

Article 5.6.1 - Exemption Application Procedure

Pursuant to Article 5.6.1 of the World Anti-Doping Code (the “Code”), *“if an International or National-Level Athlete in a Registered Testing Pool retires and then wishes to return to active participation in sport, the Athlete shall not compete in International Events or National Events until the Athlete has made himself or herself available for Testing, by giving six- months prior written notice to their International Federation and National Anti-Doping Organization. WADA, in consultation with the relevant International Federation and National Anti-Doping Organization, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to an Athlete.”*

The following Exemption Application Procedure aims to provide guidance to Athletes and ADOs as to the required information and to their respective responsibilities in order to ensure an efficient processing of the application. This procedure consists of four principal steps:

1. The Athlete must send an Exemption Application to the ADO that collected their whereabouts information immediately before the Athlete retired (“**the First ADO**”).
2. The **First ADO** must review the Exemption Application and send it, along with its review, to the other ADO (“**the Second ADO**”).
3. The **Second ADO** must review the Exemption Application and send its opinion to the **First ADO**.
4. The **First ADO** must send the complete file to WADA, which will review the application and render its decision and any other relevant circumstance can contribute to a decision.

Step one: the Athlete’s Exemption Application

After having notified in writing their International Federation and National Anti-Doping Organization of their intent to return to competition, an Athlete who wishes to be exempted from the six-month written notice rule in Code Article 5.6.1 shall complete an Exemption Application which must include the following information:

1. Retirement:
 - Exact date of retirement;
 - Reason(s) for retirement;
 - Proof that notice of retirement was provided in writing to each ADO that included the Athlete in its RTP;
 - Proof of the ADO’s receipt of the notice of retirement.

2. ADO that Collected the Athlete's Whereabouts:
 - Name of RTP(s) the Athlete was included in;
 - Name of the ADO who collected the Athlete's whereabouts information.
3. Anti-Doping History (if applicable):
 - List of anti-doping rule violation(s) committed, and/or any whereabouts failures (missed tests and/or filing failures);
 - Consequences imposed for prior anti-doping rule violation(s) and/or any violation of the prohibition against participation during ineligibility.
4. Reasons to Return to Competition:
 - List of reasons for the return to competition;
 - Date when the Athlete decided to return to competition;
 - Level of Competition at which the Athlete wants to return (National/International).
5. Grounds for Request: list the grounds why a strict application of the six-month written notice requirement would be unfair and provide the relevant documents supporting these grounds. The **Guidelines** published by WADA can offer guidance to the Athlete.
6. Return Date Sought (including the specific Event(s) within the six-month notice period):
 - Date(s) when the Athlete wants to compete;
 - Whether the Event(s) is to qualify for a major Event (specifying the major Event) that will occur after the expiry of the six-month notice period; and,

The Athlete should complete the request by filling out **Form 1**. Once the form is complete, the Athlete should send it to the ADO that collected their whereabouts information immediately before the Athlete retired (see step 2), along with supporting documents. An Exemption Application will not be accepted if it is not properly substantiated.

Step two: ADO that Collected Athlete's Whereabouts ("the First ADO")

ADOs play an essential role in processing Exemption Applications. Their responsibilities can be divided in two categories:

- First, to timely process any application received;

- Second, to promptly conduct no-advance notice testing on the Athlete in order to fulfill the policy objective of Code Article 5.6.1 (see **Guidelines**).

Within seven (7) days of receipt of the Athlete's application, the **First ADO** with whom the Athlete filed their whereabouts information should complete the following steps:

1. Verify the completeness of the application by confirming the following information and send it back to the Athlete if incomplete or not properly substantiated:
 - a. Proof that notice of retirement was provided in writing to each ADO that included the Athlete in its RTP;
 - b. Name of RTP(s) the Athlete was included in;
 - c. Which ADO collected the Athletes whereabouts information if the Athlete was included in more than one RTP;
 - d. Testing history;
 - e. Anti-doping history: anti-doping rule violation(s), any whereabouts failures (missed tests and/or filing failures) and/or any violation of the prohibition against participation during ineligibility committed, and the Consequences imposed.
2. Take the necessary steps so that the Athlete can be tested¹:
 - a. Add the athlete to the Registered Testing Pool;
 - b. Ask the athlete to provide their whereabouts.
3. Respond to the athlete's application:
 - a. Inform the athlete of the requirement that they not participate in any International or National Event until the end of the six- month period or until WADA decides to grant the Exemption Application;
 - b. Ask the athlete for any additional information they need in order to review the Exemption Application;
4. Write a review of the application to be transmitted to WADA and the relevant second ADO (IF or NADO) (**Form 2**). The review should contain the following information:
 - a. Proof that notice of retirement was provided in writing to each ADO that included the Athlete in its RTP;
 - b. Name of RTP(s) the Athlete was included in;
 - c. Identity of the ADO who collected their whereabouts information if the Athlete was included in more than one RTP;
 - d. Date where the ADO received the Exemption Application;
 - e. Period of inclusion in the RTP prior to the Athlete's retirement;
 - f. Date of the Athlete's retirement;
 - g. Date of the Athlete's inclusion in the RTP after their notice of intent to return to competition;

¹ See Article 4.5.2 of the [International Standard for Testing and Investigations](#)

- h. **First ADO's** reasoned opinion on the application. The **Guidelines** published by WADA can offer guidance to the **First ADO**.

5. Securely send all relevant documentation, including the review of the application, to the Second ADO.

Step three – Other ADO (“the Second ADO”):

Within seven (7) days of receipt of the **First ADOs** opinion, the **Second ADO** should complete the following steps:

1. Review the information included in the Exemption Application and in the **First ADO's** Review of the Application;
2. Provide its reasoned opinion on the Exemption Application (**Form 3**);
3. Send its opinion to the **First ADO**.

Upon receipt of the **Second ADO's** opinion, the **First ADO** shall promptly and securely send the complete file to WADA at the following email address: rm@wada-ama.org.

Step Four: WADA's decision

WADA will render a decision as soon as reasonably practicable after receipt of the complete file from the **First ADO**:

- During WADA's analysis of the Exemption Application, the ADOs must remain available to answer any additional question from WADA within a short period of time.
- WADA will notify the relevant ADOs of its decision as soon as it is rendered.

Once the ADOs have been notified by WADA, the **First ADO** should immediately notify the Athlete. The Athlete and both ADOs have a right of appeal to the Court of Arbitration for Sport or to the national-level reviewing body (as applicable) pursuant to Code Article 13.2.

An Exemption Application should be lodged as early as possible. If it is lodged too close to an Event at which the Athlete wishes to compete, WADA may not be in a position to process it prior to that Event. Certainly, if an application is received by WADA less than 7 days before the Event, it is unlikely that WADA will be able to render its decision in time.