



The World Anti-Doping Program

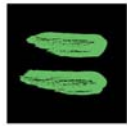
RESULT MANAGEMENT GUIDELINES

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World Anti-Doping Program Result Management Guidelines

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INTRODUCTION AND SCOPE

These Test Result Management Guidelines are a model for best practice developed as part of the World Anti-Doping Program. They are based on The World Anti-Doping *Code* and on mandatory standards set out in the *Code*. The World Anti-Doping Agency thanks the Australian Sports Drug Agency for its valuable contribution in the development of this document.

As a model for best practice, these Guidelines are not mandatory and *Anti-Doping Organisations* are free to decide how to incorporate them into their current rules and procedures. The Guidelines can be incorporated in whole or in part and can be amended, reworded or an alternative approach adopted to best fit the *Anti-Doping Organisation's* needs. These Guidelines should, in particular, be read in conjunction with the principles set out in Article 7 of the *Code*.

These Guidelines may be applied by any *Anti-Doping Organisation* with responsibility for conducting results management. Their main purpose is to coordinate procedures for results management, from the time of notification of initial results to the assertion of an *Anti-Doping Rule Violation* and notification to the appropriate disciplinary body. They do not include procedures for Hearing cases of *Anti-Doping Rule Violations*.

These Guidelines were developed following extensive consultation with the WADA Standards and Harmonisation Committee in 2001-2 and aligned with the new World Anti-doping *Code* and *International Standard* for Testing following their endorsement in March and June 2003 respectively.

DEFINITIONS

Definitions specified in the *Code* or *International Standard* for Testing are written in *italics*. Additional definitions specific to these Guidelines are set out below and underlined throughout.

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

Anti-Doping Rule Violation: An anti-doping rule violation as set out in Article 2 of the *Code*.

Adverse analytical finding: A report from a laboratory or other approved testing entity that identifies in a *Specimen* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Substance*.

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

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

Code: The World Anti-Doping *Code*.

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

Consequences of Anti-Doping Rules Violations: An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) ***Disqualification*** means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) ***Ineligibility*** means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; 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).

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

Doping Control Officer (DCO): An official who has been trained and authorised by the *ADO* with delegated responsibility for the on-site management of a Sample Collection Session.

DCO Report: A document in which the *DCO* is able to record additional details of the Sample Collection Session.

Doping Control Form: A document in which specified details of the *Athlete's Sample* and identity are recorded.

Doping Control Station: The location where the Sample Collection Session will be conducted.

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

Failure to Comply: A term used to describe *Anti-Doping Rule Violations* in Articles 2.3, 2.4, 2.5 and 2.8 of the *Code*.

Hearing: A Hearing conducted in accordance with the principles set out in Article 8 of the *Code*.

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 covered by the *International Standard* were performed properly.

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

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

Metabolite: Any substance produced by a biotransformation process.

Negative Analytical Finding: An analysis of a *Sample* by a laboratory that, when compared to a reference, does not identify or indicate the presence of a *Prohibited Substance* or the *Use of a Prohibited Method*.

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*.

Person: A natural *Person* or an organization or other entity

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*.

Record: Document which furnishes evidence of activities performed or results achieved.

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

Sample Collection Session: All of the sequential activities that directly involve the *Athlete* from notification until the *Athlete* leaves the *Doping Control Station* after having provided his/her *Sample/s*.

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*.

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

WADA: The World Anti-Doping Agency.

1. Laboratory Results and Possible *Failure to Comply* Reports

- 1.1. The *ADO* shall receive the analytical results from the laboratory by secure fax, hand delivery or electronically through the Clearinghouse.¹
- 1.2. The *ADO* shall receive any DCO Reports indicating a possible *Failure to Comply* from the relevant *DCO* along with other documentation from the Sample Collection Session, by secure fax, hand delivery or electronically through the Clearinghouse.

2. Negative Analytical Findings

- 2.1 The *ADO* shall identify from the Doping Control Form all *Athletes* whose *Samples* have resulted in a Negative Analytical Finding.
- 2.2 The *ADO* shall notify via the Clearinghouse, relevant stakeholders of Negative Analytical Findings to ratify Records.¹
- 2.3 The *ADO* may notify *Athletes* or their representative of Negative Analytical Findings if so required. However, the *ADO* shall reserve the possibility to conduct further testing on the *Sample* as long as they are stored.
- 2.4 All documentation from the Sample Collection Session along with the notification of Negative Analytical Findings shall be retained by the *ADO* for a minimum of 8 years.²

¹ WADA Code art. 14.5 *Doping Control* Information Clearing House:

WADA shall act as a central clearing house for *Doping Control Testing* data and results for *International-Level Athletes* and national-level *Athletes* that 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. WADA shall make this information 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*. Private information regarding an *Athlete* shall be maintained by WADA in strict confidence. WADA shall, at least annually, publish statistical reports summarizing such information."

