



Circolare n. 83/2020
Segreteria Generale FIGB
Prot. Gen. 003570/26.12.2020

Milano, 26 dicembre 2020

Alle ASD/SSD
e p.c.
Al Medico federale
Alla Commissione Medica federale
Alle Strutture Periferiche
Al Consiglio federale
Al Collegio dei Revisori dei Conti
Ai Settori federali

OGGETTO: NORME ANTIDOPING 2021

La Segreteria del Presidente NADO Italia ha trasmesso alle FSN/DSA le Norme sportive antidoping in vigore da 1 gennaio 2021, nella versione in inglese, come approvate dalla WADA.

Le norme comprendono i quattro documenti che si allegano alla presente, che recepiscono il Codice Mondiale Antidoping 2021 e i relativi Standard Internazionali.

In attesa di ricevere la versione in italiano, che sarà resa disponibile al più presto, si inoltra ai destinatari anche la richiesta di dare la più ampia diffusione dei documenti approvati.

Si allega inoltre per conoscenza l'aggiornamento redatto dalla Federazione Medico Sportiva Italiana per i DCO (Doping Control Officers) e per i BCO (Blood Control Officers) relativamente alle procedure nei controlli antidoping in emergenza COVID-19, così come trasmesso alle FSN/DSA dalla stessa Segreteria del Presidente NADO Italia.

Il Segretario Generale
Gianluca Frola

Il Presidente
Francesco Ferlazzo Natoli

FEDERAZIONE ITALIANA GIOCO BRIDGE





ANTI-DOPING SPORTS CODE

Implementing the WADA Code and the International Standards

Version 1.0, in effect as from 1 January 2021

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NADO ITALIA'S ANTI-DOPING SPORTS CODE

INTRODUCTION

Preface

This *Anti-Doping Sports Code* (*ADSC*) is adopted and implemented in accordance with NADO Italia's responsibilities under the World Anti-Doping Code (the *Code*), and in furtherance of NADO Italia's continuing efforts to eradicate doping in sport in Italy.

Italicized terms in this *Anti-Doping Sports Code* are defined in Appendix 1.

Unless otherwise specified, references to Articles are references to Articles of this *Anti-Doping Sports Code*.

Fundamental Rationale for NADO Italia's *Anti-Doping Sports Code*

Anti-doping programs are founded on the intrinsic value of sport and seek to protect the health of *Athletes* and to provide the opportunity for *Athletes* to pursue human excellence without the Use of *Prohibited Substances* and *Prohibited Methods*.

Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.

The National Anti-Doping Program

NADO Italia was established under Law No. 230 dated 26 November 2007, ratifying the International Convention against doping in sport adopted by the UNESCO General Conference, and in accordance with the *Code*, of which NADO Italia is a *Signatory*, with the objective of acting as the *National Anti-Doping Organization* for Italy.

NADO Italia's overall activities are conducted under condition of full independence and autonomy and are subject to ongoing supervision and audit by *WADA*.

The roles and responsibilities described in *Code* Article 20.5 for *National Anti-Doping Organizations* apply and are incorporated by reference in this *ADSC*. NADO Italia shall report to *WADA* on its compliance with the *Code* and *International Standards* in accordance with *Code* Article 24.1.2.

NADO Italia is governed by a President and consists of the following bodies:

- *Anti-Doping Controls Committee* (hereinafter the "ADCC") who prepares the Test Distribution Plan (TDP), arranging the conduct of *In-competition* and *Out-of-Competition* tests. This Committee is also tasked with the annual drafting of the criteria whereby *Athletes* are included in the RTP and the related procedures pertaining to *Athlete* whereabouts;

- Therapeutic Use Exemptions Committee (hereinafter the “TUEC”) who considers applications for TUEs;
- Anti-Doping Education, Learning and Research Committee (hereinafter the “ERC”), pursues the research and training objectives of anti-doping, planning, monitoring and evaluating on an annual basis the *Education* programmes implemented by NADO Italia;
- National Anti-Doping Prosecutor’s Office (hereinafter the “NADP”) whose duties include *Results Management* and establishing responsibilities of individuals who have shown any conduct that infringes the *ADSC*;
- National Anti-Doping Tribunal (hereinafter the “NADT”), having jurisdiction to pass first instance judgement on *ADSC* violations.

For the purposes of conducting *In-competition* and *Out-of-Competition* tests, NADO Italia relies on Doping Control Officers/Blood Control Officers (respectively, DCOs/BCOs) – *Sample* collection physicians from FMSI (hereinafter “FMSI”) – and, with regard to *Sample* analysis, the Rome-based Anti-Doping Laboratory, the only WADA-accredited laboratory nationwide, or other WADA-approved or accredited laboratories. NADO Italia always remains fully responsible for ensuring that any delegated aspects of the *Doping Control* are performed in compliance with the *Code* and *International Standards*.

For any matter not expressly covered in this regulation, or in the event of conflict between this regulation and the *Code* and/or *International Standards*, the latter shall apply together with the relevant comments. Similarly, the *ADSC* shall be interpreted and construed by making reference to the *Code* and/or *International Standards* together with the relevant comments.

Sphere of Application of this *Anti-Doping Sports Code*

The *Anti-Doping Sports Code* constitutes the only regulation within the Italian sports system that governs anti-doping matters and the conditions to comply with when engaging in sports endeavors.

The introduction is deemed to form an integral and material part hereof, as well as the *Results Management Procedure* (RMP) and the *Technical Document for Testing and Investigations* (TD_TI), available on NADO Italia’s website (www.nadoitalia.it).

This *ADSC* shall apply to NADO Italia, including its board members, director, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*.

National Sports Federations, Associated Sports Disciplines, Sports Promotion Entities, Leagues, Clubs and all the other sports bodies however established shall be considered to fall under the jurisdiction of NADO Italia and shall be required to comply with *ADSC* provisions and collaborate with NADO Italia in enforcing the anti-doping programme.

By virtue of their membership, registration, accreditation or at any rate their belonging to the aforementioned organizations or participation in sports events, *Athletes*, *Athlete Support Personnel* and other *Persons* shall be required to be familiar and comply with this *ADSC* as a condition precedent to engaging in sports activities.

This *ADSC* shall also apply to all paralympic sports activities and *Athletes*.

CORE ROLES AND RESPONSIBILITIES OF *ATHLETES*

It is personal responsibility of each *Athlete*:

- to be knowledgeable of and comply with this *Anti-Doping Sports Code* and with the obligations arising from it;
- to be available for *Sample* collection at all times;
- to take responsibility, in the context of anti-doping, for what they ingest and *Use*;
- to inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate this *Anti-Doping Sports Code*;
- to disclose to NADO Italia and their International Federation any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten (10) years;
- to cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations;
- to disclose the identity of their *Athlete Support Personnel* upon request by NADO Italia or a *National Sport Federation*, or any other *Anti-Doping Organization* with authority over the *Athlete*.

CORE ROLES AND RESPONSIBILITIES OF *ATHLETE SUPPORT PERSONNEL*

It is personal responsibility of each *Athlete Support Personnel*:

- to be knowledgeable of and comply with this *Anti-Doping Sports Code*;
- to cooperate with the *Athlete Testing* program;
- to use their influence on *Athlete* values and behavior to foster anti-doping attitudes;
- to disclose to NADO Italia and their *International Federation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years;
- to cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.

Athlete Support Personnel shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

CORE ROLES AND RESPONSIBILITIES OF OTHER *PERSONS* SUBJECT TO THIS *ANTI-DOPING SPORTS CODE*

It is their responsibility:

- to be knowledgeable of and comply with this *Anti-Doping Sports Code*;

- to disclose to NADO Italia and their *International Federation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years;
- to cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations;
- not to *Use or Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

CORE ROLES AND RESPONSIBILITIES OF *NATIONAL FEDERATIONS*

All *National Federations* of Italy and their members shall comply with the *Code*, *International Standards*, and this *Anti-Doping Sports Code*. All *National Federations* of Italy and other members shall include in their policies, rules and programs the provisions necessary to recognize the authority and responsibility of NADO Italia for implementing Italian's National Anti-Doping Program and enforcing this *Anti-Doping Sports Code*.

By adopting this *Anti-Doping Sports Code*, and incorporating it into their governing documents and rules of sport, *National Federations* shall cooperate with and support NADO Italia in that function. They shall also recognize, abide by and implement the decisions made pursuant to this *Anti-Doping Sports Code*, including the decisions imposing sanctions on *Persons* under their authority.

All *National Federations* of Italy shall take appropriate action to enforce compliance with the *Code*, *WADA's International Standards*, and this *Anti-Doping Sports Code* by, *inter alia*, recognizing the authority of NADO Italia in accordance with Article 5.2.1 of the *Code* and assisting as appropriate with NADO Italia's implementation of the national *Testing* program for their sport. All *National Federations* shall include on the membership card/license that the holder of this card is bound by this *Anti-Doping Sports Code* and those of the relevant *International Federation* with a signature acknowledging this acceptance.

All *National Federations* shall report any information suggesting or relating to an anti-doping rule violation to NADO Italia and to their *International Federation* and shall cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.

All *National Federations* shall conduct anti-doping *Education* only in coordination with NADO Italia.

ARTICLE 1 DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11. Other violations of this *Anti-Doping Sports Code* are set forth in Article 3.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Athletes or other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which 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 the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies. *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 rule violation under Article 2.1.
- 2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any 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*; or, where the *Athlete's A or B Sample* is split into two (2) parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.
- 2.1.3 Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported 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*, *International Standards*, or *Technical Documents* may establish special criteria for reporting or the evaluation of certain *Prohibited Substances*.

2.2 *Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method*

2.2.1 It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies and that no *Prohibited Method* is *Used*. 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 *Evading, Refusing or Failing to Submit to Sample Collection by an Athlete*

Evading *Sample* collection; or refusing or failing to submit to *Sample* collection without compelling justification after notification by a duly authorized *Person*.

2.4 *Whereabouts Failures by an Athlete*

Any combination of three (3) missed tests and/or filing failures, as defined in the *International Standard for Results Management*, within a twelve-month period by an *Athlete* in a *Registered Testing Pool*.

2.5 *Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person*

2.6 *Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person*

2.6.1 *Possession* by an *Athlete In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* unless the *Athlete* establishes that the *Possession* is consistent with a Therapeutic Use Exemption ("TUE") granted in accordance with Article 5.4 or other acceptable justification.

2.6.2 *Possession* by an *Athlete Support Person In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Support Person Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* in connection with an *Athlete*, *Competition* or training, unless the *Athlete Support Person*

establishes that the *Possession* is consistent with a *TUE* granted to an *Athlete* in accordance with Article 5.4 or other acceptable justification.

2.7 *Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person*

2.8 *Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition*

2.9 *Complicity or Attempted Complicity by an Athlete or Other Person*

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or *Attempted* complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation, or violation of Article 11.14.1 by another *Person*.

2.10 *Prohibited Association by an Athlete or Other Person*

2.10.1 Association by an *Athlete* or other *Person* subject to the authority of an *Anti-Doping Organization* in a professional or sport-related capacity with any *Athlete Support Person* who:

2.10.1.1 If subject to the authority of an *Anti-Doping Organization*, is serving a period of *Ineligibility*; or

2.10.1.2 If not subject to the authority of an *Anti-Doping Organization*, and where *Ineligibility* has not been addressed in a *Results Management* process pursuant to the *Code*, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.1.3 Is serving as a front or intermediary for an individual described in Article 2.10.1.1 or 2.10.1.2.

2.10.2 To establish a violation of Article 2.10, an *Anti-Doping Organization* must establish that the *Athlete* or other *Person* knew of the *Athlete Support Person*'s disqualifying status.

The burden shall be on the *Athlete* or other *Person* to establish that any association with an *Athlete Support Person* described in Article 2.10.1.1 or

2.10.1.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

Anti-Doping Organizations that are aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to *WADA*.

2.11 Acts by an *Athlete* or Other *Person* to Discourage or Retaliate Against Reporting to Authorities

Where such conduct does not otherwise constitute a violation of Article 2.5:

2.11.1 Any act which threatens or seeks to intimidate another *Person* with the intent of discouraging the *Person* from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with the *Code* to *WADA*, an *Anti-Doping Organization*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for *WADA* or an *Anti-Doping Organization*.

2.11.2 Retaliation against a *Person* who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with the *Code* to *WADA*, an *Anti-Doping Organization*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for *WADA* or an *Anti-Doping Organization*.

For purposes of Article 2.11, retaliation, threatening and intimidation include an act taken against such *Person* either because the act lacks a good faith basis or is a disproportionate response.

ARTICLE 3 OTHER VIOLATION OF THE *ANTI-DOPING SPORTS CODE*

The following constitute other *ADSC*'s violations:

- 3.1** any violation pertaining to any part of *Doping Control* as ordered by the Department of Doping Control and Supervision and Health Safety in Sports Activities pursuant to Law No. 376/2000;
- 3.2** failure to provide co-operation by any individual to ensure compliance with *ADSC*, including failure to report relevant circumstances for the purpose of establishing doping offences;
- 3.3** any offensive conduct towards the DCO and/or Doping Control Personnel that does not qualify as a violation of Article 2.5.

ARTICLE 4 PROOF OF DOPING

4.1 Burdens and Standards of Proof

NADO Italia shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether NADO Italia has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation which 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 this *Anti-Doping Sports Code* places 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, except as provided in Articles 4.2.2 and 4.2.3, the standard of proof shall be by a balance of probability.

