the "**TUE Panel**"). Upon FIBT's receipt of a therapeutic use exemption request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such request in accordance with the International Standard for Therapeutic Use Exemptions and render a decision on such request, which shall be the final decision of FIBT.

5 ARTICLE 5 - TESTING

5.1 Authority to Test.

All Athletes under the jurisdiction of a National Federation, including Athletes serving a period of ineligibility or a Provisional Suspension, shall be subject to In-Competition Testing by the FIBT, the 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 shall also be subject to Out-of-Competition Testing at any time or place, with or without advance notice, by the FIBT, WADA, the Athlete's National Federation, the National Anti-Doping Organization of any country where the Athlete is present, the IOC during the Olympic Games, and the IPC during Paralympic Games.

5.1.1 Documentation of Authority to Test at an Event or Competition.

5.1.2 Any Anti-doping organisation responsible for Testing at a Competition or Event must produce proper documentation of authority to conduct anti-doping testing. The Anti-doping organisation must provide the documentation and identification to the President of the Jury at the first instance of being present at the Event and thereafter to the Athlete being tested.

5.1.3 Documentation of Authority to conduct Out-of-Competition Testing.

5.1.4 Any Anti-doping organisation responsible for Out-of-Competition Testing must produce proper documentation of authority to conduct anti-doping testing to the Athlete prior to initiating the testing procedure. (See Article 5.5).

5.2 Responsibility for the FIBT Testing.

The FIBT shall be responsible for drawing up a test distribution plan for the sport of bobsleigh and in accordance with Article 4 of the International Standard for Testing, and for the implementation of that plan. The FIBT shall be responsible for overseeing all Testing conducted by the FIBT.

Testing may be conducted by members of the FIBT Medical Committee or by other qualified persons so authorized by the FIBT.

5.3 Testing Standards.

Testing conducted by the FIBT 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 either to detect Prohibited Substances or Prohibited Methods, for screening procedure purposes, or for longitudinal haematological profiling ("the passport"). If the blood is collected for screening only, it will have no other consequences for the Athlete other than to identify him/her for a urine test under these anti-doping rules. In these circumstances, the FIBT 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. If however, the Sample is collected for longitudinal haematological profiling ("the passport"), it may be used for anti-doping purposes in accordance with Article 2.2 of the *Code*.

5.3.2 The blood sample collection will be in conformity with the International Standards, the International Standards for Blood Collection, and the Guidelines for Blood Sample Collection as set forth in the Appendix hereto.

5.4 Coordination of Testing.

The FIBT 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 The FIBT shall maintain a Registered Testing Pool of those Athletes who are required to provide up-to-date whereabouts information. The Registered Testing Pool may be updated from time to time as appropriate. Each Athlete in the Registered Testing Pool shall file quarterly reports with his/her National Federation, on forms provided by the FIBT, which specify on a daily basis the locations and times where

the Athlete will be residing, training and competing.

Each National Federation shall require that the Athlete in the Registered International Testing Pool shall file quarterly reports with his/her National Federation, on forms provided by the FIBT, which specify on a daily basis the locations and times where the Athlete will be residing, training Athletes shall update this information as necessary so that it is current at all times. The National Federation shall then promptly forward this information to the Secretary General of the FIBT, on forms provided by the FIBT. The ultimate responsibility for providing whereabouts information rests with each Athlete, however, it shall be the responsibility of each National Federation to use its best efforts to assist the FIBT in obtaining whereabouts information as requested by the FIBT.

- 5.5.2 An *Athlete's* failure to advise his/her National Federation or the FIBT 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 An *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 their 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 FIBT's *Registered Testing Pool*, the FIBT 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 *Athlete* 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 on the strict condition that it be used only for Doping Control purposes.
 - 5.5.6 The purpose of the FIBT Registered International Testing Pool is to identify top-level International Athletes who the FIBT requires to provide whereabouts information to facilitate Out-of-Competition Testing by the FIBT and *WADA*. The Registered International Testing pool shall include all Athletes who have participated in FIBT events in the previous season (i.e. World Cup, Americas Cup, Europa Cup, European /North American/Continental/World and FIBT Push Championships).
- 5.6 Retirement and Return to Competition
- 5.6.1 An Athlete who has been identified by the FIBT for inclusion in the FIBT's Registered Testing Pool shall continue to be subject to these Anti-Doping Rules, including the obligation to be available for No Advance Notice Out-of-Competition Testing, unless and until the Athlete gives written notice to the FIBT that he or she has retired or until he or she no longer satisfies the criteria for inclusion in the FIBT's Registered Testing Pool and has been so informed by the FIBT.
 - 5.6.2 National Federations/National Anti-Doping Organizations may establish specific requirements for retirement and returning to Competition for Athletes in the national Registered Testing Pool.
 - 5.6.3 An *Athlete* who has given notice of retirement to the FIBT may not resume competing unless he or she notifies the FIBT at least six months before he or 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.
- 5.7 Selection of Athletes to be tested
- 5.7.1 At International Events, the FIBT shall determine the number of finishing placement tests, random tests and target tests to be performed.
 - 5.7.2 The following Athletes shall be tested for each Competition at an International Event where the FIBT decides to conduct anti-doping control:

2 man Bob, Women's Bob - One Athlete from each of the top three placements in the Competition, plus one other Athlete in the Competition selected at random.

