



WADA

POLICY FOR ACCEPTANCE OF NEW WORLD ANTI-DOPING CODE SIGNATORIES

Article 23.1.3 of the Code

Approved by the WADA Executive Committee
in September 2020

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A. INTRODUCTION AND SCOPE

On 1 January 2021, the latest version of the Code entered into force. Article 23.1 of the Code provides as follows:

“23.1.1 The following entities may be Signatories to the Code: the International Olympic Committee, International Federations, the International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organizations, National Anti-Doping Organizations and other organizations having significant relevance in sport.

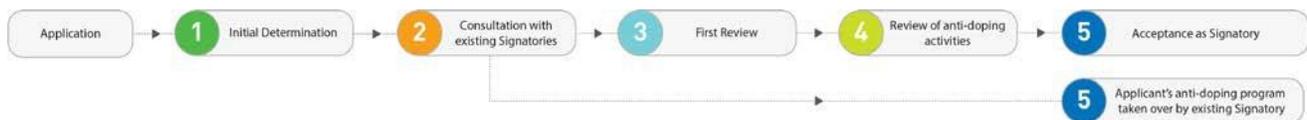
23.1.2 The International Olympic Committee; International Federations recognized by the International Olympic Committee; the International Paralympic Committee; National Olympic Committees; National Paralympic Committees; National Anti-Doping Organizations; and Major Event Organizations recognized by one or more of the aforementioned entities shall become Signatories by signing a declaration of acceptance or by another form of acceptance determined to be acceptable by WADA.

23.1.3 Any other entity described in Article 23.1.1 may submit an application to WADA to become a Signatory which will be reviewed under a policy adopted by WADA. WADA’s acceptance of such applications shall be subject to conditions and requirements established by WADA in such policy. [...]”

The purpose of this Policy is to determine criteria and a process for certain organizations to become Signatories under Article 23.1.3 of the Code.¹ As to organizations that do not wish to, or cannot, become Signatories², WADA nonetheless encourages them to conduct anti-doping programs in line with the Code and use the materials available on WADA’s website, in the interest of clean sport and to protect Athletes, and/or to collaborate with existing Signatories to achieve this aim.³

Any term capitalized in this Policy shall refer to a term defined in the Code (or in an International Standard as specified in this Policy).

B. APPLICATION PROCESS



¹ For the sake of clarity, this Policy is not meant to apply to anti-doping organizations under Article 23.1.2 of the Code (such as National Anti-Doping Organizations or National Olympic Committees).

² For the avoidance of doubt, Signatory status means that the organization is bound by the Code and monitored by WADA.

³ In addition, WADA encourages potential applicants to informally liaise with existing Signatories prior to any application process being initiated to seek synergies and potentially avoid the need of an application.

1. INITIAL DETERMINATION

Any entity described at Article 23.1.1 of the Code, other than those provided for at Article 23.1.2 of the Code (the “**Applicant**”⁴), can request to become a Signatory by contacting WADA at newsignatories@wada-ama.org. The Applicant will be requested by WADA to make an upfront payment of USD 20,000⁵ (**Application Fee**) and to sign the acknowledgement form available on WADA’s website for the application to be processed.

Upon receipt of the Application Fee, WADA Management⁶ will liaise with the Applicant to determine the criteria applicable to its application (see Section 3 below). The criteria will depend on the structure of the Applicant. In principle, if the Applicant is an entity with national governing body members⁷, its application will be reviewed under the criteria applicable to International Federations. If the entity is not composed of national governing body members, the application will be reviewed under the criteria applicable to other organizations with significant relevance in sport. WADA Management will determine in its absolute discretion the category into which the Applicant falls⁸. The Applicant will subsequently be informed of the determination and of the criteria applicable to its application.⁹

2. CONSULTATION OF OTHER ORGANIZATIONS

In parallel to the initial determination as per Section 1 above, and in order to seek synergies between anti-doping organizations and improve the cost efficiency of the fight against doping, the Applicant will be put in contact with simultaneous Applicant(s) and/or any existing Signatories active in the same or clearly similar sport, in particular International Federation Signatory(ies) governing a sport with clear similarities to the sport governed by the Applicant with the aim of the simultaneous Applicants and/ or existing Signatory potentially collaborating with, and – if possible – taking over responsibility for the anti-doping activities of, the Applicant (hereinafter collectively defined as “**Consulted Parties**”).¹⁰

For that purpose, WADA Management will request details from the Applicant as to the nature of its sport. It will then determine which sports are identical or have clear similarities with the Applicant’s sport in its absolute discretion.¹¹ In making this determination, it may, however, consult with other third parties, including (without limitation) GAISF or other sports experts.