4.2 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:

4.2.1 Analytical methods or *Decision Limits* approved by *WADA* after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify *WADA* of the challenge and the basis of the challenge. The *NADT* or *CAS*, on its own initiative, may also inform *WADA* of any such challenge. Within ten (10) days of *WADA*'s receipt of such notice and the case file related to such challenge, *WADA* shall also have the right to intervene as a party, appear as amicus curiae or otherwise provide evidence in such proceeding. In cases before *CAS*, at *WADA*'s request, the *CAS* panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

4.2.2 *WADA*-accredited laboratories, and other laboratories approved by *WADA*, 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 which 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 NADO Italia shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

4.2.3 Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or in this *Anti-Doping Sports Code* shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation; provided, however, if the *Athlete* or other *Person* establishes that a departure from one of the specific *International Standard* provisions listed below could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or whereabouts failure, then NADO Italia shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the whereabouts failure:

- (i) a departure from the *International Standard for Testing and Investigations* related to *Sample* collection or *Sample* handling which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case NADO Italia shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- (ii) a departure from the *International Standard for Results Management* or *International Standard for Testing and Investigations* related to an *Adverse Passport Finding* which could reasonably have caused an anti-doping rule violation, in which case NADO Italia shall have the burden to establish that such departure did not cause the anti-doping rule violation;
- (iii) a departure from the *International Standard for Results Management* related to the requirement to provide notice to the *Athlete* of the B *Sample* opening which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case NADO Italia shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- (iv) a departure from the *International Standard for Results Management* related to *Athlete* notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case NADO Italia shall have the burden to establish that such departure did not cause the whereabouts failure.

4.2.4 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 irrebuttable 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.

4.2.5 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 NADO Italia.

ARTICLE 5 THE PROHIBITED LIST

5.1 Incorporation of the *Prohibited List*

This *Anti-Doping Sports Code* incorporates the *Prohibited List* which is published and revised by *WADA* as described in *Code* Article 4.1.

Unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under this *Anti-Doping Sports Code* three (3) months after publication by *WADA* without requiring any further action by NADO Italia. All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

5.2 *Prohibited Substances* and *Prohibited Methods* Identified on the *Prohibited List*

5.2.1 *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.

5.2.2 *Specified Substances* or *Specified Methods*

For purposes of the application of Article 11, all *Prohibited Substances* shall be *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* shall be a *Specified Method* unless it is specifically identified as a *Specified Method* on the *Prohibited List*.

5.2.3 *Substances of Abuse*

For purposes of applying Article 11, *Substances of Abuse* shall include those *Prohibited Substances* which are specifically identified as *Substances*

of Abuse on the *Prohibited List* because they are frequently abused in society outside of the context of sport.

5.3 WADA's Determination of the *Prohibited List*

WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, the classification of a substance as prohibited at all times or *In-Competition* only, the classification of a substance or method as a *Specified Substance*, *Specified Method* or *Substance of Abuse* is final and shall not be subject to any challenge by an *Athlete* or other *Person* including, but not limited to, any challenge 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.

5.4 *Therapeutic Use Exemptions* ("TUEs")

This *Anti-Doping Sports Code* incorporates the *International Standard for Therapeutic Use Exemptions* (the "ISTUE"), as amended from time to time. The ISTUE is therefore binding on all *Athletes* and other *Persons* in the same way as the *Anti-Doping Sports Rules* are binding on them.

- 5.4.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession* or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method* shall not be considered an anti-doping rule violation if it is consistent with the provisions of a TUE granted in accordance with the *International Standard for Therapeutic Use Exemptions*.

5.4.2 TUE Application Process

- 5.4.2.1 Any *Athlete* who is not an *International-Level Athlete* shall apply to NADO Italia for a TUE as soon as possible, save where Articles 4.1 or 4.3 of the *International Standard for Therapeutic Use Exemptions* apply.

The application shall be made in accordance with Article 6 of the *International Standard for Therapeutic Use Exemptions* and according to the process for applying described in the *Therapeutic Use Exemptions' Application Procedure* (TUE_AP), available on NADO Italia's website (www.nadoitalia.it).

- 5.4.2.2 NADO Italia established a panel – *Therapeutic Use Exemption Committee* ("TUEC") – to consider applications for the grant of TUEs:

- (a) The TUEC is composed of independent physicians with different specialization in order to provide specific advice on the various medical conditions that lead to a

TUE application. Three of them have also experience in the care and treatment of *Athletes*, both able-bodied and with impairments, and sound knowledge of clinical, sports and exercise medicine.

- (b) In order to ensure a level of independence of decisions, all of the members of the TUEC have no political responsibility in NADO Italia. At this purpose, all the members sign a conflict of interest and confidentiality declaration.

5.4.2.3 When an application to NADO Italia for the grant of a TUE is made, the Chair of the TUEC shall appoint three (3) members (which may include the Chair) to consider the application.

The TUEC shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the *International Standard for Therapeutic Use Exemptions* and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete application. Where the application is made in a reasonable time prior to an *Event*, the TUEC must use its best endeavors to issue its decision before the start of the *Event*.

5.4.2.4 The TUEC's decision shall be the final decision of NADO Italia and may be appealed in accordance with the procedure set forth in the document RMP, pursuant to Article 5.4.6. TUEC's decision shall be notified in writing to the *Athlete*, and to *WADA* and other *Anti-Doping Organizations* in accordance with the *International Standard for Therapeutic Use Exemptions*. It shall also promptly be reported into *ADAMS*.

5.4.3 Retroactive *TUE* Applications

An Athlete shall have the right to apply for a retroactive *TUE* if:

- a. emergency treatment or treatment of an acute medical condition was necessary;
- b. there was insufficient time, opportunity or other exceptional circumstances that prevented the *Athlete* from submitting (or the TUEC to consider) an application for the TUE prior to Sample collection;
- c. after an anti-doping test has been carried out, only for *Athletes* who are not of International or National Level and who are taking a substance for therapeutic purposes or practicing a prohibited method;

- d. due to national level prioritization of certain sports, the *Athlete's* National Anti-Doping Organization did not permit or require the *Athlete* to apply for a prospective TUE;
- e. the *Athlete* used *Out-of-Competition*, for Therapeutic reasons, a Prohibited Substance that is only prohibited *In-Competition*;
- f. in any case other than the cases mentioned in the previous letters, NADO Italia and *WADA* jointly decide that fairness requires the grant of a retroactive TUE in accordance with Article 4.3 of the ISTUE.

5.4.4 **TUE Recognition**

A TUE granted by NADO Italia is valid at any national level in any country and does not need to be formally recognized by any other *National Anti-Doping Organization*.

However, it is not automatically valid if the *Athlete* becomes an *International-Level Athlete* or competes in an *International Event*, unless it is recognized by the relevant International Federation or *Major Event Organization* in accordance with the *International Standard for Therapeutic Use Exemptions* as follows.

- 5.4.4.1 Where the *Athlete* already has a TUE granted by NADO Italia for the substance or method in question, unless their TUE will be automatically recognized by the International Federation or *Major Event Organization*, the *Athlete* shall apply to their International Federation or to the *Major Event Organization* to recognize that TUE. If that TUE meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, then the International Federation or *Major Event Organization* must recognize it.

If the International Federation or *Major Event Organization* considers that the TUE granted by NADO Italia does not meet those criteria and so refuses to recognize it, the International Federation shall promptly notify the *Athlete* and NADO Italia with reasons. The *Athlete* and/or NADO Italia shall have twenty-one (21) days from such notification to refer the matter to *WADA* for review in accordance with Article 5.4.6. If the International Federation refuses to recognize a TUE granted by NADO Italia only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the ISTUE, the matter should not be referred to *WADA*. Instead, the file should be completed and re-submitted to the International Federation.

If the matter is referred to *WADA* for review in accordance with Article 5.4.6, the *TUE* granted by NADO Italia remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international-level *Competition*) pending *WADA*'s decision.

If the matter is not referred to *WADA* for review within the twenty-one (21) day deadline, NADO Italia must determine whether the original *TUE* that it granted should nevertheless remain valid for national-level *Competition* and *Out-of-Competition Testing* (provided that the *Athlete* ceases to be an *International-Level Athlete* and does not participate in international-level *Competition*). Pending NADO Italia's decision, the *TUE* remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international-level *Competition*).

- 5.4.4.2** If the *Athlete* does not already have a *TUE* granted by NADO Italia for the substance or method in question, the *Athlete* must apply directly to the International Federation for a *TUE* in accordance with the process set out in the ISTUE as soon as the need arises.

If the International Federation denies the *Athlete*'s application, it shall notify the *Athlete* promptly, with reasons.

If the International Federation grants the *Athlete*'s application, it shall notify the *Athlete* and NADO Italia. If NADO Italia considers that the *TUE* granted by the International Federation does not meet the criteria set out in the ISTUE, it has twenty-one (21) days from such notification to refer the matter to *WADA* for review.

If NADO Italia refers the matter to *WADA* for review, the *TUE* granted by the International Federation remains valid for international-level *Competition* and *Out-of-Competition Testing* (but is not valid for national-level *Competition*) pending *WADA*'s decision.

If NADO Italia does not refer the matter to *WADA* for review, the *TUE* granted by the International Federation becomes valid for national-level *Competition* as well when the twenty-one (21) day review deadline expires.

5.4.5 Expiration, Withdrawal or Reversal of a *TUE*

- 5.4.5.1** A *TUE* granted pursuant to this *Anti-Doping Sports Code* : (a) shall expire automatically at the end of any term for which it

was granted, without the need for any further notice or other formality; (b) will be withdrawn if the *Athlete* does not promptly comply with any requirements or conditions imposed by the TUEC upon grant of the *TUE*; (c) may be withdrawn by the TUEC if it is subsequently determined that the criteria for grant of a *TUE* are not in fact met; or (d) may be reversed on review by *WADA* or on appeal.

- 5.4.5.2** In such event, the *Athlete* shall not be subject to any *Consequences* based on their *Use* or *Possession* or *Administration* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the *TUE* prior to the effective date of expiry, withdrawal, or reversal of the *TUE*. The review pursuant to Article 5.1.1.1 of the *International Standard for Results Management* of an *Adverse Analytical Finding*, reported shortly after the *TUE* expiry, withdrawal, or reversal, shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Prohibited Method* prior to that date, in which event no anti-doping rule violation shall be asserted.

5.4.6 Reviews and Appeals of *TUE* Decisions

- 5.4.6.1** If NADO Italia denies an application for a *TUE*, the *Athlete* may appeal exclusively to the National Anti-Doping Appeal Body (“NADAB”), in accordance with the applicable procedural rules.
- 5.4.6.2** *WADA* must review an International Federation’s decision not to recognize a *TUE* granted by NADO Italia that is referred to *WADA* by the *Athlete* or NADO Italia. In addition, *WADA* must review an International Federation’s decision to grant a *TUE* that is referred to *WADA* by NADO Italia. *WADA* may review any other *TUE* decisions at any time, whether upon request by those affected or on its own initiative. If the *TUE* decision being reviewed meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, *WADA* will not interfere with it. If the *TUE* decision does not meet those criteria, *WADA* will reverse it.
- 5.4.6.3** Any *TUE* decision by an International Federation (or by NADO Italia where it has agreed to consider the application on behalf of an International Federation) that is not reviewed by *WADA*, or that is reviewed by *WADA* but is not reversed upon review, may be appealed by the *Athlete* and/or NADO Italia, exclusively to *CAS*.

5.4.6.4 A decision by *WADA* to reverse a *TUE* decision may be appealed by the *Athlete*, NADO Italia and/or the International Federation affected, exclusively to *CAS*.

5.4.6.5 A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a *TUE* or for review of a *TUE* decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

ARTICLE 6 TESTING AND INVESTIGATIONS

This *Anti-Doping Sports Code* incorporates the *International Standard for Testing and Investigations*, as amended from time to time (the “ISTI”) and NADO Italia’s *Technical Document for Testing and Investigations* (TD_TI), available at NADO Italia’s website (www.nadoitalia.it). The ISTI and the TD_TI are therefore binding on all *Athletes* and other *Persons* in the same way as the *ADSC* is binding on them.

6.1 Purpose of *Testing* and Investigations

6.1.1 *Testing* and investigations may be undertaken for any anti-doping purpose. They shall be conducted in conformity with the provisions of the *International Standard for Testing and Investigations* and the *Technical Document for Testing and Investigations*, available on NADO Italia’s website (www.nadoitalia.it).

6.1.2 *Testing* shall be undertaken to obtain analytical evidence as to whether the *Athlete* has violated Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete’s Sample*) or Article 2.2 (*Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*).

6.2 Authority to Test

6.2.1 Subject to the limitations for *Event Testing* set out in Article 6.4, NADO Italia shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* who are Italian citizens, are resident in Italy, hold a license or are registered with Italian sports organizations or take part in a national sports event or are located in the national territory.

6.2.2 *Sample* Collection Personnel authorized by NADO Italia may require any *Athlete* over whom it has *Testing* authority (including any *Athlete* serving a period of *Ineligibility*) to provide a *Sample* at any time and at any place.

6.2.3 *WADA* shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.10 of the *Code*.

- 6.2.4** If an International Federation or *Major Event Organization* delegates or contracts any part of *Testing* to NADO Italia directly or through a *National Federation*, NADO Italia may collect additional *Samples* or direct the laboratory to perform additional types of analysis at NADO Italia's expense. If additional *Samples* are collected or additional types of analysis are performed, the International Federation or *Major Event Organization* shall be notified.

6.3 *Testing Requirements*

- 6.3.1** NADO Italia prepares an annual Test Distribution Plan (hereinafter the "TDP"). The TDP is based on the potential risk of doping for any sport and/or sports discipline and is forwarded to *WADA* upon its request. NADO Italia shall conduct test distribution planning and *Testing* as required by the *International Standard for Testing and Investigations*.
- 6.3.2** Where reasonably feasible, *Testing* shall be coordinated through *ADAMS* in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.

6.4 *Event Testing*

- 6.4.1** Except as otherwise provided below, only a single organization shall have authority to conduct *Testing* at *Event Venues* during an *Event Period*. At *National Events* held in Italy, NADO Italia shall have authority to conduct *Testing*. NADO Italia will determine which *National Events* it will conduct *Testing* at, which *Athletes* will be selected for *Testing* at such *National Events* and how they will be selected for *Testing*.
- 6.4.2** At *International Events* held in Italy, the collection of *Samples* shall be initiated and directed by the ruling body for the *Event*, subject always to the right of NADO Italia to initiate and conduct such *Testing* in accordance with *Code* Article 5.3.2.

6.5 *Athlete Whereabouts Information*

- 6.5.1** NADO Italia, through the ADCC, defines and approves a *Registered Testing Pool* (hereinafter the "RTP") of those *Athletes* who are required to provide whereabouts information in the manner specified in the *International Standard for Testing and Investigations* and who shall be subject to *Consequences* for Article 2.4 violations as provided in Article 11.3.2.
- The criteria for inclusion of *Athletes* in the RTP are defined and approved by the ADCC and are regularly reviewed and updated as necessary.