Skeleton Men and Women - Each Athlete from the top three placements in the Competition, plus one other Athlete in the Competition selected at random.

4 man Bob - Two Athletes from each of the top three placements in the Competition, plus two other Athletes in the Competition selected at random

Any Athlete that establishes or breaks a push/track record.

5.7.3 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.

5.7.4 In addition to the selection procedures set forth in Articles 5.7.1 and 5.7.2 above, the FIBT 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.

5.7.5 Athletes shall be selected for Out-of-Competition Testing by the FIBT and by National Federations through a process that substantially complies with the International Standard for Testing in force at the time of selection.

5.8 National Federations and the organizing committees for National Federation Events shall provide access to Independent Observers at Events as directed by FIBT.

6 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 Use of Approved Laboratories

For purposes of Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers), Samples shall be analyzed only in 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 the FIBT and its National Federations responsible for results management.

6.2 Substances Subject to Detection.

Doping Control 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 the FIBT in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

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 for purposes with the Athlete's consent 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 re-analysed for the purpose of Article 6.2 at any time exclusively at the direction of the Anti-Doping Organisation that collected the Sample or WADA. The circumstances and conditions for retesting Samples shall conform to the requirements of the International Standard for Laboratories.

7 ARTICLE 7 - RESULTS MANAGEMENT

7.1 Initial Review Regarding Adverse Analytical Findings

Upon receipt of an A Sample Adverse Analytical Finding, the FIBT or its National Federations responsible for results management shall conduct a review to determine whether:

- (a) an applicable therapeutic use exemption has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or
- (b) there is any apparent departure from the International Standard for Testing or International Standard for Laboratories that caused the Adverse Analytical Finding.

7.1.1 The results from all analyses must be sent to the National Federation and the FIBT in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential. All communication must be conducted in confidentiality and in conformity with *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 The National Federation may choose to establish an Independent Doping Review Panel to conduct this review

7.1.3 If the initial review under Article 7.1 does not reveal an applicable therapeutic use exemption or departure from the International Standard for Testing or the International Standard for laboratory analysis in force at the time of Testing or analysis that undermines the validity of the Adverse Analytical Finding, then the National Federation shall notify (within 7 days of the conclusion of the initial review) the Athlete of the following:

- the Adverse Analytical Finding;
- the anti-doping rule violated or a description of the investigation that will be conducted as to whether there has been an anti-doping rule violation;
- the Athlete's right to request (within 14 days of the notice) the analysis of the B Sample (see Article 7.1.4) or, failing such request, that the B Sample analysis may be deemed waived;
- the right of the Athlete and/or the Athlete's representative to attend the B Sample opening and analysis at the Athletes expense if such analysis is requested; and the Athlete's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratory Analysis that the National Federation intends to impose a period of Ineligibility set forth in Article 10 if the B sample is positive or unopposed.
- the right to a Fair Hearing to challenge the rule violation and/or the imposition of the period of Ineligibility;
- a copy of this Athlete notification from the National Federation shall be sent to the Secretary General of the FIBT.
- 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 the FIBT chooses to request an analysis of the B *Sample*

The National Federation or the FIBT shall also notify the Athlete's National Anti-Doping Organization and WADA. If National Federation or the FIBT 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.

7.1.4 Arrangements shall be made for Testing the B Sample within 14 days of the Athletes response requesting the B Sample Test. An Athlete may accept the A Sample analytical results by waiving the requirement for B Sample analysis.

The National Federation or the FIBT may nonetheless elect to proceed with the B Sample analysis.

7.1.5 The Athlete and/or the Athletes representative shall be allowed to be present at the analysis of the B Sample. Also a representative of the Athlete's National Federation as well as a representative of the FIBT shall be allowed to be present.

- 7.1.6 If the B Sample proves negative, the entire test shall be considered negative and the Athlete, the Athletes National Federation, FIBT and WADA shall be so informed.
- 7.1.7 If the B sample is positive for a Prohibited Substance or the Use of a Prohibited Method is identified, the findings shall be reported by the Laboratory to the Athlete, his National Federation, the FIBT, and to WADA.
- 7.1.8 Upon receipt of these findings (7.1.7) the National Federation shall within 7 days inform the Athlete of the right to have a Fair Hearing.
- 7.1.9 For apparent anti-doping regulation violations that do not involve Adverse Analytical Findings, the National Federation shall conduct any necessary follow-up investigation and shall then promptly notify the Athlete and/or other involved parties and the FIBT of the anti-doping regulation which appears to have been violated, and the basis of the violation.
- 7.1.10 The National Federation shall render a final decision within 14 days after completion of the Fair Hearing. The Athlete and the FIBT shall be informed of the final decision within 7 days of the conclusion of the National Federation's results management process.
- 7.1.11 In the Event the FIBT determines that the final decision or Results Management Process of the National Federation is not in accordance with the FIBT Anti-doping Regulations, the FIBT shall initiate its own Results Management Process including Athlete notification and Fair Hearing process as set forth in Articles 7 and 8, within 28 days of receipt of the final decision of the National Federation.
- 7.1.12 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 FIBT's Registered Testing Pool, during his/her participation in an International Event for which (in accordance with Article 7.13 of the International Standard for Therapeutic Use Exemptions and Article 4.4.8 of these Anti-Doping Rules the FIBT does not require a TUE for asthma medication in advance; then, before the matter is referred to the National Federation or the FIBT 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 Therapeutic Use Exemptions. The result of that application shall be forwarded to National Federation or the FIBT for consideration in its review of the Adverse Analytical Finding under Article 7.1.
- 7.2 Results Management for Tests Initiated During Other International Events.
The National Federations in accordance with this document shall manage results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a Major Event Organization.
- 7.3 Provisional Suspensions
- 7.3.1 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 does not reveal an applicable therapeutic use exemption or departure from the International Standard for Testing or the International Standard for Laboratories that caused the Adverse Analytical Finding, the FIBT shall Provisionally Suspend the Athlete pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.
- 7.3.2 In any case not covered by Article 7.3.1 where the FIBT decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, the FIBT Executive Committee, after consultation with the FIBT Medical Committee, may Provisionally Suspend the Athlete pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.
- 7.3.3 Where a Provisional Suspension is imposed, whether pursuant to Article 7.3.1 or Article 7.3.2, 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 7.3.