² WADA Code art. 17 Statute of Limitations:

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

3. Adverse Analytical Findings

3.1 Initial Review (Ref. Code art.: 3.2, 3.2.1, 3.2.2)

- 3.1.1 Upon receipt of an *Adverse Analytical Finding*, the *ADO* shall review for any irregularity all of the documentation relating to the Sample Collection Session (including the Doping Control Form, DCO Report and other Records), and the laboratory analysis.
- 3.1.2 If there are any irregularities in the documentation, the *ADO* shall determine whether the irregularity can be considered to undermine the validity of the *Adverse Analytical Finding*.
- 3.1.3 If irregularities are reasonably considered to undermine the validity of the *Adverse Analytical Finding*, the *ADO* shall declare the test result void.
- 3.1.4 If a test is declared void due to an irregularity, it is recommended that the *ADO* schedule an additional test on the *Athlete* at a later time.
- 3.1.5 If the *ADO* declares a test result void, it shall immediately inform the *Athlete's* International Federation and *WADA*.

3.2 Follow-up Investigations

- 3.2.1 If the *Sample* shows the presence of a *Prohibited Substance* (for example endogenous substances) where further investigations are required to determine an Anti-Doping Rule Violation (see 3.3.4), the *ADO* may conduct an investigation before issuing a notice to an *Athlete* asserting that an Anti-Doping Rule Violation has occurred.
- 3.2.2 In the case where the laboratory has reported the presence of a testosterone/epitestosterone ratio greater than 6 to 1 in the urine, further investigation is obligatory in order to determine whether the ratio is due to physiological or pathological condition. The investigation will include a review of any previous tests, subsequent tests, results of endocrinological investigations and/or CIRMS analyses. Where previous tests are not available, the *Athlete* shall undergo an endocrine investigation or be tested on a *No Advance Notice* basis at least once per month for three months.
- 3.2.3 The *ADO* may request the assistance of the laboratory and other scientific and/or medical expertise as necessary to conduct an investigation, not revealing the identity of the *Athlete*.

- 3.2.4 If the *ADO* determines that the past doping test history of the *Athlete* is relevant to the investigation, the *ADO* must notify the *Athlete* in writing that the *Athlete's* past doping test history is required and provide reasoning for such request. The *Athlete* must then forward details of their past doping test history to the *ADO* within 7 days of receiving the notice and authorize the *ADO* to request information from other *ADOs*. The *ADO* may contact other *ADOs*, other laboratories or *WADA* to verify the *Athlete's* past doping test history.
- 3.2.5 The *ADO* shall make the final consideration as to whether the follow-up investigation procedures evidence of an Anti-Doping Rule Violation. In making the consideration, the *ADO* must take into account all laboratory analyses and the findings and recommendation of any medical advisory or review committee. The *ADO* may consult the laboratory and any other experts to assist in the interpretation of the follow-up investigation results.
- 3.2.6 If the *ADO* determines that the investigation indicates that the *Adverse Analytical Finding* is due to a physiological or pathological condition and not due to an Anti-Doping Rule Violation, the *ADO* shall advise the *Athlete* accordingly and no further action shall be taken in relation to the *Adverse Analytical Finding*.
- 3.2.7 If the *ADO* determines that the investigation establishes evidence of an Anti-Doping Rule Violation, then the *ADO* shall follow these Guidelines with respect to the *Adverse Analytical Finding*.

3.3 Therapeutic Use (TUE)

- 3.3.1 If the analysis reveals a prohibited substance or method for which a TUE has been granted in accordance with the *International Standards for Therapeutic Use Exemptions*, no further action is required.
- 3.3.2 If the *Athlete* has been granted a therapeutic use exemption in accordance with the *International Standard for Therapeutic Use Exemptions*, but the level of the *Prohibited Substance* in the *Sample* is not consistent with the exemption, then the *ADO* shall continue to follow these Guidelines in respect to the *A Sample Adverse Analytical Finding*.
- 3.3.3 If the *Athlete* has not been granted a therapeutic use exemption in accordance with the *International Standard* for therapeutic use exemptions, then the *ADO* shall follow these Guidelines in respect to the *A Sample Adverse Analytical Finding*.

3.3.4 Despite the fact that the *Athlete* has produced any other medical information at the time of the *Doping Control* the *ADO* shall follow these Guidelines in respect to the *A Sample Adverse Analytical Finding*.