The ADCC periodically (but not less than quarterly) reviews the list of *Athletes* in its RTP to ensure that each listed *Athlete* continues to meet the relevant criteria.

NADO Italia shall coordinate with International Federations to identify such *Athletes* and to collect their whereabouts information.

- 6.5.2 NADO Italia makes available through its website and *ADAMS* a list which identifies those *Athletes* included in its RTP. *Athletes* will be notified in writing of their inclusion or removal from the RTP. The notification shall contain the information set out in the *International Standard for Testing and Investigations*.
- 6.5.3 Where an *Athlete* is included in an international RTP by the relevant International Federation and in the national RTP by the ADCC of NADO Italia, NADO Italia and the International Federation shall agree between themselves which of them shall accept that *Athlete's* whereabouts filings; in no case shall an *Athlete* be required to make whereabouts filings to more than one of them.
- 6.5.4 In accordance with the *International Standard for Testing and Investigations* and with the NADO Italia's *Technical Document for Testing and Investigations*, each *Athlete* in the national RTP shall still do the following: (a) advise NADO Italia of his/her whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make himself or herself available for *Testing* at such whereabouts.
- 6.5.5 An *Athlete* in NADO Italia's RTP shall continue to be subject to the obligation to comply with the whereabouts requirements set in the Article 4.8 of the *International Standard for Testing and Investigations* unless and until (a) the *Athlete* gives written notice to NADO Italia that he or she has retired or (b) NADO Italia has informed him or her that he or she no longer satisfies the criteria for inclusion in NADO Italia's RTP.
- 6.5.6 For purposes of Article 2.4, an *Athlete's* failure to comply with the requirements of the *International Standard for Testing and Investigations* shall be deemed a filing failure or a missed test, as defined in Annex B of the RMP, where the conditions set forth in Annex B are met.
- 6.5.7 Whereabouts information provided by an *Athlete* while in the RTP will be accessible through *ADAMS* to *WADA* and to other *Anti-Doping Organizations* having authority to test that *Athlete* as provided in *Code* Article 5.2. Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information relevant to the *Athlete Biological Passport* or other analytical results, to support an investigation into a potential anti-doping rule

violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with the *International Standard* for the Protection of Privacy and Personal Information.

6.6 Retired *Athletes* Returning to *Competition*

- 6.6.1** If an *International-Level Athlete* or *National-Level Athlete* in NADO Italia's *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 NADO Italia.

WADA, in consultation with NADO Italia and the *Athlete's* International Federation, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to the *Athlete*. This decision may be appealed under *Code* Article 13.

Any competitive results obtained in violation of this Article 6.6.1 shall be *Disqualified* unless the *Athlete* can establish that he or she could not have reasonably known that this was an *International Event* or a *National Event*.

- 6.6.2** If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* must notify the *Anti-Doping Organization* that imposed the period of *Ineligibility* in writing of such retirement. If the *Athlete* then wishes to return to active competition 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 (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six (6) months) to NADO Italia and to their *International Federation*.

6.7 Anti-Doping Detective Inspectors (ADDIs)

Pursuant to the Framework Agreement executed on 9 February 2015 between CONI and the Carabinieri Department for Health Protection (i.e., the Italian anti-adulteration unit locally known as “NAS” or “CCTS”), NAS personnel accredited by NADO Italia as Anti-Doping Detective Inspectors (“ADDIs”) shall take part to the anti-doping activities, in conjunction with FMSI's Doping Control Officers/Blood Control Officers, according to the TD_TI.

6.8 *Independent Observer Program*

NADO Italia and any organizing committees for *National Events* in Italy, shall authorize and facilitate the *Independent Observer Program* at *such Events*.

ARTICLE 7 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

7.1 Use of Accredited, Approved Laboratories and Other Laboratories

7.1.1 For purposes of directly establishing an *Adverse Analytical Finding* under Article 2.1, *Samples* shall be analyzed only in *WADA*-accredited laboratories or laboratories otherwise approved by *WADA*. The choice of the *WADA*-accredited or *WADA*-approved laboratory used for the *Sample* analysis shall be determined exclusively by NADO Italia.

7.1.2 As provided in Article 4.2, facts related to anti-doping rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of *WADA*-accredited or approved laboratories.

7.2 Purpose of Analysis of *Samples* and Data

Samples and related analytical data or *Doping Control* information 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 NADO Italia in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.

7.3 Research on *Samples* and Data

Samples, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Athlete's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples* and related analytical data or *Doping Control* information being traced back to a particular *Athlete*. Any research involving *Samples* and related analytical data or *Doping Control* information shall adhere to the principles set out in *Code* Article 19.

7.4 Standards for *Sample* Analysis and Reporting

In accordance with *Code* Article 6.4, NADO Italia shall ask laboratories to analyze *Samples* in conformity with the *International Standard* for Laboratories and Article 4.7 of the *International Standard* for Testing and Investigations.

Laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by NADO Italia. Results from any such analysis shall be reported to NADO Italia and have the same validity and *Consequences* as any other analytical result.

7.5 Further Analysis of a *Sample* Prior to or During *Results Management*

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a *Sample* prior to the time NADO Italia notifies an *Athlete* that the *Sample* is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification NADO Italia wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Athlete* or approval from a hearing body.

7.6 Further Analysis of a *Sample* After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge

After a laboratory has reported a *Sample* as negative, or the *Sample* has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 7.2 at any time exclusively at the direction of either the NADO Italia (if it initiated and directed *Sample* collection) or *WADA*. Any other *Anti-Doping Organization* with authority to test the *Athlete* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of the *Anti-Doping Organization* that initiated and directed *Sample* collection or *WADA*, and shall be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by *WADA* or another *Anti-Doping Organization* shall be at *WADA*'s or that organization's expense. Further analysis of *Samples* shall conform with the requirements of the *International Standard* for Laboratories.

7.7 Split of A or B *Sample*

Where *WADA*, NADO Italia (where it has *Results Management* authority), and/or a *WADA*-accredited laboratory (with approval from *WADA* or the *Anti-Doping Organization* with *Results Management* authority) wishes to split an A or B *Sample* for the purpose of using the first part of the split *Sample* for an A *Sample* analysis and the second part of the split *Sample* for confirmation, then the procedures set forth in the *International Standard* for Laboratories shall be followed.

7.8 *WADA*'s Right to Take Possession of *Samples* and Data

WADA may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* and related analytical data or information in the possession of a laboratory or *Anti-Doping Organization*. Upon request by *WADA*, the laboratory or *Anti-Doping Organization* in possession of the *Sample* or data shall immediately grant access to and enable *WADA* to take physical possession of the *Sample* or data. If *WADA* has not provided prior notice to the laboratory or *Anti-Doping Organization* before taking possession of a *Sample* or data, it shall provide such notice to the laboratory and to the *Anti-Doping Organization* whose *Samples* or data have been taken by *WADA* within a reasonable time after taking possession. After analysis and any investigation of

a seized *Sample* or data, *WADA* may direct another *Anti-Doping Organization* with authority to test the *Athlete* to assume *Results Management* responsibility for the *Sample* or data if a potential anti-doping rule violation is discovered.

ARTICLE 8 RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS

This *Anti-Doping Sports Code* incorporates the *International Standard for Results Management*, as amended from time to time (the “ISRM”) and the RMP, adopted by NADO Italia. The ISRM and the RMP are therefore binding on all *Athletes* and other *Persons* in the same way as the *ADSC* are binding on them.

Results Management under this *ADSC* and the RMP establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner.

8.1 Responsibility for Conducting *Results Management*

- 8.1.1** Except as otherwise provided in Articles 7.6, 7.8 and in *Code* Article 7.1, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of NADO Italia when it is the authority that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, if NADO Italia first provides notice to an *Athlete* or other *Person* of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation). Any dispute between NADO Italia and another *Anti-Doping Organization* over which organization has *Results Management* authority in respect of a particular matter shall be settled by *WADA* in accordance with *Code* Article 7.1.
- 8.1.2** *Results Management* in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by NADO Italia if the *Athlete* files whereabouts information with NADO Italia, as provided in the *International Standard for Results Management*. If NADO Italia determines a filing failure or a missed test, it shall submit that information to *WADA* through *ADAMS*, where it will be made available to other relevant *Anti-Doping Organizations*.
- 8.1.3** Other circumstances in which NADO Italia shall take responsibility for conducting *Results Management* in respect of anti-doping rule violations involving *Athletes* and other *Persons* under its authority shall be determined by reference to and in accordance with *Code* Article 7.
- 8.1.4** *WADA* may direct NADO Italia to conduct *Results Management* in particular circumstances. If NADO Italia refuses to conduct *Results Management* within a reasonable deadline set by *WADA*, such refusal shall be considered an act of non-compliance, and *WADA* may direct another *Anti-Doping Organization* with authority over the *Athlete* or

other *Person*, that is willing to do so, to take *Results Management* responsibility in place of NADO Italia or, if there is no such *Anti-Doping Organization*, any other *Anti-Doping Organization* that is willing to do so. In such case, NADO Italia shall reimburse the costs and attorney's fees of conducting *Results Management* to the other *Anti-Doping Organization* designated by *WADA*, and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.

8.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

8.2.1 *Adverse Analytical Finding*

Review of *Adverse Analytical Finding* and notification of potential anti-doping rule violation for *Adverse Analytical Finding* shall take place as provided in the RMP.

8.2.2 *Atypical Finding*

Review of *Atypical Finding* and notification of potential anti-doping rule violation for *Atypical Finding* shall take place as provided in the RMP.

8.2.3 B Sample Analysis

The analysis of the *B Sample* shall take place as provided in the RMP.

8.2.4 Report of a potential Failure to Comply

The pre-adjudication phase of *Results Management* of a possible failure to comply shall take place as provided in the RMP.

8.2.5 Whereabouts Failures

The pre-adjudication phase of *Results Management* of potential whereabouts failures shall take place as provided in the RMP.

8.2.6 Athlete Biological Passport Findings

The pre-adjudication phase of *Results Management* of *Atypical Passport Findings* or *Passports* submitted to an Expert by the Athlete Passport Management Unit when there is no *Atypical Passport Finding* shall take place as provided in the RMP.

8.2.7 Specific cases and other anti-doping rules violations

NADO Italia carries out the review and notification with respect to any potential anti-doping rule violation in accordance with the *International Standard for Results Management*.

At such time as NADO Italia considers that the *Athlete* or other Person may have committed (an) anti-doping rule violation(s), it shall follow the procedure set out in the RMP.

8.3 Mandatory and Provisional Suspensions

Mandatory and Optional Provisional Suspensions follow the procedure set out in the RMP.

8.4 Results Management Decisions

Results Management decisions or adjudications by NADO Italia must not purport to be limited to a particular geographic area or sport and shall address and determine without limitation the following issues: (i) whether an anti-doping rule violation was committed or a *Provisional Suspension* should be imposed, the factual basis for such determination, and the specific Articles that have been violated, and (ii) all *Consequences* flowing from the anti-doping rule violation(s), including applicable *Disqualifications* under Articles 10 and 11.10, any forfeiture of medals or prizes, any period of *Ineligibility* (and the date it begins to run) and any *Financial Consequences*.

8.5 Retirement from Sport

If an *Athlete* or other Person retires while the NADO Italia's *Results Management* process is underway, NADO Italia retains authority to complete its *Results Management* process. If an *Athlete* or other Person retires before any *Results Management* process has begun, and NADO Italia would have had *Results Management* authority over the *Athlete* or other Person at the time the *Athlete* or other Person committed an anti-doping rule violation, NADO Italia has authority to conduct *Results Management*.

ARTICLE 9 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION

For any Person who is asserted to have committed an anti-doping rule violation, NADO Italia shall provide a fair hearing within a reasonable time by the NADT), in compliance with the *Code* and the *International Standard for Results Management*, according to the RMP.

ARTICLE 10 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.

ARTICLE 11 SANCTIONS ON INDIVIDUALS

11.1 *Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs*

11.1.1 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 11.1.2.

Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.

11.1.2 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.

11.2 *Ineligibility for Presence, Use or Attempted Use or Possession of a Prohibited Substance or Prohibited Method*

The period of *Ineligibility* for a violation of Article 2.1, 2.2 or 2.6 shall be as follows, subject to potential elimination, reduction or suspension pursuant to Article 11.5, 11.6 and 11.7:

11.2.1 The period of *Ineligibility*, subject to Article 11.2.4, shall be four (4) years where:

11.2.1.1 The anti-doping rule violation does not involve a *Specified Substance* or a *Specified Method*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.

11.2.1.2 The anti-doping rule violation involves a *Specified Substance* or a *Specified Method* and NADO Italia can establish that the anti-doping rule violation was intentional.

11.2.2 If Article 11.2.1 does not apply, subject to Article 11.2.4.1, the period of *Ineligibility* shall be two (2) years.

11.2.3 As used in Article 11.2, the term “intentional” is meant to identify those *Athletes* or other *Persons* who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was

a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall be rebuttably presumed to be not “intentional” if the substance is a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered “intentional” if the substance is not a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.

11.2.4 Notwithstanding any other provision in Article 11.2, where the anti-doping rule violation involves a *Substance of Abuse*:

11.2.4.1 If the *Athlete* can establish that any ingestion or *Use* occurred *Out-of-Competition* and was unrelated to sport performance, then the period of *Ineligibility* shall be three (3) months *Ineligibility*.

In addition, the period of *Ineligibility* calculated under this Article 11.2.4.1 may be reduced to one (1) month if the *Athlete* or other *Person* satisfactorily completes a *Substance of Abuse* treatment program approved by NADO Italia. The period of *Ineligibility* established in this Article 11.2.4.1 is not subject to any reduction based on any provision in Article 11.6.

11.2.4.2 If the ingestion, *Use* or *Possession* occurred *In-Competition*, and the *Athlete* can establish that the context of the ingestion, *Use* or *Possession* was unrelated to sport performance, then the ingestion, *Use* or *Possession* shall not be considered intentional for purposes of Article 11.2.1 and shall not provide a basis for a finding of *Aggravating Circumstances* under Article 11.4.