The Consulted Parties will then be granted a deadline of thirty (30) days to express to WADA

⁴ For the avoidance of doubt, an entity will only be considered as an Applicant for the purposes of this Policy once the upfront payment is paid and the acknowledgement form signed.

⁵ This amount may be adapted by the WADA Executive Committee if the circumstances so warrant.

⁶ WADA Management shall refer to the WADA Director General or any staff member entrusted with specific tasks by the WADA Director General.

⁷ For the purposes of this Policy, national governing bodies shall refer to bodies governing a sport nationally.

⁸ Including, if the Applicant is subject to the criteria applicable to International Federations, whether its sport shall be considered as a summer or winter sport for the purposes of Section 3. a) (2) a. below.

⁹ WADA’s initial determination shall not be challengeable. For the avoidance of doubt, if the Applicant is subject to the criteria applicable to International Federations, its application will only be reviewed under these criteria, and, in case it does not meet them, the application will not be reviewed under the criteria applicable to organizations with significant relevance in sport (and vice versa).

¹⁰ Where the Applicant’s sport events are only taking place in one country, WADA may decide to put the Applicant in contact with the local NADO in order to potentially collaborate.

¹¹ By way of example, if the Applicant’s sport is played by kicking a ball with one’s feet only, football would in principle be considered as having clear similarities and handball, basketball or volleyball would not.

Management, in writing, their interest in collaborating with the Applicant. If WADA Management receives one (or more) declaration(s) of interest within the above deadline, WADA Management will put the relevant Consulted Parties in contact with the Applicant to discuss potential arrangements with respect to the Applicant's anti-doping program and will use its best endeavours to assist in the discussions if need be. If the discussions result in one of the Consulted Parties taking over responsibility (including in terms of compliance) for the anti-doping activities of the Applicant, the application shall be withdrawn. In these circumstances, WADA Management may, if the circumstances so warrant (in its absolute discretion), return up to the full amount of the Application Fee to the Applicant.

Unless requested jointly by the Applicant and at least one of the Consulted Parties – in order to allow the discussions between the Applicant and the International Federation Signatory to advance –, this consultation phase shall not halt the application process.

3. FIRST REVIEW

As set out in the Introduction to this Policy, outside of the entities provided for under article 23.1.2 of the Code, WADA requires other organizations to have a significant relevance to become Signatories. For this purpose, WADA has provided for minimum structural criteria that need to be met. It shall be the burden of the Applicant to demonstrate (with evidence) that the relevant criteria are met, as follows:

a) For Applicants that fall under the obligations of International Federations

- (1) Governs a sport with no geographical limitation: the Applicant shall demonstrate (through its statutes or other) that its aim is to govern a sport globally and not limited to a specific area (eg. continent, region or country).
- (2) Composed of:
 - a. At least 10 national governing bodies (if the Applicant governs a summer sport) or 5 national governing bodies (if the Applicant governs a winter sport¹²). For this purpose, the Applicant shall demonstrate the effective existence and activities of the national governing bodies, for instance by providing evidence of past general assemblies, organization of national championships/competitions and/or recognition certifications delivered by the national governing body's National Olympic Committee or highest national sporting authority. Notwithstanding the above, and save in exceptional circumstances, recognition certifications shall always be provided for at least five (5) national governing bodies for a summer sport and three (3) for a winter sport;

or, in the alternative,
 - b. A significant number of (in)direct member Athletes as well as a minimum of 2 national governing bodies: it may be that the Applicant does not have the sufficient number of governing bodies, for example in case the sport is by nature limited in terms of its geographical spread, but that a high number of Athletes practice this sport in the

¹² Only sports, which are practiced on snow and ice, shall be considered as winter sports.

regions where it is popular. WADA considers that such organizations should also be able to potentially become Signatories in order to efficiently protect the high number of Athletes affiliated to these organizations. The notion of “significant number” will depend on the nature of the sport. The Applicant may use any reliable means to demonstrate the affiliation of Athletes (including official documents from its member national governing bodies or the number of athletes participating in its events).

- (3) Organizes major events in its sport on a regular basis: the major events in question shall be events of international significance featuring amongst the highest ranked Athletes of the sport. In principle, the Applicant shall have already organised at least three such events in three different calendar years at the time of the application. The minimum number of events organized may nonetheless be departed from for justified reasons in WADA’s absolute discretion.

b) For Applicants that fall under the obligations of other organizations with significant relevance in sport

- (1) Significant relevance in sport: this requires the Applicant to demonstrate its significance (including the significance of its events) by any reliable means, including (without limitation) broadcasting, social media or ticketing statistics. The significance of the events may also result from the number of Athlete participants.

c) For all organizations (whether under a) or b) above)

- (1) Minimum standards in terms of governance: for this purpose, the Applicant will be required to fill out a governance questionnaire available on the WADA website. The answers will be reviewed and assessed by a third party experienced in sports governance and designated by WADA.¹³
- (2) Minimum number of years of existence: in principle, the Applicant shall demonstrate that it has been in existence for at least three years at the time of the application. This rule may, however, be departed from where the circumstances so warrant in WADA’s absolute discretion.¹⁴

In addition, in truly exceptional circumstances, ethical considerations with respect to the Applicant’s organization or the characteristics of its sport may be taken into consideration.