7.3.4 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 (or the Athlete's team as may be provided in the rules of the FIBT) 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 or team to be reinserted, the Athlete or team may continue to take part in the Competition.

7.4 Results Management by the FIBT and by National Federations

The FIBT and National Federations will honour and impose the sanctions rendered by any other Anti-doping organisations in accordance with the Code.

7.5 Retirement from Sport

If an Athlete or other Person retires while a results management process is underway, the FIBT and its National Federations conducting the results management process retains jurisdiction to complete its results management process. If an Athlete or other Person retires before any results management process has begun, the Anti-Doping Organization that would have had results management jurisdiction over the Athlete or other Person at the time the Athlete or other Person committed an anti-doping rule violation, has jurisdiction to conduct results management.

7.6 Results Management for Whereabouts Violations

7.6.1 Results management in respect of an apparent Filing Failure by an Athlete in FIBT's Registered Testing Pool shall be conducted by the National Federation in accordance with Article 11.6.2 of the International Standard for Testing

7.6.2 Results management in respect of an apparent Missed Test by an Athlete in FIBT's Registered Testing Pool as a result of an attempt to test the Athlete by or on behalf of the FIBT shall be conducted by the FIBT in accordance with Article 11.6.3 of the International Standard for Testing. Results management in respect of an apparent Missed Test by such an Athlete as a result of an attempt to test the Athlete by or on behalf of another Anti-Doping Organisation shall be conducted by that other Anti-Doping Organisation in accordance with Article 11.7.6(c) of the International Standard for Testing.

7.6.3 Where, in any eighteen-month period, an Athlete in FIBT's 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, the FIBT shall bring them forward as an apparent anti-doping rule violation.

7.7 Results Management for Atypical Findings

7.7.1 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.

7.7.2 If a laboratory reports an Atypical Finding in respect of a Sample collected from an Athlete by or on behalf of the FIBT, the FIBT 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 Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing or International Standard for Laboratories that caused the Atypical Analytical Finding.

7.7.3 If the initial review of an Atypical Finding under Article 7.7.2 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 National Federation, and the FIBT shall be so informed.

- 7.7.4 If the initial review of an Atypical Finding under Article 7.7.2 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, the FIBT 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, the FIBT or the National Federation shall pursue the matter in accordance with Article 7.1.
- 7.7.5 The FIBT 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 the FIBT 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
 - (b) If the FIBT receives a request, either from a Major Event Organization shortly before one of its International Events or from a sports 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 sports organization has a pending Atypical Finding, the FIBT shall so identify any such Athlete after first providing notice of the Atypical Finding to the Athlete.

8 ARTICLE 8 - RIGHT TO A FAIR HEARING

8.1 Notice of Hearing.

Notice of the right to a Fair Hearing shall be provided in accordance with Article 7.1.3.

8.2 Waiver of Hearing

The right to a hearing may be waived either expressly or by the Athlete's or other Person's failure to challenge an FIBT and its National Federations' assertion that an anti-doping rule violation has occurred within the specific time period provided in these Doping Control Regulations. Where no hearing occurs, the Anti-Doping Organization with results management responsibility shall submit to the Persons described in Article 13.2.3 a reasoned decision explaining the action taken.

8.3 The Hearing Process.

When it appears, as a part of the Results Management Process described in Article 7, that these Anti-Doping Rules have been violated, the Athlete or Other Person involved shall be brought before a disciplinary panel to adjudicate whether a violation of these Anti-Doping Rules has occurred and if so what Consequences should be imposed. Such hearing process shall respect the following principles:

- a timely hearing;
- a fair and impartial hearing body;
- the right to be represented by counsel at the Athlete's or Other Person's own expense;
- the right to be fairly and timely informed 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 body's discretion to accept testimony by telephone or written submission);
- the Athlete's or Other Person's right to an interpreter at the hearing, with the hearing body to determine the identity, and responsibility for the cost of the interpreter; and
- a timely, written, reasoned final decision.

Hearings pursuant to this Article shall be completed within three months of the completion of the Results

Management process described in Article 7. An expedited process may conduct hearings held in connection with Events. If the completion of the hearing is delayed beyond three months, the FIBT may elect, if the Athlete is an International Level Athlete, to bring the case directly to a single arbitrator from the Court of Arbitration for Sport (CAS) cf. Art. R38 ff. of the Code of Sports Related Arbitration. The case before the Court of Arbitration for Sport shall be handled in accordance with the Court of Arbitration for Sport appeal procedure without reference to any time limit for appeal. If the completion of the hearing is delayed beyond three months, and the Athlete is not an International Level Athlete, the FIBT may elect to bring the case directly to the national level appellate body referenced in Article 13.2.2. In either case, the hearing shall proceed at the responsibility of and the expense of the National Federation. In either case the appeal from such decision shall be to the Court of Arbitration for Sport.