11.3 *Ineligibility for Other Anti-Doping Rule Violations*

The period of *Ineligibility* for anti-doping rule violations other than as provided in Article 11.2 shall be as follows, unless Article 11.6 or 11.7 are applicable:

11.3.1 For violations of Article 2.3 or 2.5, the period of *Ineligibility* shall be four (4) years except: (i) in the case of failing to submit to *Sample* collection, if the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional, the period of *Ineligibility* shall be two (2) years; (ii) in all other cases, if the *Athlete* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two (2) years to four (4) years depending on the *Athlete* or other *Person*’s

degree of *Fault*; or (iii) in a case involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.

11.3.2 For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility*, depending on the seriousness of the violation.

11.3.2.1 An Article 2.7 or Article 2.8 violation involving a *Protected Person* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*.

11.3.2.2 If significant violations of Article 2.7 or 2.8 also violate non-sporting laws and regulations, then the *Anti-Doping Organization* shall be required to report any such occurrence to the competent administrative, professional or judicial authorities.

11.3.3 For violations of Article 2.4, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete's* degree of *Fault*. The flexibility between two (2) years and one (1) year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.

11.3.4 For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation.

11.3.5 For violations of Article 2.10, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.

11.3.6 For violations of Article 2.11, the period of *Ineligibility* shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation by the *Athlete* or other *Person*.

11.4 *Aggravating Circumstances which may Increase the Period of Ineligibility*

If NADO Italia establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (*Trafficking* or *Attempted Trafficking*), 2.8

(*Administration* or *Attempted Administration*), 2.9 (Complicity or *Attempted Complicity*) or 2.11 (Acts by an *Athlete* or *Other Person* to Discourage or Retaliate Against Reporting) 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 by an additional period of *Ineligibility* of up to two (2) years depending on the seriousness of the violation and the nature of the *Aggravating Circumstances*, unless the *Athlete* or other *Person* can establish that he or she did not knowingly commit the anti-doping rule violation.

11.5 Elimination of the Period of *Ineligibility* where there is *No Fault or Negligence*

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Fault or Negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.

11.6 Reduction of the Period of *Ineligibility* based on *No Significant Fault or Negligence*

11.6.1 Reduction of Sanctions in Particular Circumstances for Violations of Article 2.1, 2.2 or 2.6.

All reductions under Article 4.6.1 are mutually exclusive and not cumulative.

11.6.1.1 *Specified Substances* or *Specified Methods*

Where the anti-doping rule violation involves a *Specified Substance* (other than a *Substance of Abuse*) or *Specified Method*, and the *Athlete* or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years of *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.

11.6.1.2 *Contaminated Products*

In cases where the *Athlete* or other *Person* can establish both *No Significant Fault or Negligence* and that the detected *Prohibited Substance* (other than a *Substance of Abuse*) came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Athlete* or other *Person's* degree of *Fault*.

11.6.1.3 *Protected Persons* or *Recreational Athletes*

Where the anti-doping rule violation not involving a *Substance of Abuse* is committed by a *Protected Person* or *Recreational Athlete*, and the *Protected Person* or *Recreational Athlete* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a

reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.

11.6.2 Application of *No Significant Fault or Negligence* beyond the Application of Article 4.6.1

If an *Athlete* or other *Person* establishes in an individual case where Article 11.6.1 is not applicable, that he or she bears *No Significant Fault or Negligence*, then, subject to further reduction or elimination as provided in Article 11.7, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete* or other *Person's* degree of *Fault*, 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.

11.7 Elimination, Reduction, or Suspension of Period of *Ineligibility* or Other Consequences for Reasons Other than *Fault*

11.7.1 *Substantial Assistance* in Discovering or Establishing *Code* Violations

11.7.1.1 NADO Italia may, prior to an appellate decision under *Code* Article 13 or the expiration of the time to appeal, suspend a part of the *Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in: (i) the *Anti-Doping Organization* discovering or bringing forward an anti-doping rule violation by another *Person*; or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to NADO Italia or other *Anti-Doping Organization* with *Results Management* responsibility; or (iii) which results in *WADA* initiating a proceeding against a *Signatory*, *WADA*-accredited laboratory, or *Athlete* passport management unit (as defined in the *International Standard* for Laboratories) for non-compliance with the *Code*, *International Standard* or *Technical Document*; or (iv) with the approval by *WADA*, which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping. After an appellate decision under *Code* Article 13 or the expiration of time to appeal, NADO Italia may only

suspend a part of the otherwise applicable *Consequences* 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, non-compliance with the *Code* and/or sport integrity violations. 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 Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 11.9.3.2.

If so requested by an *Athlete* or other *Person* who seeks to provide *Substantial Assistance*, NADO Italia shall allow the *Athlete* or other *Person* to provide the information to it subject to a *Without Prejudice Agreement*.

If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of *Consequences* was based, NADO Italia shall reinstate the original *Consequences*. If NADO Italia decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that decision may be appealed by any *Person* entitled to appeal under *Code* Article 13.

- 11.7.1.2** To further encourage *Athletes* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organizations*, at the request of NADO Italia or at the request of the *Athlete* or other *Person* who has, or has been asserted to have, committed an anti-doping rule violation, or other violation of the *Code*, *WADA* may agree at any stage of the *Results Management* process, including after an appellate decision under *Code* Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of *Ineligibility* and other *Consequences*. In exceptional circumstances, *WADA* may agree to suspensions of the period of *Ineligibility* and other *Consequences* for *Substantial Assistance* greater than those otherwise provided in this Article, or even no period of *Ineligibility*, no mandatory *Public Disclosure* and/or no return of prize money or payment of

finer or costs. *WADA's* approval shall be subject to reinstatement of *Consequences*, as otherwise provided in this Article. Notwithstanding *Code* Article 13, *WADA's* decisions in the context of this Article 11.7.1.2 may not be appealed.

11.7.1.3 If NADO Italia suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organizations* with a right to appeal under *Code* Article 13, as provided in Article 18. In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA* may authorize NADO Italia to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

11.7.2 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 8) 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.

11.7.3 Application of Multiple Grounds for Reduction of a Sanction

Where an *Athlete* or other *Person* establishes entitlement to reduction in sanction under more than one provision of Article 11.5, 11.6 or 11.7, before applying any reduction or suspension under Article 11.7, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 11.2, 11.3, 11.5, and 11.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Article 11.7, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

11.8 Results Management Agreements

11.8.1 One-Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

Where an *Athlete* or other *Person*, after being notified by NADO Italia of a potential anti-doping rule violation that carries an asserted period of *Ineligibility* of four (4) or more years (including any period of *Ineligibility* asserted under Article 11.4, admits the violation and accepts the asserted period of *Ineligibility*

no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the *Athlete* or other *Person* may receive a one-year reduction in the period of *Ineligibility* asserted by NADO Italia. Where the *Athlete* or other *Person* receives the one-year reduction in the asserted period of *Ineligibility* under this Article 11.8.1, no further reduction in the asserted period of *Ineligibility* shall be allowed under any other Article.

11.8.2 Case Resolution Agreement

Where the *Athlete* or other *Person* admits an anti-doping rule violation after being confronted with the anti-doping rule violation by NADO Italia and agrees to *Consequences* acceptable to NADO Italia and *WADA*, at their sole discretion, then: (a) the *Athlete* or other *Person* may receive a reduction in the period of *Ineligibility* based on an assessment by NADO Italia and *WADA* of the application of Articles 11.1 through 11.7 to the asserted anti-doping rule violation, the seriousness of the violation, the *Athlete* or other *Person's* degree of *Fault* and how promptly the *Athlete* or other *Person* admitted the violation; and (b) 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 agreed-upon period of *Ineligibility* going forward from the earlier of the date the *Athlete* or other *Person* accepted the imposition of a sanction or a *Provisional Suspension* which was subsequently respected by the *Athlete* or other *Person*. The decision by *WADA* and NADO Italia to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of the period of *Ineligibility*, are not matters for determination or review by a hearing body and are not subject to appeal under *Code* Article 13.

If so requested by an *Athlete* or other *Person* who seeks to enter into a case resolution agreement under this Article, NADO Italia shall allow the *Athlete* or other *Person* to discuss an admission of the anti-doping rule violation with it subject to a *Without Prejudice Agreement*.

11.9 Multiple Violations

11.9.1 Second or Third Anti-Doping Rule Violation

11.9.1.1 For an *Athlete* or other *Person's* second anti-doping rule violation, the period of *Ineligibility* shall be the greater of:

- (a) a six-month period of *Ineligibility*; or
- (b) a period of *Ineligibility* in the range between:
 - (i) the sum of the period of *Ineligibility* imposed for the first anti-doping rule violation plus the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first

violation, and

- (ii) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

The period of *Ineligibility* within this range shall be determined based on the entirety of the circumstances and the *Athlete* or other *Person's* degree of *Fault* with respect to the second violation.

11.9.1.2 A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 11.5 or 11.6, or involves a violation of Article 2.4. In these particular cases, the period of *Ineligibility* shall be from eight (8) years to lifetime *Ineligibility*.

11.9.1.3 The period of *Ineligibility* established in Articles 11.9.1.1 and 11.9.1.2 may then be further reduced by the application of Article 11.7.

11.9.2 An anti-doping rule violation for which an *Athlete* or other *Person* has established *No Fault* or *Negligence* shall not be considered a violation for purposes of this Article 11.9. In addition, an anti-doping rule violation sanctioned under Article 11.2.4.1 shall not be considered a violation for purposes of Article 11.9.

11.9.3 Additional Rules for Certain Potential Multiple Violations

11.9.3.1 For purposes of imposing sanctions under Article 11.9, except as provided in Articles 11.9.3.2 and 11.9.3.3, an anti-doping rule violation will only be considered a second violation if NADO Italia can establish that the *Athlete* or other *Person* committed the additional anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 8, or after NADO Italia made reasonable efforts to give notice of the first anti-doping rule violation. If NADO Italia 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, including the application of *Aggravating Circumstances*. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 11.10.

- 11.9.3.2** If NADO Italia establishes that an *Athlete* or other *Person* committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of *Ineligibility* for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of *Ineligibility* is served consecutively, rather than concurrently, with the period of *Ineligibility* imposed for the earlier-noticed violation. Where this Article 11.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 11.9.1.
- 11.9.3.3** If NADO Italia establishes that an *Athlete* or other *Person* committed a violation of Article 2.5 in connection with the *Doping Control* process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the period of *Ineligibility* for such violation shall be served consecutively, rather than concurrently, with the period of *Ineligibility*, if any, imposed for the underlying anti-doping rule violation. Where this Article 11.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 11.9.1.
- 11.9.3.4** If NADO Italia establishes that an *Athlete* or other *Person* has committed a second or third anti-doping rule violation during a period of *Ineligibility*, the periods of *Ineligibility* for the multiple violations shall run consecutively, rather than concurrently.

11.9.4 Multiple Anti-Doping Rule Violations during Ten-Year Period

For purposes of Article 11.9, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

11.10 *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 10, all other competitive results of the *Athlete* 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.

11.11 Forfeited Prize Money

If NADO Italia recovers prize money forfeited as a result of an anti-doping rule violation, it shall take reasonable measures to allocate and distribute this prize money to the *Athletes* who would have been entitled to it had the forfeiting *Athlete* not competed.

11.12 Financial Consequences

Financial consequences are regulated under Article 16.

11.13 Commencement of *Ineligibility* Period

Where an *Athlete* is already serving a period of *Ineligibility* for an anti-doping rule violation, any new period of *Ineligibility* shall commence on the first day after the current period of *Ineligibility* has been served. Otherwise, except as provided below, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed.

11.13.1 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*, and the *Athlete* or other *Person* can establish that such delays are not attributable to the *Athlete* or other *Person*, the NADT 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. All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.

11.13.2 Credit for *Provisional Suspension* or Period of *Ineligibility* Served

11.13.2.1 If a *Provisional Suspension* is respected by the *Athlete* or other *Person*, then the *Athlete* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. If the *Athlete* or other *Person* does not respect a *Provisional Suspension*, then the *Athlete* or other *Person* shall receive no credit for any period of *Provisional Suspension* served. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Athlete* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.

11.13.2.2 If an *Athlete* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from NADO Italia and thereafter respects the *Provisional Suspension*, the *Athlete* or other *Person* shall receive a credit for such period of voluntary *Provisional*

Suspension against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete* or other *Person's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 19.

11.13.2.3 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 a team.

11.13.2.4 In *Team Sports*, where a period of *Ineligibility* is imposed upon a team, unless fairness requires otherwise, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of team *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.

11.14 Status During *Ineligibility* or *Provisional Suspension*

11.14.1 Prohibition Against Participation During *Ineligibility* or *Provisional Suspension*

No *Athlete* or other *Person* who has been declared *Ineligible* or is subject to a *Provisional Suspension* may, during a period of *Ineligibility* or *Provisional Suspension*, participate in any capacity in a *Competition* or activity (other than anti-doping *Education* or rehabilitation programs authorized by NADO Italia) authorized or organized by any *Signatory*, *Signatory's* member organization, or a club or other member organization of a *Signatory's* member organization, or in *Competitions* authorized or organized by any professional league or any international- or national-level *Event* organization or any elite or national-level sporting activity funded by a governmental agency.

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 as an *Athlete* in local sport events not sanctioned or otherwise under the authority of a *Code Signatory* or member of a *Code Signatory*, 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*, and does not involve the *Athlete* or other *Person* working in any capacity with *Protected Persons*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing* and any requirement by NADO Italia to provide whereabouts information.

11.14.2 Return to Training

As an exception to Article 11.14.1, an *Athlete* may return to train with a team or to use the facilities of a club or other *Signatory's* member organization during the shorter of: (1) the last two months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.

11.14.3 Violation of the Prohibition of Participation During *Ineligibility* or *Provisional Suspension*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 11.14.1, the results of such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility*, including a reprimand and no period of *Ineligibility*, may be adjusted based on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by NADO Italia (if its *Results Management* led to the imposition of the initial period of *Ineligibility*) as set out in the RMP. This decision may be appealed under *Code* Article 13.

An *Athlete* or other *Person* who violates the prohibition against participation during a *Provisional Suspension* described in Article 11.14.1 shall receive no credit for any period of *Provisional Suspension* served and the results of such participation shall be *Disqualified*.