The primary assessment as to whether the criteria of this Section 3 are met will be conducted by WADA Management in its absolute discretion. For the purposes of its assessment, WADA Management may at

¹³ The costs of this review are included in the Application Fee.

¹⁴ For instance, it may be that a new organization is growing very quickly or has from its inception a significant importance in the world of sport, in which event it may be in the interest of the fight for clean sport that this organization becomes a Signatory without fulfilling the criterion relating to the minimum number of years of existence.

any point request further information and/or documents from the Applicant and consult with third parties, including members of the Olympic Movement or the Public Authorities.

If (and once) WADA Management is satisfied that the criteria are met, it will refer the matter to the Signatory Expert Group¹⁵, which will promptly review the application and evidence, and consider independently whether the criteria of this Section are met by the Applicant or not.¹⁶ If the Signatory Expert Group disagrees with WADA Management¹⁷, the Signatory Expert Group shall explain the reasons for its disagreement in writing. WADA Management will then forward the Signatory Expert Group's reasons to the Applicant and grant it a deadline of up to two months to provide additional comments and evidence in response.

Upon receipt of the Applicant's additional comments and evidence, WADA Management will forward them to the Signatory Expert Group for consideration. If the Signatory Expert Group considers that the criteria are still not met, the matter shall be referred to the WADA Executive Committee for final determination as to whether the criteria are met.¹⁸

If at no point within six months from the initial contact, WADA Management is satisfied that the Applicant meets the criteria of this Section 3 above, or if the WADA Executive Committee considers that the criteria are not met, WADA Management will inform the Applicant that its application cannot proceed and will encourage it to continue its anti-doping activities, potentially by cooperating with other Signatories and/or using the materials available on WADA's website. In this case, the Application Fee shall be retained by WADA.¹⁹

4. REVIEW OF ANTI-DOPING ACTIVITIES

As the Signatory status leads to significant obligations in terms of Code compliance, it is a fundamental condition that new Signatories already have an Anti-Doping Program²⁰ (including anti-doping rules) in place, or at a minimum are well-advanced in the development of their Anti-Doping Program.

To review this requirement, if WADA Management and the Signatory Expert Group, or – in case of disagreement – the WADA Executive Committee, determine that the criteria under Section 3 are met, WADA Management will grant the Applicant a two-month deadline to fill out a Code Compliance Questionnaire and provide its anti-doping rules. In this context, WADA Management will use its best endeavours to assist the Applicant in understanding the Code Compliance Questionnaire (if need be).

¹⁵ The Signatory Expert Group shall be composed of three members: one member appointed by each of the two WADA constituents (*viz.* the Olympic Movement and the Public Authorities) as well as an independent member appointed by the WADA Executive Committee. Save for the independent member, who shall be appointed for a (renewable) three-year term, the other members will be appointed on a case by case basis. The Signatory Expert Group is further governed by specific Terms of Reference.

¹⁶ The Signatory Expert Group may also be consulted by WADA Management at any early stage of the application upon constitution.

¹⁷ The decision-making process of the Signatory Expert Group is set out in further detail in the specific Terms of Reference.

¹⁸ For this purpose, the WADA Executive Committee will be provided with the complete case file and each of the WADA Management and Signatory Expert Group may provide brief reasons for their position in writing for the benefit of the WADA Executive Committee. The matter shall in principle be put on the agenda of the next coming WADA Executive Committee meeting for determination.

¹⁹ However, nothing prevents the Applicant from later filing a new request to become a Signatory, subject to payment of a new Application Fee.

²⁰ As defined in the International Standard for Code Compliance by Signatories (**ISCCS**; [link]). For the avoidance of doubt, the provisions (including definitions) of the ISCCS are not directly applicable, save by analogy where expressly set out in the Policy.

Upon completion of the Code Compliance Questionnaire and provision of the anti-doping rules, WADA Management will assess the Applicant's Anti-Doping Program – including the Applicant's anti-doping rules – with a focus on the Critical requirements listed in the ISCCS²¹. If required, WADA Management will subsequently send the Applicant a Corrective Action Report, focused on Critical non-conformities, which will need to be remedied within three (3) months. WADA Management will use its best endeavours to assist the Applicant if and where needed.