- 8.4 National Federations shall keep the FIBT and WADA fully apprised as to the status of pending cases and the results of all hearings.
- 8.5 The FIBT shall have the right to attend hearings as an observer.
- 8.6 The Athlete 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.
- 8.7 Decisions by National Federations, whether as the result of a hearing or the Athlete or other Person's acceptance of Consequences, may be appealed as provided in Article 13.
- 8.8 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 as required by applicable national law.

9 ARTICLE 9 - AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

An anti-doping rule violation in Individual Sports in connection with an In-Competition test automatically leads to Disqualification of the result obtained in that Competition with all resulting Consequences, including forfeiture of any medals, points and prizes.

10 ARTICLE 10 - SANCTIONS ON INDIVIDUALS

10.1 Disqualification of Results in the Event During which an Anti-Doping Rule Violation Occurs

An anti-doping rule violation occurring during or in connection with an Event may, upon the decision of the ruling body of the Event, lead to Disqualification of all of the Athlete's individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

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

10.2 Ineligibility 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 Method) or Article 2.6 (Possession of Prohibited Substances and Prohibited 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.

10.3 Ineligibility for Other Anti-Doping Rule Violations

The period of Ineligibility for anti-doping rule violations 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 Articles 2.7 (Trafficking or Attempted Trafficking) or 2.8 (Administration or Attempted 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 referenced in Article 4.2.2, shall result in lifetime Ineligibility for Athlete Support Personnel. In addition, significant violations of Articles 2.7 or 2.8 that may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

10.3.3 For violations of Article 2.4 (Whereabouts 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.

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 or her body or came into his or 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 or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an 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.

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 or 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 or 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 or she bears No Significant Fault or Negligence, then the otherwise applicable 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 Article may be no less than eight (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 a Prohibited Substance or its Metabolites or Markers), the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility reduced.

10.5.3 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

The FIBT and its National Federations responsibility for an anti-doping rule violation 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 the FIBT and its National Federations, criminal authority or professional disciplinary body which results in the FIBT's or its National Federations' 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 offence or the breach of professional rules by another Person. After a final appellate decision

under Article 13 or the expiration of time to appeal, the FIBT and its National Federations may only suspend a part of the otherwise applicable period of Ineligibility with the approval of WADA and the applicable International Federation. 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 section must be no less than eight (8) years. If the FIBT or a National Federation suspends any part of the otherwise applicable period of Ineligibility under this Article, the FIBT or its National Federation shall promptly provide a written justification for its decision to each Anti-Doping Organization having a right to appeal the decision. If the FIBT or its National Federation subsequently reinstates any part of the suspended period of Ineligibility because the Athlete or other Person has failed to provide the Substantial Assistance that was anticipated, the Athlete or other Person may appeal the reinstatement pursuant to Article 13.2.

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.

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 or suspension 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-fourth of the otherwise applicable period of Ineligibility.

10.6 Aggravating Circumstances Which May Increase the Period of Ineligibility

If the FIBT or its National Federation establishes in an individual case involving an anti-doping rule violation other than violations under Articles 2.7 (Trafficking or Attempted Trafficking) and 2.8 (Administration or Attempted 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 (4) years unless the Athlete or other Person can prove to the comfortable satisfaction of the hearing panel that he or she did not knowingly commit the anti-doping rule violation.

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 the FIBT or its National Federation.

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

Definitions for purposes of the second anti-doping 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 proven 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 (2) years under Articles 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 FIBT or its National Federation 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.

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 fulfils 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 the FIBT 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 (Results Management), or after the FIBT or its National Federation made reasonable efforts to give notice, of the first anti-doping rule violation; if the FIBT 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, FIBT or its National Federation discovers facts involving an anti-doping rule violation by the Athlete or other Person which occurred prior to notification regarding the first violation, then the FIBT or its National Federation 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 or she is first charged.

The same rule shall also apply when the FIBT or its National Federation discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

- 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-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 medals, points and prizes.

- 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 Unless the rules of the International Federation provide that forfeited prize money shall be reallocated to other Athletes, it shall be allocated first to reimburse the collection expenses of the FIBT or its National Federation that performed the necessary steps to collect the prize money back, then to reimburse the expenses of the FIBT or its National Federation that conducted results management in the case, with the balance, if any, allocated in accordance with the International Federation's rules.

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. Any period of Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility 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 body 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 or other Person promptly (which, in all events, for an Athlete means before the Athlete competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the FIBT or its National Federation, 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.
- 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 the FIBT or its National Federation with results management authority and thereafter refrains from competing, the Athlete shall

receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility that 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.

- 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 or her team.

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 a Competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by FIBT or its National Federation, or a club or other member organization of the FIBT, 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 (4) years may, after completing four (4) years of the period of Ineligibility, participate in local sport events in a sport other than the sport in which the Athlete or other Person committed the anti-doping rule violation, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event.

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

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 or 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 the FIBT or its National Federation whose results management led to the imposition of the initial period of Ineligibility.