3.4 Notification After Initial Review

3.4.1 Once the *ADO* has determined that the *Adverse Analytical Finding* is not due to any irregularity that undermines its validity and that there is no applicable therapeutic use exemption, then the *ADO* shall ensure that the *Athlete* is notified in writing of the *Adverse Analytical Finding*. The notice shall include the following details: (Ref. *Code art. 14.1*)

- a) *Athletes* name, country, sport and discipline.
- b) In Competition or out of Competition control and date of the collection
- c) That the *A Sample* has returned an *Adverse Analytical Finding* and the details of the *Prohibited Substance* identified in the *A Sample*;
- d) The anti-doping rule asserted to be violated in accordance with the *ADO* or Applicable Sport Body's rules, or, where a further investigation is necessary, a description of the additional investigation that will be conducted as to whether there is an Anti-Doping Rule Violation;
- e) The possible Consequences of the *Anti-Doping Rule Violation*;
- f) The *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived and the *A Sample* finding used as evidence of the Anti-Doping Rule Violation;
- g) The right of the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis if such analysis is requested;
- h) The other parties that will be notified of the *A Sample Adverse Analytical Finding*;
- i) The *Athlete's* right to request copies of the *A* and *B Sample* laboratory report which includes information as required by the *International Standard* for laboratory analysis; and
- j) In cases where a provisional suspension is to be imposed in accordance with clause 5 below, details of that provisional

suspension, the provisional Hearing and/or expedited Hearing as applicable.

- [k) some *ADOs* may include that the *Athlete* has the opportunity to waive his/her right to a Hearing by acknowledging the infraction and accepting the agreed consequences.]

3.4.2 In an *Event* where a provisional suspension (Ref. Code art. 7.5)³ is to be imposed or other instances where time dictates, the above details may be given to *Athlete* and other relevant organizations (as per the Code art. 14.1) verbally in first instance and followed up with notice in writing as soon as possible.

3.5 B Sample Analysis

3.5.1 Should the *Athlete* and/or the *ADO* decide to have the B Sample analysed the *ADO* shall contact the laboratory and confirm the date and time for testing of the B Sample.

3.5.2 The *ADO* shall notify the *Athlete* of the time for the B Sample analysis, which should be no later than 5 working days after the *Athlete* requests that it be analysed.

3.5.3 The time for analysis of the B Sample may be extended by mutual agreement between the *Athlete*, the *ADO* and the laboratory.

3.5.4 The *Athlete* or the *Athlete's* representative has the right to attend the identification, opening and analysis of the B Sample (Ref. Code art. 7.2).

3.5.5 Where neither the *Athlete* nor his/her representative attends the identification, opening and analysis of the B Sample, the *ADO* or the laboratory shall appoint an independent *Person*. (Ref. Lab Standards)

³ WADA Code art. 7.5 Principles Applicable to *Provisional Suspensions*

A *Signatory* may adopt rules, applicable to any *Event* for which the *Signatory* is the ruling body or for any team selection process for which the *Signatory* is responsible, permitting *Provisional Suspensions* to be imposed after the review and notification described in Articles 7.1 and 7.2 but prior to a final Hearing as described in Article 8 (Right to a Fair Hearing). Provided, however, that a *Provisional Suspension* may not be imposed unless the *Athlete* is given either: (a) an opportunity for a *Provisional Hearing* either 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*.

If a *Provisional Suspension* is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis does not confirm the A Sample analysis, then the *Athlete* shall not be subject to any further disciplinary action and any sanction previously imposed shall be rescinded. In circumstances where the *Athlete* or the *Athlete's* team has been removed from a *Competition* 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*.

- 3.5.6 The B *Sample* must be performed at the same laboratory and shall be tested by a different analyst than the A *Sample*. (Ref. Lab Standard art. 5.2.4.3.2.2)
- 3.5.7 If the B *Sample* analysis does not confirm the A *Sample* analysis, the ADO shall notify the *Athlete* that the *Sample* has been declared negative and that no further action will occur. In circumstances where a provisional sanction has been imposed, refer to section 5.
- 3.5.8 If the B *Sample* analysis does confirm the A *Sample Adverse Analytical Finding*, the ADO shall continue to follow these Guidelines with respect to the *Adverse Analytical Finding*.

4. **Other Anti-Doping Rule Violations** (ref. Code art.2.3 to 2.8)⁴

4.1 Initial Review

- 4.1.1 Upon receipt of a DCO Report and/or other related documents showing a possible Anti-doping Rule Violation, the ADO shall review for any irregularity all of the documentation relating to the case.
- 4.1.2 If there are any irregularities in the documentation the ADO shall determine whether the irregularity can reasonably be considered to undermine the possibility of an Anti-Doping Rule Violation.