If the Applicant fails to correct all Critical non-conformities within the deadline, a final deadline of up to three (3) months will be granted. If, upon expiry of this second deadline, the Applicant has still not corrected all Critical non-conformities, then the application will be deemed withdrawn. The Application Fee will be kept by WADA.

If, on the other hand, the Applicant's Anti-Doping Program has no Critical non-conformities, or all of the Applicant's Anti-Doping Program Critical non-conformities are corrected within the relevant deadline(s), the application shall proceed.

5. ACCEPTANCE AS A SIGNATORY

If it is determined that the Applicant meets the requirements of Sections 3 and 4 above, and no relevant International Federation Signatory has taken over responsibility for the Applicant's anti-doping activities²², then the Applicant shall be accepted as a Signatory by WADA Management (subject to the paragraphs below).

If the Applicant is accepted under the requirements for International Federations, it shall be bound by the obligations of International Federations under the Code (including article 20.3 of the Code). If the Applicant is accepted under the requirements for other organizations with significant relevance in sport, it shall be bound by the obligations of those organizations as per the Code²³ as well as those set out at Annex A to this Policy. In addition, WADA Management may propose additional obligations under Article 23.1.3 of the Code, which would be subject to the WADA Executive Committee's approval. WADA Management will use its best endeavours to explain the obligations under the Code to the Applicant and provide guidance to it with respect to its initial activities as a Signatory if required. With its declaration of acceptance of the Code, the Applicant will be required to undertake in writing to respect the obligations set out above, failing which consequences under the ISCCS may be imposed.

In order to maintain Signatory status, the Applicant shall pay an annual contribution of USD 10,000 for WADA's services and monitoring (**Annual Fee**)²⁴. Before becoming a Signatory, the Applicant shall

²¹ See Annex A.3 of the ISCCS. For the avoidance of doubt, a Critical requirement will be for the Applicant to provide anti-doping rules in line with the provisions of the Code.

²² As either (a) WADA Management determined that there is no International Federation Signatory governing a sport with clear similarities with the Applicant's sport, or (b) WADA Management received no declaration of interest within the relevant deadline, or (c) the application was not withdrawn (as a result of an agreement as per Section 2 above) by the Applicant within three (3) months from notification of the application by WADA Management to the relevant International Federation Signatories (or earlier upon confirmation from the relevant International Federation Signatory(ies) and the Applicant that the application will not be withdrawn).

²³ Including, for the avoidance of doubt, Articles 23.2, 23.3 and 24.1.2 of the Code.

²⁴ However, this standard Annual Fee may, upon application of the Applicant, be reduced in its discretion by the WADA Executive Committee, if it considers that the circumstances so justify. Any eventual reduction can be reviewed at any point in time by the WADA Executive Committee, which may decide to cancel, or review the amount of, the reduction if the circumstances of the Applicant/Signatory have changed.

undertake in writing to make such payment by 31 December of each year for the next year. If, however, the Applicant is (or becomes) a member of GAISF, this annual contribution shall be covered by the Olympic Movement's general contribution to WADA's budget.

C. MISCELLANEOUS

The following principles apply to the application process:

- 1) Any (formal) communications between WADA Management and the Applicant should be by email;
- 2) Unless provided otherwise, any deadline or time limit under this Policy may only be extended upon request in exceptional circumstances and at the absolute discretion of WADA Management;
- 3) Any final decision not to grant Signatory status can be appealed by the Applicant exclusively to the Court of Arbitration for Sport in accordance with the Code of sports-related arbitration. The language of the proceedings shall be English.

D. TRANSITIONAL PROVISION

This Policy enters into force on 1 January 2021 (**Effective Date**) and applies in full to any request to become a Signatory (as per Section 1 above) presented to WADA after the Effective Date. If an application is pending on the Effective Date, the present Policy shall not apply unless the Applicant elects in writing to be subject to its provisions. Where an organization has already obtained Signatory status before the Effective Date, it shall not be subject to the provisions of this Policy.

Notwithstanding all the above, the Annual Fee is applicable to all (current or future) Signatories equally.

ANNEX A

Roles and Responsibilities of other organizations with significant relevance in sport ("Organization")

- 1) To adopt and implement anti-doping policies and rules which conform with the Code and the International Standards.
- 2) To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 of the Code and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority, in accordance with Article 12 of the Code.
- 3) To authorize and facilitate the Independent Observer Program.
- 4) To require all Athletes preparing for or participating in an Event or Competition authorized or organised by the Organization, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.
- 5) Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by antidoping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.
- 6) Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.
- 7) To vigorously pursue all potential anti-doping rule violations within its authority, including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.
- 8) To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.
- 9) To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.
- 10) To respect the operational independence of laboratories as provided in the International Standard for Laboratories.
- 11) To adopt a policy or rule implementing Article 2.11 of the Code.