- 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 Signatories, Signatories' member organizations and governments.

- 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 or herself available for Out-of-Competition Testing by any Anti-Doping Organization having Testing jurisdiction, and must, if requested, provide current and accurate whereabouts information. 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 relevant Anti-Doping Organizations and has been subject to Out-of-Competition Testing for a period of time equal to the period of Ineligibility remaining as of the date the Athlete had retired.

10.12 Imposition of Financial Sanctions

No financial sanction may be considered a basis for reducing the period of Ineligibility or other sanction that would otherwise be applicable under the Code.

11 ARTICLE 11 - CONSEQUENCES TO TEAMS

11.1 Testing of Teams

Where more than one member of a team in has been notified of an anti-doping rule violation under Article 7 in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of the team during the Event Period.

11.2 Consequences for Teams

If more than two members of a team are found to have committed an anti-doping rule violation during an Event Period, the ruling body of the Event shall impose an appropriate sanction on the team (e.g., loss of points, Disqualification from a Competition or Event, or other sanction) in addition to any Consequences imposed upon the individual Athletes committing the anti-doping rule violation.

11.3 Event Ruling Body May Establish Stricter Consequences for Team Sports

The ruling body for an Event may elect to establish rules for the Event that impose Consequences for Teams stricter than those in Article 11.2 for purposes of the Event.

12 ARTICLE 12 - SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS

12.1 The FIBT 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 Regulations.

12.2 National Federations may be obligated to reimburse the FIBT for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Regulations committed by an Athlete or other Person affiliated with that National Federation.

12.3 FIBT 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 the FIBT or Anti-Doping Organizations other than the National Federation or its National Anti-Doping Organization. In such Event the FIBT may in its discretion elect to: (a) ban all officials from that National Federation for participation in any FIBT activities for a period of up to two years and/or (b) fine the National Federation in an amount up to 10.000 Euros.

12.3.1.1 If four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed in addition to the violations described in Article 12.3.1 by Athletes or other Persons affiliated with a National Federation within a 12-month period in testing conducted by the FIBT or Anti-Doping Organizations other than the National Federation or its National Anti-Doping Organization, then the FIBT may suspend that National Federation's membership for a period of up to 4 years.

12.3.2 A National Federation has failed to make diligent efforts to keep the FIBT informed about an Athlete's whereabouts after receiving a request for that information from the FIBT. In such Event the FIBT may fine the National Federation in an amount up to 2000 Euros per Athlete in addition to all of FIBT costs incurred in testing that National Federation's Athletes.

13 ARTICLE 13 - APPEALS

13.1 Decisions Subject to Appeal

Decisions made under the Code or rules adopted pursuant to the Code may be appealed as set forth below in Articles 13.2 through 13.4 or as otherwise provided in the Code. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review

provided in the Anti-Doping Organization's rules must be exhausted, provided that such review respects the principles set forth in Article 13.2.2 below (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 the FIBT's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the FIBT's process.

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 (Violation of the Prohibition of Participation during Ineligibility); a decision that the FIBT or its National Federation lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision by the FIBT or its 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 7.1; and a decision to impose a Provisional Suspension as a result of a Provisional Hearing or in violation of Article 7.3, may be appealed exclusively as provided in this Article 13.2.

13.2.1 Appeals Involving International-Level Athletes

In cases arising from participation 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.

13.2.2 Appeals Involving National-Level Athletes

In cases involving national-level Athletes, as defined by a National Federation, who do not have a right to appeal under Article 13.2.1, the decision may be appealed to an independent and impartial body in accordance with rules established by the National Federation. The rules for such appeal shall respect the following principles:

- a timely hearing;
- a fair, impartial and independent hearing panel;
- the right to be represented by counsel at the Person's own expense; and - a timely, written, reasoned decision.

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) the FIBT;
- (d) the National Federation of the Person's country of residence or countries where the Person is a national or license holder;
- (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- (f) 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 FIBT's 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) the relevant International Federation;

- (d) the National Federation of the Person's country of residence; and
- (e) WADA. For cases under Article 13.2.2, WADA and the International Federation shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organization whose decision is being appealed and the information shall be provided if CAS so directs.

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.

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.

13.2.4 The time to file an appeal to CAS by persons other than WADA 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 lead 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.

13.3 Failure to render a timely decision by the FIBT

Where, in a particular case, the FIBT or its National Federations fails 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 the FIBT or its National Federations had rendered a decision finding no anti-doping rule violation. If the CAS hearing 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's fees in prosecuting the appeal shall be reimbursed to WADA by the FIBT.

13.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

The Athlete or the FIBT or its National Federation whose decision was reversed may appeal decisions by WADA reversing the grant or denial of a therapeutic use exemption exclusively to CAS. Decisions by the FIBT or its National Federations denying therapeutic use exemptions, 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 therapeutic use exemption, that decision may be appealed to CAS by WADA.

When the FIBT or its National Federation fails to take action on a properly submitted therapeutic use exemption application within a reasonable time, the FIBT's or its National Federation's failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

13.5 Appeals from decisions suspending or revoking Laboratory Accreditation decisions by WADA to suspend or revoke a laboratory's WADA accreditation may be appealed only by that laboratory with the appeal being exclusively to CAS.