Where an *Athlete Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility* or a *Provisional Suspension*, NADO Italia shall impose sanctions for a violation of Article 2.9 for such assistance.

11.14.4 Withholding of Financial Support during *Ineligibility*

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 11.5 or 11.6, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by NADO Italia, the *Italian National Olympic Committee*, the *Italian National Paralympic Committee* the *National Sports Federations*, and Government.

11.15 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in *Code* Article 14.3.

ARTICLE 12 CONSEQUENCES TO TEAMS

12.1 Testing of Team Sports

Where more than one (1) member of a team in a *Team Sport* has been notified of an anti-doping rule violation in connection with an *Event*, the ruling body for the *Event* shall conduct appropriate *Target Testing* of the team during the *Event Period*.

12.2 Consequences for Team Sports

If more than two (2) members of a team in a *Team Sport* 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.

12.3 Event Ruling Body may Establish Stricter Consequences for Team Sports

The ruling body for an *Event* may elect to establish rules for the *Event* which impose *Consequences* for *Team Sports* stricter than those in Article 12.2 for purposes of the *Event*.

ARTICLE 13 CONSEQUENCES FOR OTHER ANTI-DOPING SPORTS CODE VIOLATIONS

13.1 With respect to the violations under Article 3.1 pertaining to the stages of doping control arranged by the Ministerial Commission (Department of *Doping Control* and Supervision and Health Safety in Sports Activities) pursuant to Law no. 376/2000, the consequences set forth herein for similar violations shall apply.

13.2 For violation of Article 3.2 hereof, the period of *Ineligibility* and/or ban shall be, at a minimum, a reprimand and, at a maximum, 6 (six) months of *Ineligibility*. In case of reiteration, the period of *Ineligibility* and/or ban shall be proportionally increased up to 2 (two) years.

13.3 For violation of Article 3.3 hereof, the period of *Ineligibility* and/or ban shall be, at a minimum, a reprimand and, at a maximum, 6 (six) months of *Ineligibility*. In case of reiteration, the period of *Ineligibility* and/or ban shall be proportionally increased up to 1 (one) year.

ARTICLE 14 CONSEQUENCES ON INDIVIDUALS WHO ARE NOT REGISTERED OR HAVE RETIRED FROM SPORT

14.1 Individuals who are not registered under the Italian sports system and commit anti-doping rule violations shall be banned from registering with and/or holding offices or positions within the Italian National Olympic Committee (CONI), National Sports Federations, Associated Sports Disciplines or Sports Promotion Entities, or accessing sports grounds, areas designated for *Athletes* and authorized personnel, participating in sports *Events* held in Italy across the national territory or organized by the aforesaid sports entities for the *Ineligibility* period corresponding to the violation committed.

14.2 The consequences for the violations stated here above may be in addition to those stated by *WADA* as well as financial consequences under Article 15.

If an *Athlete* or other *Person* retires while NADO Italia is conducting a *Results Management* process, NADO Italia retains jurisdiction to complete its *Results Management* process. If an *Athlete* or other *Person* retires before any *Results Management* process has begun, and NADO Italia would have had *Results Management* authority over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, NADO Italia has authority to conduct *Results Management* in respect of that anti-doping rule violation.

ARTICLE 15 SANCTIONS BY NADO ITALIA AGAINST OTHER SPORTING BODIES

When NADO Italia becomes aware that a *National Sports Federation* or any other sporting body in Italy over which it has authority has failed to comply with, implement, uphold, and enforce this *ADSC* within that organization's or body's area of competence, NADO Italia may elect to request the CONI, the Italian Government or International Federations to take the following additional disciplinary actions, or, where it has the authority, may itself take the following additional disciplinary actions:

- a) exclude all, or some group of, members of that organization or body from specified future *Events* or all *Events* conducted within a specified period of time;
- b) withhold some or all funding or other financial and non-financial support to that organization or body;
- c) oblige that organization or body to reimburse NADO Italia's for all costs (including but not limited to laboratory fees, hearing expenses, and travel) related to a violation of this *ADSC* committed by an *Athlete* or other *Person* affiliated with that organization or body.

ARTICLE 16 FINANCIAL CONSEQUENCES AND COST OF PROCEEDINGS

16.1 As part of the decision settling the proceedings, the NADT may, in addition to imposing the individual sanctions as under Article 11, decree that the unsuccessful party should pay financial sanctions as well as covering court fees as per Financial Schedule of Fees available on NADO Italia's website (www.nadoitalia.it).

- 16.2** Financial consequences are ancillary penalties imposed in addition to *Ineligibility*. As a result, they do not constitute a valid reason for a reduction of the *Ineligibility* period or any otherwise applicable sanction under this *ADSC*.
- 16.3** For the purposes of determining the amount of the sanction to be imposed, in reaching its decision the NADT must take account of the severity of the violation committed, the established degree of responsibility, the likelihood of repetition of breaches as well as the conduct shown during the proceedings.
- 16.4** Failure to pay the amounts due under this Article and the amounts deemed as payable to NADO Italia by the Court of Arbitration for Sport (CAS) in Lausanne and/or by Swiss Federal Tribunal shall result in enforced collection of such amounts before the relevant Court. NADO Italia may in its absolute discretion establish an instalment plan for payment of any prize money forfeited under this Rules.
- 16.5** The relevant National Sports Federations, Associated Sports Disciplines and Sports Promotion Entities shall be held jointly and severally responsible together with the registered member for failure to pay the amounts determined by the NADT, NADAB, CAS and/or Swiss Federal Tribunal.
- 16.6 Common Rules**
For the purposes of identifying the procedure as outlined here above, reference shall be made to the date on which the application for suspension is submitted. The duly motivated decision adopted by the Hearing Panel having jurisdiction must be notified to the parties to the case in order to enable them to exercise their right of appeal against the decision, if appropriate.
If NADO Italia deems at any time that the conditions underlying the suspension are no longer fulfilled, it may request the Hearing Panel having jurisdiction to change or cancel the benefit granted. In any such circumstances, the latter shall proceed as pursuant to the terms and conditions set forth in this Article.

ARTICLE 17 LENIENCY MEASURES

Pardon, amnesty, and grace measures shall not be applicable to anyone who is found to be responsible for *ADSC* violations.

ARTICLE 18 RESULTS MANAGEMENT: APPEALS

18.1 Appeals Proceeding and Decisions Subject to Appeal

The rules governing appeals are set out in the RMP and in the NADAB applicable procedural rules.

18.1.1 Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.

18.1.2 CAS Shall Not Defer to the Findings Being Appealed

In making its decision, *CAS* shall not give deference to the discretion exercised by the body whose decision is being appealed.

18.1.3 WADA Not Required to Exhaust Internal Remedies

Where *WADA* has a right to appeal under *Code* Article 13 and no other party has appealed a final decision within NADO Italia's process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in NADO Italia's process.

18.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* or not 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 by *WADA* not to grant an exception to the six-months notice requirement for a retired *Athlete* to return to competition under Article 6.6.1; a decision by *WADA* assigning *Results Management* under *Code* Article 7.1; a decision by NADO Italia 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 in accordance with the ISRM; a decision to impose, or lift, a *Provisional Suspension* as a result of a *Provisional Hearing*; NADO Italia's failure to comply with *Code* Article 7.4; a decision that NADO Italia's lacks authority to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, *Consequences* or to reinstate, or not reinstate, *Consequences* under Article 11.7.1; failure to comply with *Code* Articles 7.1.4 and 7.1.5; failure to comply with Article 11.8.1; a decision under Article 11.14.3; a decision by NADO Italia's not to implement another *Anti-Doping Organization's* decision under Article 20; and a decision under *Code* Article 27.3 may be appealed exclusively as provided in this Article 18.2.

Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

18.2.1 Appeals Involving *International-Level Athletes* or *International Events*

In cases arising from participation in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to *CAS*.

18.2.2 Appeals Involving Other *Athletes* or Other *Persons*

In cases where Article 18.2.1 is not applicable, the decision may be appealed exclusively to NADAB, in accordance with the applicable procedural rules.

18.2.3 *Persons* Entitled to Appeal

18.2.3.1 Appeals Involving *International-Level Athletes* or *International Events*

In cases under Article 18.2.1, 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 relevant International Federation; (d) NADO Italia and the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder, if different from NADO Italia; (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*.

18.2.3.2 Appeals Involving Other *Athletes* or Other *Persons*

In cases under Article 18.2.2, the following parties shall have the right to appeal to NADAB (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) NADP; (c) the relevant International Federation; (d) NADO Italia and the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder, if different from NADO Italia; (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*.

For cases under Article 18.2.2, *WADA*, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to *CAS* with respect to the decision of the NADAB.

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.

18.2.3.3 Duty to Notify

All parties to any *CAS* appeal must ensure that *WADA* and all other parties with a right to appeal have been given timely notice of the appeal.

18.2.3.4 Appeal from Imposition of *Provisional Suspension*

Notwithstanding any other provision set out in the RMP, the only *Person* who may appeal from the imposition of a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

18.2.3.5 Appeal from decision under Article 15

Decisions by NADO Italia pursuant to Article 15 may be appealed exclusively to *CAS* by the National Federation or other body.

18.2.4 Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to *CAS* under the *Code* are specifically permitted. Any party with a right to appeal under this Article 18 must file a cross appeal or subsequent appeal at the latest with the party's answer.

18.3 Failure to Render a Timely Decision by the National Antidoping Tribunal

Where, in a particular case the NADT 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 NADT 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 fees in prosecuting the appeal shall be reimbursed to *WADA* by NADO Italia.

18.4 Appeals Relating to *TUEs*

TUE decisions may be appealed exclusively as provided in the RMP and in the NADAB applicable procedural rules.

18.5 Time for Filing Appeals

18.5.1 Appeals to CAS

The time to file an appeal to *CAS* 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 that led to the decision being appealed:

- (a) within fifteen (15) days from the notice of the decision, such party/ies shall have the right to request a copy of the full case file pertaining to the decision from NADO Italia;
- (b) if such a request is made within the fifteen (15) 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*.

The above notwithstanding, the filing deadline for an appeal filed by *WADA* shall be the later of:

- (a) twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed, or
- (b) twenty-one (21) days after *WADA*'s receipt of the complete file relating to the decision.

18.5.2 Appeals to the NADAB

The time to file an appeal to the NADAB shall be fifteen (15) 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 led to the decision subject to appeal:

- (a) within fifteen (15) days from notice of the decision, such party/ies shall have the right to request a copy of the full case file pertaining to the decision from NADO Italia;
- (b) if such a request is made within the fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to the NADAB.

The above notwithstanding, the filing deadline for an appeal filed by *WADA* shall be the later of:

- (a) twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed, or
- (b) twenty-one (21) days after *WADA's* receipt of the complete file relating to the decision.

ARTICLE 19 CONFIDENTIALITY AND REPORTING

19.1 Information Concerning *Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Rule Violations*

19.1.1 Notice of Anti-Doping Rule Violations to *Athletes* and other *Persons*

Notice to *Athletes* or other *Persons* of anti-doping rule violations asserted against them shall occur as provided under Articles 8 and 19.

If at any point during *Results Management* up until the anti-doping rule violation charge, NADO Italia decides not to move forward with a matter, it must notify the *Athlete* or other *Person* (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*).

19.1.2 Notice of Anti-Doping Rule Violations to *National Anti-Doping Organizations, International Federations and WADA*

Notice of the assertion of an anti-doping rule violation to the *Athlete's* or other *Person's National Anti-Doping Organization*, if different from NADO Italia, International Federation and *WADA* shall occur as provided under Articles 8 and 19, simultaneously with the notice to the *Athlete* or other *Person*.

If at any point during *Results Management* up until the anti-doping rule violation charge, NADO Italia decides not to move forward with a matter, it must give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3.

19.1.3 Content of an Anti-Doping Rule Violation Notice

Notification of an anti-doping rule violation shall include: the *Athlete's* or other *Person'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, the analytical result reported by the laboratory and other information as required by the *International Standard for Results Management*.

Notification of anti-doping rule violations other than under Article 2.1 shall also include the rule violated and the basis of the asserted violation.

19.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 19.1.1, the *Athlete's* or other *Person's National Anti-Doping Organization*, if different from NADO Italia, International Federation and *WADA* shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 8, 9 or 18 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

19.1.5 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 NADO Italia has made *Public Disclosure* as permitted by Article 19.3.

19.1.6 Protection of Confidential Information by an Employee or Agent of NADO Italia

NADO Italia shall ensure that information concerning *Adverse Analytical Findings*, *Atypical Findings*, and other asserted anti-doping rule violations remains confidential until such information is *Publicly Disclosed* in accordance with Article 19.3. NADO Italia shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and *Delegated Third Parties* are subject to a fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information.

19.2 Notice of Anti-Doping Rule Violation or Violations of *Ineligibility* or *Provisional Suspension* Decisions and Request for Files

19.2.1 Anti-doping rule violation decisions or decisions related to violations of *Ineligibility* or *Provisional Suspension* shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, NADO Italia shall provide an English or French summary of the decision and the supporting reasons.

19.2.2 An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Article 19.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

19.3 *Public Disclosure*

- 19.3.1** After notice has been provided to the *Athlete* or other *Person* in accordance with the *International Standard for Results Management*, and to the applicable *Anti-Doping Organizations* in accordance with Article 19.1.2, the identity of any *Athlete* or other *Person* who is notified of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and the nature of the violation involved, and whether the *Athlete* or other *Person* is subject to a *Provisional Suspension* may be *Publicly Disclosed* by NADO Italia.
- 19.3.2** No later than twenty (20) days after it has been determined in an appellate decision under Article 18.2.1 or 18.2.2, or such appeal has been waived, or a hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 11.8, or a new period of *Ineligibility*, or reprimand, has been imposed under Article 11.14.3, NADO Italia must *Publicly Disclose* 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 (if any) and the *Consequences* imposed, except for information related to review of TUEC's decisions and decisions regarding "filing failure" and/or "missed test" – pursuant to the terms and conditions of the "Regulations governing the processing of sensitive and judicial information (Legislative Decree n. 196/2003 as amended by the Legislative Decree n. 101/2018), adopted by NADO Italia. NADO Italia must also *Publicly Disclose* within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, under the terms and condition of the above-mentioned Regulations.
- 19.3.3** After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 18.2.1 or 18.2.2 or such appeal has been waived, or in a hearing in accordance with Article 9 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 11.8, NADO Italia may make public such determination or decision and may comment publicly on the matter.
- 19.3.4** 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 fact that the decision has been appealed may be *Publicly Disclosed*. However, the decision itself and the underlying facts may not be *Publicly Disclosed* except with the consent of the *Athlete* or other *Person* who is the subject of the decision. NADO Italia 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.