⁴ WADA Code art. 2.3 Refusing, or failing without compelling justification, to submit to *Sample* collection after notification as authorized in applicable anti-doping rules or otherwise evading *Sample* collection.

WADA Code art. 2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information and missed tests which are declared based on reasonable rules.

WADA Code art. 2.5 *Tampering*, or *Attempting* to tamper, with any part of *Doping Control*.

WADA Code art. 2.6 *Possession of Prohibited Substances and Methods*:

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

WADA Code art 2.6.2 *Possession* of a substance that is prohibited in *Out-of-Competition Testing* or a *Prohibited Method* by *Athlete Support Personnel* 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.

WADA Code art. 2.7 *Trafficking* in any *Prohibited Substance* or *Prohibited Method*.

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

- 4.1.3 If irregularities are reasonably considered to undermine the possibility of an Anti-Doping Rule Violation, the *ADO* shall not pursue the DCO report further.
- 4.1.4 If the *ADO* decides not to pursue the DCO report further, it shall immediately inform the *Athlete's* International Federation and *WADA*.
- 4.1.5 The *Athlete* and/or support personnel may make a submission in relation to a possible Anti-Doping Rule Violation. The *ADO* shall consider this submission in suggesting whether to issue notice to the *Athlete* and/or support personnel that there has been a possible Anti-Doping Rule Violation.

4.2 Notification After Initial Review

- 4.2.1 Once the *ADO* has determined that the DCO Report and/or other related documentation showing a possible Anti-Doping Rule Violation is not due to an irregularity that undermines the possibility of an Anti-Doping Rule Violation, then the *ADO* shall ensure that the *Athlete* is notified in writing of the possible Anti-Doping Rule Violation. The notice shall include the following details:
- a) The *Athlete* and/or Support Personnel name, country, sport and discipline.
 - b) An outline of the DCO Report and/or other related documentation indicating the specific Anti-Doping Rule Violation;
 - c) The anti-doping rule asserted to be violated in accordance with the *ADO* or Applicable Sport Body's rules, or, where a further investigation is necessary, a description of the additional investigation that will be conducted as to whether there is an Anti-Doping Rule Violation;
 - d) The possible *Consequences of the Anti-Doping Rule Violation*;
 - e) The *Athlete's* and/or Support Personnel right to present submissions relating to the possible Anti-Doping Rule Violation;
 - f) The other parties that will be notified about the Anti-Doping Rule Violation; and
 - g) In cases where a provisional suspension is to be imposed in accordance with clause 6 below, details of that provisional suspension, the provisional Hearing and/or expedited Hearing as applicable.

4.2.2 In an *Event* where a provisional suspension (Ref. *Code* art. 7.5)³ is to be imposed or other instances where time dictates, the above details may be given to *Athlete* and/or Support Personnel and other relevant organizations verbally in first instance and followed up with notice in writing as soon as possible.

5. Identity of *Athletes*

5.1 The *ADO* shall identify from the Doping Control Form and/or other relevant documentation all *Athletes* whose samples have resulted in an *Adverse Analytical Finding*/or possible Anti-Doping Rule Violation.

5.2 The *Athlete's* and/or Support Personnel identity shall be kept confidential throughout the results management process. Only the *Athlete* or other *Person* who may have violated an Anti-Doping Rule Violation shall be notified. The *Athlete's* National Anti-Doping Organization and International Federation and *WADA* shall be notified no later than the final determination. (*Code Art. 14.1, 7.1 & 7.2*)⁵

⁵ *WADA Code* art. 14.1 Information Concerning *Adverse Analytical Findings* and Other Potential Anti-Doping Rule Violations

An *Athlete* who's *Sample* has resulted in an *Adverse Analytical Finding*, or an *Athlete* or other *Person* who may have violated an anti-doping rule, shall be notified by the *Anti-Doping Organization* with results management responsibility as provided in Article 7 (Results Management). The *Athlete's National Anti-Doping Organization* and *WADA* shall also be notified not later than the completion of the process described in Articles 7.1 and 7.2. Notification shall include: the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The 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, in any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*), or reduced under Article 10.5.2 (*No Significant Fault or Negligence*), shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. The recipient organizations shall not disclose this information beyond those persons within the organization with a need to know 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.