13.6 The National Federation may appeal decisions by the FIBT pursuant to Article 12 exclusively to CAS.

14 ARTICLE 14 - CONFIDENTIALITY AND REPORTING

The principles of coordination of anti-doping results, public transparency and accountability and respect for the privacy interests of individuals alleged to have violated anti-doping rules are:

14.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and Other Potential Anti-Doping Rule Violations

- 14.1.1 Notice to Athletes and Other Persons
An Athlete whose Sample is brought forward as an Adverse Analytical Finding after the initial review under Articles 7.1 or 7.3, or an Athlete or other Person who is asserted to have committed an anti-doping rule violation after the initial review under Article 7.4, shall be notified by the FIBT or its National Federation with results management responsibility as provided in Article 7 (Results Management).
- 14.1.2 Notice to National Federation, the FIBT and WADA
The same Anti-Doping Organization shall also notify the Athlete's National Federation, the FIBT and WADA not later than the completion of the process described in Articles 7.1 through 7.4.
- 14.1.3 Content of Notification
Notification shall include: the Athlete's name, country, sport and discipline within the sport, the Athlete's competitive level, whether the test was In-Competition or Out-of-Competition, the date of Sample collection and the analytical result reported by the laboratory.
- 14.1.4 Status Reports
The same Persons and Anti-Doping Organizations shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 7 (Results Management), 8 (Right to a Fair Hearing) or 13 (Appeals) and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.
- 14.1.5 Confidentiality
The recipient organizations shall not disclose this information beyond those Persons with a need to know (which would include the appropriate personnel at the applicable National Olympic Committee, National Federation, and team in a Team Sport) until the Anti-Doping Organization with results management responsibility has made public disclosure or has failed to make public disclosure as required in Article 14.2 below.
- 14.2 Public Disclosure
- 14.2.1 The identity of any Athlete or other Person who is asserted by the FIBT or its National Federations to have committed an anti-doping rule violation, may be publicly disclosed by the Anti-Doping Organization with results management responsibility only after notice has been provided to the Athlete or other Person in accordance with Articles 7.2, 7.3 or 7.4, and to the applicable Anti-Doping Organizations in accordance with Article 14.1.2.
- 14.2.2 No later than twenty (20) days after 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, the FIBT or its National Federation responsible for results management must publicly report the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved and the Consequences imposed. The FIBT or its National Federation must also publicly report within twenty (20) days appeal decisions concerning anti-doping rule violations. The FIBT or its National Federations shall also, within the time period for publication, send all hearing and appeal decisions to WADA.
- 14.2.3 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the Athlete or other Person who is the subject of the decision. The Anti-Doping Organization with results management responsibility 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.
- 14.2.4 For purposes of Article 14.2, publication shall be accomplished at a minimum by placing the required information on the FIBT or its National Federation's Web site and leaving the information up for at least one (1) year.

14.2.5 Neither the FIBT or its National Federation or WADA accredited laboratory, nor officials of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the Athlete, other Person or their representatives.

14.3 Athlete Whereabouts Information

As further provided in the International Standard for Testing, Athletes who have been identified by their International Federation or National Anti-Doping Organization for inclusion in a Registered Testing Pool shall provide accurate, current location information.

The FIBT and its National Federation's shall coordinate the identification of Athletes and the collecting of current location information and shall submit these to WADA.

This information will be accessible, through ADAMS where reasonably feasible, to other Anti-Doping Organizations having jurisdiction to test the Athlete as provided in Article 15. This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting Testing; and shall be destroyed after it is no longer relevant for these purposes.

14.4 Statistical Reporting Anti-Doping Organizations shall, at least annually, publish publicly a general statistical report of their Doping Control activities with a copy provided to WADA. The FIBT or its National Federation may also publish reports showing the name of each Athlete tested and the date of each Testing.

14.5 Doping Control Information Clearinghouse

WADA shall act as a central clearinghouse for Doping Control Testing data and results for International-Level Athletes and national-level Athletes who have been included in their National Anti-Doping Organization's Registered Testing Pool. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in Testing by the various Anti-Doping Organizations, each Anti-Doping Organization shall report all In-Competition and Out-of- Competition tests on such Athletes to the WADA clearinghouse as soon as possible after such tests have been conducted. This information will be made accessible to the Athlete, the Athlete's National Federation, National Olympic Committee or National Paralympic Committee, National Anti-Doping Organization, International Federation, and the International Olympic Committee or International Paralympic Committee.

To enable it to serve as a clearinghouse for Doping Control Testing data, WADA has developed a database management tool, ADAMS that reflects emerging data privacy principles. In particular, WADA has developed ADAMS to be consistent with data privacy statutes and norms applicable to WADA and other organizations using ADAMS. Private information regarding an Athlete, Athlete Support Personnel, or others involved in anti-doping activities shall be maintained by WADA, which is supervised by Canadian privacy authorities, in strict confidence and in accordance with the International Standard for the protection of privacy. WADA shall, at least annually, publish statistical reports summarizing the information that it receives, ensuring at all times that the privacy of Athletes is fully respected and make itself available for discussions with national and regional data privacy authorities.

14.6 Data Privacy

When performing obligations under the Code, the FIBT or its National Federation may collect, store, process or disclose personal information relating to Athletes and third parties. The FIBT or its National Federation shall ensure that it complies with applicable data protection and privacy laws with respect to their handling of such information, as well as the International Standard for the protection of privacy that WADA shall adopt to ensure Athletes and non-athletes are fully informed of and, where necessary, agree to the handling of their personal information in connection with anti-doping activities arising under the Code.