- 19.3.5** Publication shall be accomplished by placing the required information, according to the above-mentioned regulations, on NADO Italia's website and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*.
- 19.3.6** Except as provided in Articles 19.3.1 and 19.3.3, no *Anti-Doping Organization*, *National Federation* or *WADA*-accredited laboratory, or any official of any such body, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by the *Athlete*, other *Person* or their entourage or other representatives.
- 19.3.7** The mandatory *Public Disclosure* required in Article 19.3.2 shall not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*, *Protected Person* or *Recreational Athlete*. Any optional *Public Disclosure* in a case involving a *Minor*, *Protected Person* or *Recreational Athlete* shall be proportionate to the facts and circumstances of the case.

19.4 Statistical Reporting

NADO Italia, at least annually, publishes publicly a general statistical report of its *Doping Control* activities, and provide a copy to *WADA*.

19.5 Data Privacy

- 19.5.1** NADO Italia may collect, store, process or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct its *Anti-Doping Activities* under the *Code*, the *International Standards* (including specifically the *International Standard for the Protection of Privacy and Personal Information*), these *Anti-Doping Sports Code*, in compliance with Legislative Decree n. 196/2003 as amended by the Legislative Decree n. 101/2018, EU Regulation n. 2016/679 and with decisions, opinions and other prescriptions adopted by the Italian Data Protection Authority.
- 19.5.2** Without limiting the foregoing, NADO Italia shall:
- (a) only process personal information in accordance with a valid legal ground;
 - (b) notify any *Participant* or *Person* subject to this *Anti-Doping Sports Code*, in a manner and form that complies with applicable laws and the *International Standard for the Protection of Privacy and Personal*

Information, that their personal information may be processed by NADO Italia and other *Persons* for the purpose of the implementation of this *ADSC*;

- (c) ensure that any third-party agents (including any *Delegated Third Party*) with whom NADO Italia shares the personal information of any *Participant* or *Person* is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

ARTICLE 20 IMPLEMENTATION OF DECISIONS

20.1 Automatic Binding Effect of Decisions by *Signatory Anti-Doping Organizations*

20.1.1 A decision of an anti-doping rule violation made by a *Signatory Anti-Doping Organization*, an appellate body (*Code* Article 13.2.2) or *CAS* shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon NADO Italia and any *National Federation* in Italy, as well as every *Signatory* in every sport with the effects described below:

20.1.1.1 A decision by any of the above-described bodies imposing a *Provisional Suspension* (after a *Provisional Hearing* has occurred or the *Athlete* or other *Person* has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing or expedited appeal offered in accordance with *Code* Article 7.4.3) automatically prohibits the *Athlete* or other *Person* from participation (as described in *Code* Article 10.14.1) in all sports within the authority of any *Signatory* during the *Provisional Suspension*.

20.1.1.2 A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the *Athlete* or other *Person* from participation (as described in *Code* Article 10.14.1) in all sports within the authority of any *Signatory* for the period of *Ineligibility*.

20.1.1.3 A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all *Signatories*.

20.1.1.4 A decision by any of the above-described bodies to *Disqualify* results under *Code* Article 10.10 for a specified period automatically *Disqualifies* all results obtained within the authority of any *Signatory* during the specified period.

- 20.1.2** NADO Italia and any *National Federation in Italy* shall recognize and implement a decision and its effects as required by Article 20.1.1, without any further action required, on the earlier of the date NADO Italia receives actual notice of the decision or the date the decision is placed into *ADAMS*.
- 20.1.3** A decision by an *Anti-Doping Organization*, an appellate body or *CAS* to suspend, or lift, *Consequences* shall be binding upon NADO Italia, and any *National Federation in Italy*, without any further action required, on the earlier of the date NADO Italia receives actual notice of the decision or the date the decision is placed into *ADAMS*.
- 20.1.4** Notwithstanding any provision in Article 20.1.1, however, a decision of an anti-doping rule violation by a *Major Event Organization* made in an expedited process during an *Event* shall not be binding on NADO Italia or *National Federations in Italy* unless the rules of the *Major Event Organization* provide the *Athlete* or other *Person* with an opportunity to an appeal under non-expedited procedures.

ARTICLE 21 STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced against an *Athlete* or other *Person* unless he or she has been notified of the anti-doping rule violation, or notification has been reasonably attempted, within ten (10) years from the date the violation is asserted to have occurred.

ARTICLE 22 EDUCATION

NADO Italia, through the Anti-Doping Education, Learning and Research Committee, plans, implements, evaluates and promotes *Education* in line with the requirements of *Code* Article 18.2 and the *International Standard for Education*.

The Anti-doping Education, Learning and Research Committee drafts and implements information and training programmes aimed at defending the spirit of sport and protecting the health of *Athletes*, with a view to preventing the intentional or unintentional Use of *Prohibited Substances*, *Prohibited Methods* or practices.

These programmes, always accompanied by accurate and up-to-date information on the fight against doping, are aimed at *Athletes*, especially the youngest ones, for whom the themes of in-depth anti-doping *Education* will be developed also in school courses. The in-depth studies will also be dedicated to families, sports managers, coaches, medical staff and communication agencies.

The activities will be directed to the development of the values of the individual *Athlete*, so as to encourage an increase in their autonomous decision-making capacity, based on the principle of ethically appropriate behavior.

The Anti-doping Education, Learning and Research Committee also promotes research projects in compliance with the ethical practices recognized at national and international level, also in collaboration with *WADA*.

ARTICLE 23 INTERPRETATION OF THE CODE

- 23.1 The official text of the *Code* shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.
- 23.2 The comments annotating various provisions of the *Code* shall be used to interpret the *Code*.
- 23.3 The *Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.
- 23.4 The headings used for the various Parts and Articles of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.
- 23.5 Where the term “days” is used in the *Code* or an *International Standard*, it shall mean calendar days unless otherwise specified.
- 23.6 The *Code* shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as “First violations” or “Second violations” for purposes of determining sanctions under *Code* Article 10 for subsequent post-*Code* violations.
- 23.7 The Purpose, Scope and Organization of the World Anti-Doping Program and the *Code* and *Code* Appendix 1, Definitions, shall be considered integral parts of the *Code*.

ARTICLE 24 FINAL PROVISIONS

- 24.1 Where the term “days” is used in this *ADSC*, it shall mean calendar days unless otherwise specified.
- 24.2 This *ADSC* shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 24.3 This *ADSC* have been adopted pursuant to the applicable provisions of the *Code* and the *International Standards* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code* and the *International Standards*. The *Code* and the *International Standards* shall be considered integral parts of this *ADSC* and shall prevail in case of conflict.
- 24.4 The Introduction, Appendix 1, *Results Management Procedure* and the Technical Document for *Testing* and Investigation shall be considered integral parts of this *ADSC*.

- 24.5 The comments annotating various provisions of the *Code* are incorporated by reference into the *ADSC*, shall be treated as if set out fully herein, and shall be used to interpret this *ADSC*.
- 24.6 This *ADSC* shall enter into force on 1 January 2021 (the “Effective Date”). It repeals any previous version of NADO Italia’s anti-doping sports rules.
- 24.7 This *ADSC* shall not apply retroactively to matters pending before the Effective Date. However:
- 24.7.1 Anti-doping rule violations taking place prior to the Effective Date count as “first violations” or “second violations” for purposes of determining sanctions under Article 11 for violations taking place after the Effective Date.
- 24.7.2 Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in this *ADSC*, unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 11.9.4 and the statute of limitations set forth in Article 21 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in this *ADSC* (provided, however, that Article 21 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date).
- 24.7.3 Any Article 2.4 whereabouts failure (whether a filing failure or a missed test, as those terms are defined in the *International Standard for Results Management*) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the *International Standard for Results Management*, but it shall be deemed to have expired twelve (12) months after it occurred.
- 24.7.4 With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to NADO Italia or other *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of this *ADSC*. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 18.2. This *ADSC* shall

have no application to any case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.

- 24.7.5** For purposes of assessing the period of *Ineligibility* for a second violation under Article 11.9.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of *Ineligibility* which would have been assessed for that first violation had this *ADSC* been applicable, shall be applied.
- 24.7.6** Changes to the *Prohibited List* and *Technical Documents* relating to substances or methods on the *Prohibited List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* or a *Prohibited Method* has been removed from the *Prohibited List*, an *Athlete* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* or *Prohibited Method* may apply to NADO Italia or other *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of the removal of the substance or method from the *Prohibited List*.

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.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method 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 that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Aggravating Circumstances: Circumstances involving, or actions by, an *Athlete* or other *Person* which may justify the imposition of a period of *Ineligibility* greater than the standard sanction. Such circumstances and actions shall include, but are not limited to: the *Athlete* or other *Person Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods*, *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of *Ineligibility*; the *Athlete* or *Person* engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the *Athlete* or other *Person* engaged in *Tampering* during *Results Management*. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of *Ineligibility*.

Anti-Doping Activities: Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *TUE* applications, *Results Management*, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or on behalf of an *Anti-Doping Organization*, as set out in the *Code* and/or the *International Standards*.

Anti-Doping Detective Inspector (ADDIs): Carabinieri from the Department for Health Protection (i.e., the Italian anti-adulteration unit locally known as “NAS” or “CCTS”), accredited by NADO Italia and authorized to take part in the anti-doping activities in conjunction with Doping Control Officers/Blood Control Officers, sample collection physicians from FMSI,

pursuant to the Framework Agreement executed on 9 February 2015 between CONI and the NAS.

Anti-Doping Organization: WADA or 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, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

Anti-Doping Sports Code (ADSC): the Code, adopted by NADO Italia, implementing the *World Anti-Doping Code* and the *International Standards*.

Athlete: Any *Person* who competes in sport under the aegis of the relevant International Federation and/or the Italian National Olympic Committee (CONI) and Italian Paralympic Committee (IPC).

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard for Testing and Investigations* and *International Standard for Laboratories*.

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 *WADA*-accredited laboratory or other *WADA*-approved laboratory which requires further investigation as provided by the *International Standard for Laboratories* or related *Technical Documents* prior to the determination of an *Adverse Analytical Finding*.

Atypical Passport Finding: A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport 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 Rule Violations (“*Consequences*”): 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 on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in *ADSC* Article 11.14; (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under *ADSC* Article 9; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with *ADSC* Article 18. Teams in *Team Sports* may also be subject to *Consequences* as provided in *ADSC* Article 12.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Decision Limit: The value of the result for a threshold substance in a *Sample*, above which an *Adverse Analytical Finding* shall be reported, as defined in the *International Standard for Laboratories*.

Delegated Third Party: Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping *Educational* programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include *CAS*.

Department of Doping Supervision and Control and for Health Safety in Sports Activities: A body established within the Italian Ministry of Health for the purposes of doping supervision and control, and for health safety in sports activities under Law No. 376/2000.

Disqualification: See *Consequences of Anti-Doping Rule Violations* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of *ADSC* Article 11.14 (Status During *Ineligibility* or *Provisional Suspension*).

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, World Championships of an International Federation, 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*.

Event Venues: Those venues so designated by the ruling body for the *Event*.

Fault: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete's* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Protected Person*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under ADSC Article 11.6.1 or 11.6.2.

Financial Consequences: See *Consequences of Anti-Doping Rule Violations* above.

In-Competition: The period commencing at 11:59 p.m. on the day 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*. Provided, however, WADA may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by WADA, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

Independent Observer Program: A team of observers and/or auditors, under the supervision of WADA, who observe and provide guidance on the *Doping Control* process prior to or during certain *Events* and report on their observations as part of WADA's compliance monitoring program.

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

Ineligibility: See *Consequences of Anti-Doping Rule Violations* above.

Institutional Independence: Hearing panels on appeal shall be fully independent institutionally from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

International Event: An *Event* or *Competition* 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 who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*.

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*.

Italian Sports Medicine Federation (FMSI): The only National Entity recognized as a member of the International Sports Medicine Federation (FIMS), recognized by the International Olympic Committee (IOC) and the European Sports Medicine Federation (EFSM) that ensures the (i) execution of *In-Competition* and *Out-of-Competition* doping controls through its own DCOs/BCOs, sample collection physicians, (ii) delivery of sample tests through the WADA-accredited Laboratory based in Rome or other WADA-accredited laboratories.

Law no. 376/2000: Italian law on health protection of sports activities and the fight against doping.

Legislative Decree no. 196/2003: Italian Code on personal data protection, as amended from time to time.

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 variable(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Metabolite: Any substance produced by a biotransformation process.

Minimum Reporting Level: The estimated concentration of a *Prohibited Substance* or its *Metabolite(s)* or *Marker(s)* in a *Sample* below which *WADA*-accredited laboratories should not report that *Sample* as an *Adverse Analytical Finding*.

Minor: A natural *Person* who has not reached the age of eighteen (18) years.

National Anti-Doping Appeal Body (NADAB): The National Anti-Doping Appeal Panel competent to judge appeals against first instance decisions of the NADT as pursuant to *Code* Article 13.2 and against any decision of rejection of a *TUE* by the TUEC of NADO Italia.

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*, manage test results and conduct *Results Management* at the national level. 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. In Italy, the *National Anti-Doping Organization* is NADO Italia.

National Event: A sport *Event* or *Competition* involving *International-* or *National-Level Athletes* that is not an *International Event*.

National Sports Federation: A national or regional entity in Italy which is a member of – or is recognized by – an International Federation as the entity governing the International Federation's sport in that nation or region in Italy.

National-Level Athlete: An *Athlete* included in the national RTP; *Athletes* included in the Club Olimpico (who receive funding from Sports movement); an *Athlete* who currently or in the last six (6) months has represented Italy at senior level; an *Athlete* who has been selected to represent Italy in *International Events* or *Competitions*, not classified as *International-Level Athlete* by the relevant International Federation.

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. In Italy, the *National Olympic Committee* is *Comitato Olimpico Nazionale Italiano* (CONI).