WADA Code art. 7.1 Initial Review Regarding *Adverse Analytical Findings*

Upon receipt of an A *Sample Adverse Analytical Finding*, the *Anti-Doping Organization* responsible for results management shall conduct a review to determine whether: (a) an applicable therapeutic use exemption has been granted, or (b) there is any apparent departure from the *International Standards for Testing* or laboratory analysis that undermines the validity of the *Adverse Analytical Finding*.

WADA Code art. 7.2 Notification After Initial Review

If the initial review under Article 7.1 does not reveal an applicable therapeutic use exemption or departure that undermines the validity of the *Adverse Analytical Finding*, the *Anti-Doping Organization* shall promptly notify the *Athlete*, in the manner set out in its rules, of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated, or, in a case under Article 7.3, a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation; (c) the *Athlete's* right to promptly request the analysis of the B *Sample* or, failing such request, that the B *Sample* analysis may be deemed waived; (d) the right of the *Athlete* and/or the *Athlete's* representative to attend the B *Sample* opening and analysis if such analysis is requested; and (e) 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.

6. **Provisional Hearings and Suspensions (Ref. Code art 7.5)³**

- 6.1** Once the *Athlete* has received notification following the initial review as set out in clause 3.4 or 4.2 above, the *ADO* or Applicable Sport Body may impose a Provisional Suspension on the *Athlete*.
- 6.2** Where a Provisional Suspension is imposed on an *Athlete*, the *Athlete* must be given either:
- a) A Provisional Hearing prior to the imposition of the Provisional Suspension;
 - b) A Provisional Hearing as soon as possible (within 10 days) after the imposition of the Provisional Sanction. Extensions can be granted upon written notification; or
 - c) An expedited Hearing as soon as possible after the imposition of the Provisional Sanction.
- 6.3** All Provisional Hearings or expedited Hearings must be conducted in accordance with Articles 7.5 and 8 of the *Code*. Separate Guidelines for Hearings may also be applicable.
- 6.4** Where a Provisional Suspension has been imposed in relation to an A *Sample Adverse Analytical Finding*, the *Athlete* has requested that the B *Sample* analysis be conducted and the B *Sample* analysis does not confirm the A *Sample* analysis, then the Provisional Suspension shall be rescinded immediately.
- 6.5** Where a Provisional Suspension has been imposed in relation to a DCO Report and/or related documentation showing a possible Anti-Doping Rule Violation and the *ADO* determines, following the *Athlete's* submission, that there has been no Anti-Doping Rule Violation, then the Provisional Suspension shall be rescinded immediately.
- 6.6** Where the *Athlete* or the *Athlete's* team has been removed from a *Competition* or *Event* following a Provisional Suspension and the Provisional Suspension is then rescinded in accordance with clause 6.4 or 6.5 above, and it is still possible for the *Athlete* or team to be reinserted without otherwise affecting the *Competition* or *Event*, the *Athlete* or team shall be allowed to continue to take part in the *Competition* or *Event*.
- 6.7** If the *ADO* declares that there has been no Anti-Doping Rule Violation, it shall immediately inform the *Athlete's* International Federation and *WADA*.

7. Assertion of an Anti-Doping Rule Violation

7.1 Where there has been an *Adverse Analytical Finding* and:

- a) The test has not been declared void due to an irregularity in accordance with clause 3.2.6;
- b) The presence of the *Prohibited Substance* is not consistent with a therapeutic use exemption that has been granted in accordance with clause 3.3.1;
- c) The *Athlete* has not requested that the B *Sample* be analysed, or the B *Sample* Analysis has been conducted and confirms the A *Sample Adverse Analytical Finding* in accordance with clause 3.5.8; and
- d) Any follow-up investigation conducted that has led to the conclusion of a possible Anti-Doping Rule Violation in accordance with clause 3.2.7,

then the *ADO* shall assert that there has been an Anti-Doping Rule Violation.

7.2 Where the *ADO* asserts that there has been an Anti-Doping Rule Violation, the *ADO* shall notify the *Athlete*, *Athlete's* National Anti-Doping Agency, International Federations and *WADA* in writing of this assertion.

7.3 Where the *ADO* asserts that there has been an Anti-Doping Rule Violation, the *ADO* shall notify the appropriate disciplinary or Hearing body of the assertion, for a Hearing to be conducted in accordance with Article 8 of the *Code* and any applicable Guidelines. The *ADO* shall provide the disciplinary or Hearing body with all of the documentation relevant to the assertion.

7.4 The *Athlete* is also entitled to copies of all of the documentation relevant to the assertion that there has been an Anti-Doping Rule Violation, and the *ADO* shall provide this to the *Athlete* or his/her representative upon request.