15 ARTICLE 15 - CLARIFICATION OF DOPING CONTROL RESPONSIBILITIES

15.1 Event Testing

The collection of Samples for Doping Control does and should take place at both International Events and National Events. However, except as otherwise provided below, only a single organization should be responsible for

initiating and directing Testing during the Event Period. At International Events, the collection of Doping Control Samples shall be initiated and directed by the international organization that is the ruling body for the Event (e.g., the International Olympic Committee for the Olympic Games, the International Federation for a World Championship, and Pan-American Sports Organisation for the Pan American Games). At National Events, the collection of Doping Control Samples shall be initiated and directed by the designated National Anti-Doping Organization of that country.

15.1.1 If an Anti-Doping Organization which is not responsible for initiating and directing Testing at an Event nevertheless desires to conduct additional Testing of Athletes at the Event during the Event Period, the Anti-Doping Organization shall first confer with the ruling body of the Event to obtain permission to conduct, and to coordinate, any additional Testing. If the Anti-Doping Organization is not satisfied with the response from the ruling body of the Event, the Anti-Doping Organization may ask WADA for permission to conduct additional Testing and to determine how to coordinate such additional Testing. WADA shall not grant approval for such additional Testing before consulting with and informing the ruling body for the Event.

15.2 Out-of-Competition Testing Out-of-Competition Testing shall be initiated and directed by both international and national organizations.

Out-of-Competition Testing may be initiated and directed by:

- (a) WADA;
- (b) the International Olympic Committee or International Paralympic Committee in connection with the Olympic Games or Paralympic Games;
- (c) the Athlete's International Federation; or
- (d) any other Anti-Doping Organization that has Testing jurisdiction over the Athlete as provided in Article 5.1 (Test Distribution Planning). Out-of-Competition Testing shall be coordinated through ADAMS where reasonably feasible in order to maximize the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing of individual Athletes.

15.3 Results Management, Hearings and Sanctions

Except as provided in Article 15.3.1 below, results management and hearings shall be the responsibility of and shall be governed by the procedural rules of the Anti-Doping Organization that initiated and directed Sample collection (or, if no Sample collection is involved, the organization which discovered the violation). If that Anti-Doping Organization does not have the authority to conduct results management, then results management authority shall default to the applicable International Federation. Regardless of which organization conducts results management or hearings, the principles set forth in Articles 7 and 8 shall be respected and the rules identified in the Introduction to Part One to be incorporated without substantive change must be followed.

15.3.1 Results management and the conduct of hearings for an anti-doping rule violation arising from a test by, or discovered by, a National Anti-Doping Organization involving an Athlete who is not a national, resident, license-holder or member of a sport organization of that country shall be administered as directed by the rules of the applicable International Federation. Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a Major Event Organization, shall be referred to the applicable International Federation as far as sanctions beyond Disqualification from the Event or the results of the Event.

15.4 Mutual Recognition

15.4.1 Subject to the right to appeal provided in Article 13, Testing, therapeutic use exemptions and hearing results or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory's authority, shall be recognized and respected by the FIBT and its National Federations.

15.4.2 The FIBT and its National Federations shall 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.

16 ARTICLE 16 - NATIONAL FEDERATIONS INCORPORATION OF THE FIBT REGULATIONS

16.1 Incorporation of the FIBT Anti-Doping Regulations

All National Federations shall comply with these Anti-Doping Regulations. These Anti-Doping Regulations shall also be incorporated either directly or by reference into each National Federations Rules. All National Federations shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Regulations. Each National Federation shall obtain the written acknowledgement and agreement, in the form attached as Appendix 2, of all Athletes subject to Doping Control and Athlete Support Personnel for such Athletes. Notwithstanding whether or not the required form has been signed, the Rules of each National Federation shall specifically provide that these Anti-Doping Regulations shall bind all Athletes, Athlete Support Personnel and other Persons under the jurisdiction of the National Federation.

17 ARTICLE 17 - RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

17.1 Subject to the right to appeal provided in Article 13, the Testing, therapeutic use exemptions and hearing results or other final adjudications of any Signatory to the Code which are consistent with the Code and are within the Signatory's authority, shall be recognised and respected by the FIBT and its National Federations. The FIBT and its National Federations 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.

18 ARTICLE 18 - STATUTE OF LIMITATIONS

18.1 No action may be commenced against an Athlete or other Person for an anti-doping rule violation contained in the Code unless such action is commenced within eight (8) years from the date the violation is asserted to have occurred.

19 ARTICLE 19 - THE FIBT'S COMPLIANCE REPORTS TO WADA

19.1 The FIBT will report to WADA on the FIBT's compliance with the Code every second year and shall explain reasons for any non-compliance.

20 ARTICLE 20 - AMENDMENT AND INTERPRETATION OF THE ANTI-DOPING REGULATIONS

20.1 The FIBT Executive Committee may amend these Anti-Doping Rules from time to time.

20.2 Except as provided in Articles 8.3 and 20.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

20.3 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.

20.4 The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.

20.5 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.

20.6 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.