No Fault or Negligence: The *Athlete* or other *Person'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* or otherwise violated an anti-doping rule. Except in the case of a *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

No Significant Fault or Negligence: The *Athlete* or other *Person's* establishing that any *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. Except in the case of a *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

Out-of-Competition: Any period which is not *In-Competition*.

Participant: Any *Athlete* or *Athlete Support Person*.

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 or intends to exercise 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, or class of substances, so described on the *Prohibited List*.

Protected Person: An *Athlete* or other natural *Person* who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (ii) has not reached the age of eighteen (18) years and is not included in any *Registered Testing Pool* and has never competed in any *International Event* in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national legislation.

Provisional Hearing: For purposes of Article 8.4, an expedited abbreviated hearing occurring prior to a hearing under RMP Article 3.3 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 Rule Violations* above.

Publicly Disclose: See *Consequences of Anti-Doping Rule Violations* above.

Recreational Athlete: In Italy, *Recreational Athlete* is any *Person* member of a Sport Promotion Entity, or any *Person* who takes part in local *Competitions* or competes at lower level *Team Sports*. In any case, *Recreational Athlete* does not include who, within the five (5) years prior to committing any anti-doping rule violation: (i) has been an *International-Level Athlete* (as defined by each International Federation consistent with the *International Standard for Testing and Investigations*) or *National-Level Athlete* (as defined by NADO Italia or other *National Anti-Doping Organization* consistent with the *International Standard for Testing and Investigations*); (i) has represented Italy or any other country in an *International Event* in an open category; (iii) or has been included within any *Registered Testing Pool* or other whereabouts information pool

maintained by any International Federation, NADO Italia or other *National Anti-Doping Organization*.

Regional Anti-Doping Organization: A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of *Samples*, the management of results, the review of *TUEs*, the conduct of hearings, and the conduct of *Educational* programs at a regional level.

Registered Testing Pool (RTP): The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in *Code* Article 5.5 and the *International Standard for Testing and Investigations*. In Italy, NADO Italia's *Registered Testing Pool* is defined as set out in *ADSC* Article 6.5.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, whereabouts failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Results Management Procedure (RMP): The document adopted by NADO Italia implementing the *International Standard for Results Management*, regulating the *Results Management* procedure from the review and notification of a potential anti-doping rule violation until the appeals. The RMP is published on NADO Italia's website (www.nadoitalia.it).

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

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23 of the *Code*.

Specified Method: See Article 5.2.2.

Specified Substance: See Article 5.2.2.

Strict Liability: The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, *Fault*, *Negligence*, or knowing *Use* on the *Athlete's* part be demonstrated by the *Anti-Doping Organization* in order to establish an anti-doping rule violation.

Substance of Abuse: See Article 5.2.3.

Substantial Assistance: For purposes of Article 11.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 11.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter

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 or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or TUE committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

Technical Document: A document adopted and published by WADA from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

Technical Document for Testing and Investigations (TD_TI): The document adopted by NADO Italia implementing the *International Standard for Testing and Investigations*, published on NADO Italia's website (www.nadoitalia.it).

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

Therapeutic Use Exemption (TUE): A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to Use a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard for Therapeutic Use Exemptions* are met.

Therapeutic Use Exemptions' Application Procedure (TUE_AP): The procedure adopted by NADO Italia for the TUEs' application, published on NADO Italia's website (www.nadoitalia.it).

Trafficking: Selling, giving, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Person* or any other *Person* subject to the authority 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 or are intended to enhance sport performance.

UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 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.

Without Prejudice Agreement: For purposes of Articles 11.7.1.1 and 11.8.2, a written agreement between an *Anti-Doping Organization* and an *Athlete* or other *Person* that allows the *Athlete* or other *Person* to provide information to the *Anti-Doping Organization* in a defined time-limited setting with the understanding that, if an agreement for *Substantial Assistance* or a case resolution agreement is not finalized, the information provided by the *Athlete* or other *Person* in this particular setting may not be used by the *Anti-Doping Organization* against the *Athlete* or other *Person* in any *Results Management* proceeding under the *Code*, and that the information provided by the *Anti-Doping Organization* in this particular setting may not be used by the *Athlete* or other *Person* against the *Anti-Doping Organization* in any *Results Management* proceeding under the *Code*. Such an agreement shall not preclude the *Anti-Doping Organization*, *Athlete* or other *Person* from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.



RESULTS MANAGEMENT PROCEDURE

Implementing the *WADA International Standard for Results Management*

Version 1.0, in effect as from 1 January 2021

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INTRODUCTION

The *Results Management Procedure* (hereinafter “RMP”) implements the *WADA International Standards for Results Management* (hereinafter “ISRM”) and it is deemed to form an integral and material part of the NADO Italia’s *Anti-Doping Sports Code* (hereinafter “ADSC”). In the event of any conflict between the ISRM and the RMP, the ISRM shall prevail.

The comments annotating various provisions of the ISRM are incorporated by reference into the RMP, shall be treated as if set out fully herein, and shall be used to interpret this RMP.

Interpretation

Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the RMP.

The Annexes to the RMP have the same mandatory status as the rest of the Document.

Terms used in this RMP that are defined terms from the *Code* and from the *ADSC* are italicized. Terms that are defined in this or another *WADA International Standard* are underlined.

General Principle

Results Management under the RMP and the *ADSC* establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner.

ARTICLE 1 RESPONSIBILITY FOR CONDUCTING *RESULTS MANAGEMENT*

- 1.1 Except as otherwise provided in Articles 7.6, 7.8 of the *Anti-Doping Sports Code (ADSC)* and in *WADA Code (Code)* Article 7.1, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of NADO Italia when it is the authority that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, if NADO Italia first provides notice to an *Athlete* or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation). Any dispute between NADO Italia and other *Anti-Doping Organization* over which organization has *Results Management Authority* in respect of a particular matter shall be settled by *WADA* in accordance with *Code* Article 7.1.
- 1.2 *Results Management* in relation to a potential *Whereabouts Failure* (a *Filing Failure* or a *Missed Test*) shall be administered by NADO Italia if the *Athlete* files whereabouts information with NADO Italia, as provided in the ISRM and in the RMP. If NADO Italia determines a *Filing Failure* or a *Missed Test*, it shall submit that information to *WADA* through *ADAMS*, where it will be made available to other relevant *Anti-Doping Organizations*.
- 1.3 Other circumstances in which NADO Italia shall take responsibility for conducting *Results Management* in respect of anti-doping rule violations involving *Athletes* and other *Persons* under its authority shall be determined by reference to and in accordance with *Code* Article 7.
- 1.4 *WADA* may direct NADO Italia to conduct *Results Management* in particular circumstances. If NADO Italia refuses to conduct *Results Management* within a reasonable deadline set by *WADA*, such refusal shall be considered an act of non-compliance, and *WADA* may direct another *Anti-Doping Organization* with authority over the *Athlete* or other *Person*, that is willing to do so, to take *Results Management* responsibility in place of NADO Italia or, if there is no such *Anti-Doping Organization*, any other *Anti-Doping Organization* that is willing to do so. In such case, NADO Italia shall reimburse the costs and attorney's fees of conducting *Results Management* to the other *Anti-Doping Organization* designated by *WADA*, and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.

ARTICLE 2 REVIEW AND NOTIFICATION REGARDING POTENTIAL ANTI-DOPING RULE VIOLATIONS

2.1 *Adverse Analytical Finding*

- 2.1.1 The results from all analyses must be sent to NADO Italia in encoded form, in a report signed by an authorized representative of the *Laboratory*. All communication must be conducted confidentially.
- 2.1.2 Upon learning of an *Adverse Analytical Finding* of the A *Sample* analysis, NADO Italia will establish the *Athlete's* identity and check whether a *Therapeutic Use Exemption (TUE)* was granted or a *TUE* application is pending consistent with the *International Standard*

for *Therapeutic Use Exemptions* (ISTUE); it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route; or whether there is any apparent departure from the *International Standard for Testing and Investigations* (ISTI) or *International Standard for Laboratories* (ISL) that caused the *Adverse Analytical Finding*. This may include a review of the Laboratory Documentation Package produced by the Laboratory to support the *Adverse Analytical Finding* (if available at the time of the review) and relevant *Doping Control* form(s) and *Testing* documents.

2.1.3 If the initial review reveals that the *Athlete* has an applicable *TUE*, then NADO Italia shall conduct such follow up review as necessary to determine if the specific requirements of the *TUE* have been complied with.

2.1.4 If the *Adverse Analytical Finding* involves a *Prohibited Substance* permitted through (a) specific route(s) as per the *Prohibited List* (hereinafter the “List”), NADO Italia shall consult any relevant available documentation (e.g. *Doping Control* form) to determine whether the *Prohibited Substance* appears to have been administered through a permitted route and, if so, shall consult an expert to determine whether the *Adverse Analytical Finding* is compatible with the apparent route of ingestion.

2.1.5 If the review of the *Adverse Analytical Finding* does not reveal:

- the existence of a *TUE* or a procedure pending for the granting thereof in accordance with the ISTUE;
- correspondence between the level of the *Prohibited Substance* found in the *Sample* and the *TUE* granted;
- any non-compliance with the ISTI or the ISL that may have caused the *Adverse Analytical Finding*;
- that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through an authorized route,

NADO Italia, through the NADP, will promptly inform the *Athlete*, Club, National Sports Federation/Associated Sports Discipline/Sports Promotion Entity and other relevant sports organizations of:

- a. the *Adverse Analytical Finding* (AAF);
- b. the fact that the AAF may result in an anti-doping rules violation (Article 2.1 and/or 2.2) and the applicable *Consequences*;
- c. the *Athlete's* right to request the analysis of the “B” *Sample* within three (3) days, it being understood that, in the absence of such a request within the indicated period, the analysis of “B” *Sample* shall be considered to have been waived;
- d. the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the “B” *Sample* opening and analysis in accordance with the ISL;
- e. the *Athlete's* right to request copy of the analytical documentation pertaining to *Samples* “A” and “B”, if the analysis of the B *Sample* is required;
- f. the opportunity for the *Athlete* to provide a written observations and/or to request

- to be heard, within 7 (seven) days from the receipt of the notice, if the “B” Sample Analysis is not requested, or within seven (7) days from the notice set out in Article 2.5.8;
- g. the opportunity for the *Athlete* to provide *Substantial Assistance* as set out under *ADSC* Article 11.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility* under *ADSC* Article 11.8.1 of the (if applicable) or to seek to enter into a case resolution agreement under *ADSC* Article 11.8.2 and RMP Article 7;
- h. any matters relating to *Provisional Suspension* (including the possibility for the *Athlete* to accept a voluntary *Provisional Suspension*) as per Article 3 (if applicable).

2.1.6 In addition, in the event that the *Adverse Analytical Finding* relates to the *Prohibited Substances* set out below, NADO Italia, through the NADP, shall:

- a. Salbutamol or Formoterol: draw the attention of the *Athlete* in the notification letter that the *Athlete* can prove, through a controlled pharmacokinetic study, that the *Adverse Analytical Finding* was the consequence of a Therapeutic dose by inhalation up to the maximum dose indicated under class S3 of the List. The *Athlete’s* attention shall in addition be drawn to the key guiding principles for a controlled pharmacokinetic study and they shall be provided with a list of Laboratories, which could perform the controlled pharmacokinetic study. The *Athlete* shall be granted a deadline of seven (7) days to indicate whether they intend to undertake a controlled pharmacokinetic study, failing which NADO Italia may proceed with the *Results Management*;
- b. Urinary human chorionic gonadotrophin: follow the procedures set out at Article 6 of the 2019 Technical Document for the Reporting & Management of Urinary Human Chorionic Gonadotrophin (hCG) and Luteinizing Hormone (LH) Findings in Male *Athletes* (ID2019CG/LH) or any subsequent version of the Technical Document;
- c. Other *Prohibited Substance* subject to specific *Results Management* requirements in a *Technical Document* or other document issued by *WADA*: follow the procedures set out in the relevant *Technical Document* or other document issued by *WADA*.

2.1.7 The *Athlete’s* own Club shall be required to promptly notify the *Athlete* of the *Adverse Analytical Finding* if this needs to be delivered to its location as well as the NSF/ASD/SPE concerned, ensuring and checking with the *Athlete* and the Club that the aforesaid notice has been received and, if not, arrange for such notice to be served directly. In any event, for the purposes of calculating the time limit under Article 2.5 the *Athlete* shall be deemed to have been notified of the *Adverse Analytical Finding* upon notice being served on the Club.

2.1.8 The NADP, in the event that it considers not to consider the *Adverse Analytical Finding* as an infringement of the anti-doping legislation, shall so notify the *Athlete*, the *Athlete’s* International Federation, the *Athlete’s* National Federation, the National *Anti-Doping Organization* if different from NADO Italia, and *WADA*.

2.2 *Atypical Finding*

- 2.2.1 Upon learning of an *Atypical Finding* of the “A” *Sample*, NADO Italia will identify the *Athlete* ex-officio and check whether a *TUE* was granted or a *TUE* application is pending consistent with the *ISTUE* or whether such *Atypical Finding* was caused by Failure to Comply with the *ISTI* or the *ISL* and/or it is apparent that the ingestion of the *Prohibited Substance* was through a permitted route.
- 2.2.2 If that review does not reveal an applicable *TUE*, an apparent departure from the *ISTI* or the *ISL* that caused the *Atypical Finding* or an ingestion through a permitted route, the NADP shall conduct the required investigation, also according to the relevant *WADA Technical Documents*. Upon completion of the investigations, NADP will notify the conclusions to the *Athlete*, the *Athlete’s* International Federation, *WADA*, Club, NSF/ASD/SPE and any other relevant *Anti-Doping Organizations*.

NADO Italia, through the NADP, will notify the *Atypical Finding* before completing the investigations as aforesaid under the following circumstances:

- a. if NADP determines the “B” *Sample* should be analyzed but only after notifying the *Athlete* with such notice to include a description of the *Atypical Finding* and the information described in Article 2.1.5, (c) to (e);
 - b. if NADO Italia receives a request, either from a *Major Event Organisation* shortly before one of its *International Events* or a request from a sport organisation responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *Major Event Organisation* or sport organisation has a pending *Atypical Finding*, NADO Italia, through the NADP, shall so identify any such *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*;
 - c. if the *Atypical Finding* is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.
- 2.2.3 If after the investigation is completed NADO Italia decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, then the procedure shall follow the provisions of Article 2.1 *mutatis mutandis*.

