

## Summary of changes

### International Standard for Code Compliance by Signatories (ISCCS)

#### New Definitions

- The Prioritization Policy and Watchlist procedure have been added to the list of defined terms.

#### Definitions – Footnote 1

- For the purpose of Annex B, the term ‘Event’ was limited to events under the authority of a Signatory. Under the ISCCS 2021, certain consequences in Annex B extend potentially to events organized by non-signatories. Given that WADA has limited to no influence over non-signatories events, it was decided that signatory’s consequences set out in Annex B should be limited to events under the authority of a signatory.

#### Definitions – Footnote 2

- Introduced to address situations such as, for example, a creation of a new National Anti-Doping Organization (NADO) or a merger of signatories. In view of the signatories’ feedback, a clarification was added regarding a situation when a signatory is replaced by multiple successor entities.

#### Articles 5.1.2.2, 6.2.4, 7.4.1.6, 7.8, 7.8.4, 8.3.1

- The name “Continuous Monitoring” was replaced by “Program Area Monitoring” to better reflect the nature of this monitoring program.

#### Article 7.2.1

- The provision was adapted to reflect the classification of signatories to the World Anti-Doping Code (Code) as per new Code Article 23.1.1.

#### Article 7.6.1

- More flexibility was added to the Mandatory Information Request (MIR) procedure to accommodate situations when information is urgently required, by allowing WADA to set up an appropriate deadline. Under the amended provision, WADA will also be able to give the signatory a timeline longer than 21 days if WADA deems this appropriate.

#### Article 8.2.1

- The Article was amended to further clarify the procedure already followed in case of non-compliance of rules, regulations, and/or legislation with the Code.

### **Article 8.3.1**

- The Article was amended to reflect and clarify the procedure followed if new non-conformities are discovered after the commencement of a compliance procedure, but before a CRC referral.

### **Article 8.4.6, 8.6, Definitions**

- A new, broader article on Force Majeure was added, allowing the Executive Committee to either suspend any non-compliance procedure against signatories affected by the Event of Force Majeure, or waive the non-conformities and close the compliance procedure. The definition of Event of Force Majeure was also updated.

### **Article 8.5.1**

- The fast-track procedure was expanded to encompass cases of repeated non-conformities by the same signatory. The new fast-track procedure could be employed only if the new non-conformity is similar to the previous non-conformity(ies).
- The provision also now makes express reference to Article 7.9, which governs fast-track procedures for Major Events Organizations (MEOs) in cases of approaching events.

### **Articles 9.3.1.1, 9.3.1.2, 9.3.1.3**

- These new articles confirm and clarify actions already applied in practice by WADA. The provisions clarify the procedure to be followed in cases where the Signatory corrects the non-conformities or provides a satisfactory Corrective Action Plan within 21 days of receipt of the formal notice or at a later stage in the process.

### **Article 10.1.2**

- Regarding signatories which act both as an International Federation (IF) and as a MEO, the ISCCS 2021 was not as clear as it could be as to whether the non-compliance status would affect the signatory as a whole, or only in one of its specific capacities. The following clarifications were added:
  - a. An article clearly stating that the non-compliance affects the signatory and not only the signatory acting in a specific capacity;
  - b. An article stating the consequences apply to the signatory and not only to certain activities of the signatory (e.g., if the signatory's representatives are ruled ineligible for a specified period to hold any office of or position as a member of the board or committees or other bodies of any other Signatory (or its members) or association of signatories, this again would affect both representatives of the signatory in their capacities as IF and MEO representatives).

### **Article 10.2.8, Comment to Article 10.2.8, Annex B.2.1 g, B.2.2 c, B.2.2 d.2, B.2.3 a, B.2.3 b, B.3.1 e.2, B.3.1 e.3, B.3.1 f.1, B.3.1 f.2, B.3.2 b.2, B.3.2 c.1, B.3.2 c.2 and B.3.2 d**

- The above-mentioned Signatory Consequences are no longer automatically applicable post Reinstatement and apply until the Reinstatement only. Under Article 10.2.8, WADA is vested with the power to impose the Signatory Consequences that apply (or continue to apply) after Reinstatement, should the circumstances so warrant.

#### **Article 11.2.1.2**

- The amendment makes it explicit that if new non-conformities arise after the declaration of non-compliance but before the Reinstatement, the Signatory will not be Reinstated unless it corrects these new non-conformities as well.

#### **Article 11.2.1.4**

- Under current Article 11.2.1.4, possible Reinstatement conditions include a payment in full of 'Special Monitoring' costs. The use of the term 'Special Monitoring' in the current version of the ISCCS is incorrect. 'Special Monitoring' is a defined term and refers to the monitoring of the Signatory's Anti-Doping Activities imposed as a part of Signatory Consequences. The amendment corrects this and clarifies that the costs to be paid under Article 11.2.1.4 equal the costs of any specific investigation conducted by WADA or any third party contracted by WADA that identified the non-compliance.

#### **Annex A.1. a, b**

- Two extra examples of General requirements regarding Education were added to bring the ISCCS in line with Articles 5.5 and 5.6 of the International Standard for Education.

#### **Annex A.2. a, b, c, d**

- Four extra examples of High Priority requirements regarding Education were added to bring the ISCCS in line with Articles 5.4, 5.8, 6.1 and 6.2 of the International Standard for Education.

#### **Annex A.2.r**

- The requirement for NADOs, in accordance with Code Article 20.5.1, to be independent in their operational decisions and activities from sport and government has been expressly added as a high priority requirement.

#### **Annex A.2.s**

- The requirement for a signatory, in accordance with Code Article 24.1.12.8 (b), to ensure that it has due authority under its statutes, rules and regulations, and/or under the relevant hosting agreement, to withdraw from the previously-granted right to host or co-host an International Event(s) in the country of a non-compliant NADO (or of a non-compliant National Olympic Committee acting as a NADO) has been expressly listed as a high priority requirement. This amendment aligns the ISCCS with the Code Article 24.1.12.8 (b) and WADA practice.

#### **Annex A.3.c**

- The development and implementation of an effective Education Plan is being made a critical requirement.

### **Annex A.3.s**

- The requirement for a Signatory, in accordance with Code Article 24.1.12.8 (a) to withdraw the hosting right and re-assign the Event to another country has been made critical. This amendment aligns the ISCCS with the Code Article 24.1.12.8 (a).

### **Annex A.3.t**

- The requirement for a non-compliant Signatory to satisfy any Signatory Consequences imposed in accordance with Code Article 24.1 that fail to be satisfied post-Reinstatement, has been made critical. The amendment reflects the fact that longer deadlines foreseen for non-conformities with High Priority requirements are not appropriate for certain Signatory Consequences applicable post-Reinstatement.

### **Annex B.3.2 e, f**

- The following Signatory Consequence: *a recommendation made to the relevant public authorities to withhold some or all public and/or other funding and/or other benefits from the Signatory for a specified period* has been a part of the Code Article 24.1.12.7. So far it has not been reflected in Annex B.3, which lists consequences to be applied for non-conformities with Critical requirements. The amendment aligns the ISCCS with the Code.

### **Annex B.4**

- A clarification on the concept of *Representatives of a National Anti-Doping Organization (or of a National Olympic Committee acting as a National Anti-Doping Organization)* for the purpose of Annex B was added.