20.7 These Anti-Doping Rules shall come into full force and effect on 1 January 2009 (the "Effective Date"). They shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:

- 20.7.1 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.
- 20.7.2 Any Article 2 whereabouts violation (whether a filing failure or a missed test) declared by FIBT or a National Federation 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 of these Anti-Doping Rules. Unless otherwise stated by the FIBT, however:
- (a) a filing failure that is carried forward in this manner may only be combined with (post-Effective Date) Filing Failures;
 - (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 the FIBT or 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.
- 20.7.3 Where a period of Ineligibility imposed by the FIBT 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 the FIBT 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.
- 20.8 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.

APPENDIX 1 - DEFINITIONS

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

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

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

Athlete: Any Person who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each National Anti-Doping Organization, including but not limited to those Persons in its Registered Testing Pool), and any other competitor in sport who is otherwise subject to the jurisdiction of any Signatory or other sports organization accepting the Code. All provisions of the Code, including, for example, Testing and therapeutic use exemptions, must be applied to international- and national-level competitors.

Some National Anti-Doping Organizations may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national calibre competitors. National Anti-Doping Organizations are not required, however, to apply all aspects of the Code to such Persons. Specific national rules may be established for Doping Control for non-international-level or non-national-level competitors without being in conflict with the Code. Thus, a country could elect to test recreational-level competitors but not require therapeutic use exemptions or whereabouts information. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not require advance therapeutic use exemptions or whereabouts information. For purposes of Article 2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

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

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

Atypical Finding: A report from a laboratory or other WADA approved entity that 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 race, match, game or singular athletic contest. For example, a basketball game or the finals of the Olympic 100-metre race in athletics. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a Competition and an Event will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rules Violations: An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Athlete's results in a particular Competition or Event are invalidated, with all resulting Consequences including forfeiture of any medals, points and prizes; (b) Ineligibility

means the Athlete or other Person is barred for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.9; 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 Rules 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, therapeutic use exemptions, results management and hearings.

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

Event Period: The time between the beginning and end of an Event, as established by the ruling body of the Event.

In-Competition: Unless provided otherwise in the rules of an International Federation or other 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.

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 Rules Violations, above.

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

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

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

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

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

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 or her country of residence.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level.

This includes an entity that 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 Athletes that is not an International Event.

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

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

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

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

Out-of-Competition: Any Doping Control that 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 or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it.

Provided, however, there shall be no anti-doping rule violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organization. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Person who makes the purchase.

Prohibited List: The List identifying the Prohibited Substances and Prohibited Methods.

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

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

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

Provisional Suspension: See Consequences of Anti-Doping Rules 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 each International Federation and National Anti-Doping Organization who are subject to both In-Competition and Out-of-Competition Testing as part of that International Federation's or National Anti-Doping Organization's test distribution plan. Each International Federation shall publish a list that identifies those Athletes included in its Registered Testing Pool either by name or by clearly defined, specific criteria.

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

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

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 or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example,

presenting testimony at a hearing if requested to do so by an Anti-Doping Organization or hearing panel. Further, the information provided must be credible and must comprise an important part of any case that 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 players is permitted during a Competition.

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

Trafficking: Selling, giving, transporting, sending, delivering or distributing 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.

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 means whatsoever of any Prohibited Substance or Prohibited Method.

WADA: The World Anti-Doping Agency

APPENDIX 2 - ACKNOWLEDGMENT AND AGREEMENT

I, as a member of [National Federation] and/or a participant in an [National Federation or the FIBT] authorised or recognised event, hereby acknowledge and agree as follows:

1. I have received and had an opportunity to review the FIBT Anti-Doping Regulations.
2. I consent and agree to comply with and be bound by all of the provisions of the FIBT Anti-Doping Regulations, including but not limited to, all amendments to the FIBT Anti-Doping Regulations and all International Standards incorporated in the Anti-Doping Regulations.
3. I acknowledge and agree that [National Federations and the FIBT] have jurisdiction to impose sanctions as provided in the FIBT Anti-Doping Rules.
4. I also acknowledge and agree that any dispute arising out of a decision made pursuant to the FIBT Anti-Doping Regulations, after exhaustion of the process expressly provided for in the FIBT Anti-Doping Regulations, may be appealed exclusively as provided in Article 13 of the FIBT Anti-Doping Regulations to an appellate body for final and binding arbitration, which in the case of International-Level Athletes is the Court of Arbitration for Sport.
5. 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.
6. I have read and understand this Acknowledgement and Agreement.

Date

Name (Print, Last Name, First Name)

Date of Birth

Signature (or, if a minor, signature of (Day/Month/Year) legal guardian)

APPENDIX 3 - INTERNATIONAL STANDARDS

(See <http://www.wada-ama.org/en/dynamic.ch2?pageCategory.id=268>)

The FIBT Anti-Doping Rules work in conjunction with the following International Standards:

- Prohibited List
- International Standard for Testing
- International Standard for Therapeutic Exemptions
- International Standard for Laboratories

APPENDIX 4 - BEST PRACTICE AND GUIDELINES

(See <http://www.wada-ama.org/en/dynamic.ch2?pageCategory.id=269>)

Models of best practice and guidelines provide recommended solutions:

- Registered Doping Pool
- Result Management
- Out-of-Competition Testing
- Missed Tests
- Whereabouts Information
- TUE
- Blood Sample Collection
- Breath Alcohol Collection
- Urine Sample Collection
- Sample Collection Personnel
- Transition
- Certification
- Education Program
- Reporting and Management of Elevated T/E Ratios
- Laboratory Test Results