2.3 Matters not Involving an *Adverse Analytical Finding* or *Atypical Finding*

2.3.1 Specific cases

2.3.1.1 Report of a potential Failure to Comply

The pre-adjudication phase of *Results Management* of a possible Failure to Comply shall take place as provided in Annex A – Review of a Possible

Failure to Comply.

2.3.1.2 Whereabouts Failures

The pre-adjudication phase of *Results Management* of potential Whereabouts Failures shall take place as provided in Annex B – *Results Management for Whereabouts Failures*.

2.3.1.3 *Athlete Biological Passport Findings*

The pre-adjudication phase of *Results Management* of *Atypical Passport Findings* or Passports submitted to an Expert by the Athlete Passport Management Unit when there is no *Atypical Passport Finding* shall take place as provided in Annex C – *Results Management Requirements and Procedures for the Athlete Biological Passport*.

2.3.2 Notification for specific cases under Article 2.3 and other anti-doping rules violations

Anyone who in any way whatsoever becomes aware of any doping violation shall be required to notify the NADP thereof forthwith.

At such time as NADO Italia considers that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s), it, through the NADP, shall promptly notify the *Athlete* or other *Person* of:

- a) the relevant anti-doping rule violation(s) and the applicable *Consequences*;
- b) the relevant factual circumstances upon which the allegations are based;
- c) the relevant evidence in support of those facts that NADP considers demonstrate that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s);
- d) the *Athlete* or other *Person's* right to provide written observations and/or to request to be heard;
- e) the opportunity for the *Athlete* or other *Person* to provide *Substantial Assistance* as set out in *ADSC* Article 11.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility* in *ADSC* Article 11.8.1 (if applicable) or seek to enter into a case resolution agreement in *ADSC* Article 11.8.2 and RMP Article 7; and
- f) any matters relating to *Provisional Suspension* (including the possibility for the *Athlete* or other *Person* to accept a voluntary *Provisional Suspension*) as per Article 3 (if applicable).

In the event that an *Athlete* or other *Person* is suspected to have violated the prohibition against participation during *Ineligibility* pursuant to *ADSC* Article 11.14, the NADP shall proceed accordingly.

2.4 Matters Involving an *Adverse Analytical Finding* or *Atypical Finding*

If the review of the *Adverse* or *Atypical Findings* shows such irregularities as to affect the validity of the analyses of Laboratory results, then the NADO Italia, through the NADP, will start further investigations lying within its province, notifying the NSF/ASD/SPE, *WADA*, the International Federation concerned and the *Athlete's* NADO (if different from NADO Italia).

If the decision of the National Anti-Doping Tribunal (NADT) concerns an *Adverse Analytical Finding* or *Atypical Finding*, and after any deadline to appeal has elapsed and no appeal has been filed against the decision, NADO Italia, through the NADP, shall promptly notify the relevant Laboratory that the matter has been finally disposed of.

2.5 “B” *Sample* Analysis

- 2.5.1** Within three (3) days of the date of the adverse finding notification the *Athlete* has the right to request that a “B” *Sample* Analysis be conducted at his/her own expenses. Under penalty of rejection, the request for “B” *Sample* Analysis must be submitted to the NADO Italia together with receipt of payment of the relevant administrative fees according to the Financial Schedule of Fees available on NADO Italia’s website (www.nadoitalia.it).

Upon the waiving of such right being notified or upon three (3) days having expired to no effect, NADO Italia will start the applicable disciplinary proceedings.

- 2.5.2** Further to a request for counter-analysis, NADO Italia will inform the *Athlete*, his/her Club, the NSF/ASD/SPE, the International Federation concerned and the *Athlete's* NADO (if different from NADO Italia) and *WADA* about the place, time and date of commencement of operations so that no more than seven (7) days elapse between the latter and the date of the aforesaid request.

- 2.5.3** The B *Sample* analysis will be performed by the same Laboratory that analyzed the A *Sample*, unless there are exceptional circumstances, as determined by *WADA* and with *WADA's* prior written approval, which prevent the “B” *Sample* analysis from being performed in the same Laboratory.

- 2.5.4** As early as the phase of identification of the B *Sample*, the *Athlete* is entitled to attend the “B” *Sample* Analysis process either in person or through his/her representative whose proxy must be sent to the NADO Italia within twenty- four (24) hours prior to the date set for such operation, together with the appointment of an expert, if appropriate.

The “B” *Sample* Analysis process may also be attended by a representative of the NSF/ASD/SPE concerned and a NADO Italia officer, an interpreter (if necessary), a representative of *WADA* or an Independent Witness.

- 2.5.5** If the *Athlete* requests the B *Sample* analysis but claims that they and/or their representative is not available on the scheduled date indicated by NADO Italia, it shall liaise with the Laboratory and propose (at least) two (2) alternative dates, taking into account the reasons for the *Athlete's* unavailability and the need to avoid any degradation of the *Sample* and ensure timely *Results Management*.

If the *Athlete* and their representative claim not to be available on the alternative dates proposed, the *Results Management Authority* shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the “B” *Sample* container shows no signs of *Tampering* and that the identifying numbers match that on the collection documentation.

In any case the procedure described in the ISL Article 5.3.6.2.3 will be followed.

- 2.5.6** During the “B” *Sample* Analysis phase, the instructions of the Laboratory must be strictly followed. The Laboratory has the right to expel any *Person*, including the *Athlete* and/or his/her representative, if he/she does not follow the instructions given, disturbs or interferes with the B *Sample* opening or the Analytical Testing process.

Any behavior that has determined or attempted to determine the incorrect performance of the procedure, will be reported by the Laboratory to NADO Italia, for the evaluation and possible configurability of the violation of *ADSC* Article 2.5.

- 2.5.7** The *Athlete* is entitled to request the NADP to provide copy of the Laboratory documents pertaining to A and – if “B” *Sample* Analysis is conducted – B *Samples*, together with receipt of the applicable administrative fees according to the Financial Schedule of Fees available on NADO Italia’s website (www.nadoitalia.it).

- 2.5.8** If the “B” *Sample* Analysis confirms the A *Sample* findings, NADO Italia will, after receiving notice from the Laboratory, promptly inform the individuals as under Article 2.1.5, a), b), e), f), g), h).

- 2.4.8** If the “B” *Sample* Analysis does not confirm the adverse findings of the first analysis, it will be considered to be negative. Moreover, in the absence of further evidence and in the light of the specific circumstances of the case at hand, NADO Italia may declare the proceedings to have ended, notifying the individuals as under Article 2.1.5.

2.6 Identification of Prior *Anti-Doping Rule Violations*

Before giving an *Athlete* or other *Person* notice of a potential anti-doping rule violation, NADO Italia shall refer to *ADAMS* and contact *WADA* and other relevant *Anti-Doping Organizations* to determine whether any prior anti-doping rule violation exists.

ARTICLE 3 **PROVISIONAL SUSPENSIONS**

3.1 **Mandatory *Provisional Suspension* after an *Adverse Analytical Finding* or *Adverse Passport Finding***

Following an *Adverse Analytical Finding* or an *Adverse Passport Finding* related to any Non Specified Substance or *Prohibited Method* included in the List, NADO Italia, through the NADP, shall apply with the NADT for the infliction of a *Provisional Suspension* on the *Athlete*.

A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to the NADT that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under ADSC Article 11.2.4.1. The decision of the NADT not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

3.2 **Optional *Provisional Suspension* Based on an *Adverse Analytical Finding* for *Specified Substances*, *Specified Methods*, *Contaminated Products*, or Other Anti-Doping Rule Violations**

Following an *Adverse Analytical Finding* related to any *Specified Substance* in the List, NADO Italia, through the NADP, may apply with the NADT for the infliction of a *Provisional Suspension* on the *Athlete*.

NADO Italia, through the NADP, may also apply with the NADT to seek *Provisional Suspension* of individuals considered as responsible for other anti-doping rule violations.

3.3 **Common rules – Mandatory and Optional *Provisional Suspension***

3.3.1 In the cases of the Article 3.1 and 3.2, the NADT will, as a matter of urgency as well as *ex parte*, reach its decision serving immediate notice to the NADP, the individual concerned, the Club, the NSF/ASD/SPE as well as the relevant *International Federation*, National *Anti-Doping Organization* (if different from NADO Italia) and *WADA*. By the same decision, a mandatory period of three (3) days is granted to the individual concerned to produce evidence in order to possible withdrawal of the *Provisional Suspension*.

3.3.2 The Party shall, within three (3) days, request the NADP and the NADT which adopted the *Provisional Suspension*, to review the decision enclosing the supporting evidence. The NADT shall immediately and in any case no later than four (4) days hold the hearing, in order to hear the individual concerned. At the end of the hearing, the NADT decides, giving immediate notice to the NADP, to the individual concerned, to the Club, to the National Sports Federation/Associated Sports Discipline/Sports Promotion Entity and other relevant Sports Organizations and to *WADA*. This is without prejudice to the right of the *Athlete* or of any other *Person* to appeal against the *Provisional Suspension* decision, within the deadline set out in Article 17.2.

- 3.3.3** All suspension measures are effective until the date on which it is notified (or deemed to be notified). The period of *Provisional Suspension* shall end with the final decision of the hearing panel, unless earlier lifted under Article 3.3.2. However, the period of *Provisional Suspension* shall not exceed the maximum length of the period of *Ineligibility* that may be imposed on the *Athlete* or other *Person* based on the relevant anti-doping rule violation(s). A *Provisional Suspension* means that an *Athlete* or other *Person* is barred temporarily from participating in any capacity in any *Competition* or activity as per ADSC Article 11.14.1, prior to the final decision at a hearing.
- 3.3.4** Suspension measure will lapse if the “B” *Sample* analysis does not confirm the “A” *Sample* analysis result, in the event the case is dismissed or if the *Athlete* and/or other individual concerned is acquitted or if a decision not to proceed against him/her is adopted. In any such circumstances, the *Athlete*, Club and/or any other individuals concerned shall not be entitled to any right of offset of whatsoever kind. In circumstances where the *Athlete* or the *Athlete's* team has been removed from an *Event* based on a violation of ADSC Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, then, if it is still possible for the *Athlete* or team to be reinserted, without otherwise affecting the *Event*, the *Athlete* or team may continue to take part in the *Event*.
- 3.3.5** The period of *Provisional Suspension* already served must be deducted in the event a disciplinary sanction is imposed.
- 3.3.6** The *Athlete* and/or other *Person* shall have the right to file an appeal against a measure pursuant to Article 17.

3.4 Voluntary Acceptance of *Provisional Suspension*

As per Code Article 7.4.4, *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension*, giving written notice to the NADP and the NADT, if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B *Sample* (or waiver of the B *Sample*) or ten (10) days from notification of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notification.

Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension*, giving notice to the NADP, if done so within ten (10) days from notification of the anti-doping rule violation. Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, giving written notice to the NADP, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

ARTICLE 4 PROCEEDING BY THE NADP

- 4.1** Upon learning of alleged anti-doping rule violations, the NADP may start disciplinary proceedings immediately or reflect this information in an appropriate register called “*Related Deeds*” if the facts are deemed to be generic, the offenders cannot be identified or if any other

reason presently prevents proceedings from starting.

- 4.2 When establishing the facts pertaining to a potential anti-doping rule violation, the NADP will start disciplinary proceedings against the person under investigation by serving notice as per Article 2.1.5, Article 2.2.3, Article 2.3.2 and 2.5.8.
- 4.3 The notice provided to the *Athlete* or other *Person* shall simultaneously be provided by the NADP to the *Athlete's* or other *Person's* National *Anti-Doping Organization(s)* (if different from NADO Italia), International Federation and *WADA* and shall promptly be reported into *ADAMS*, if applicable. Every NSF/ASD/SPE and their registered and affiliated members shall be required to provide assistance, if so requested, in the service of process for the individuals summoned to appear before the NADP and in the investigations started by the latter.
- 4.4 The disciplinary proceedings against the *Athlete* or other *Person* may take place remotely according to the indications provided by the NADP. During the hearing, the person under investigation shall have the right to rely on the aid of his/her own legal counsel or person of age enjoying his/her trust and, where necessary, an interpreter at his/her own expense. If the person under investigation is a *Minor* or a *Protected Person*, then the hearing must be attended by the holders of parental responsibility.
- 4.5 Within twenty-four (24) hours prior to the date of the hearing, the person under investigation shall be required to confirm his/her presence and notify the NADP office of the personal details of those attending the hearing.
- 4.6 Failure to personally appear at the hearing or claiming the right to silence by the person under investigation shall not result in the investigation being interrupted and/or postponed.
- 4.7 The person under investigation shall have the right to request the postponement of the hearing by filing an appropriate application containing the specific grounds thereof to be submitted to the NADP office at least two (2) days prior to the date set for the summons. The NADP shall promptly reach a decision notifying the person under investigation thereof. The postponement of the hearing may also be decided ex-officio by the NADP for logistic and/or organizational reasons.
- 4.8 Upon receipt of the *Athlete's* or other *Person's* explanation, the NADP may, without limitation, request further information and/or documents from the *Athlete* or other *Person* within a set deadline or liaise with third parties in order to assess the validity of the explanation.
- 4.9 The NADP shall have the power to likewise summon any other person, including a non-registered person, considered as witness of fact. Should such other person fail to appear without providing any lawful and well-grounded reason for his/her impediment, then the provisions under Article 4.7 hereof shall apply. For the purpose of pursuing its own investigation goals, the NADP may also instruct that witness statements be compared between the individuals that have been summoned.
- 4.10 Should the person summoned as witness of fact be found to be liable during the hearing, the relevant charges shall be immediately notified to him/her and the hearing shall be interrupted

and postponed to a later date in order to start investigations, provided that he/she shall have the right to waive such postponement as well as the appointment of a legal counsel so that he/she may be heard on the alleged charges forthwith.

ARTICLE 5 NOTICE OF CONCLUSION OF THE PROCEEDING AND NOTICE OF CHARGE

5.1 If, after receipt of the *Athlete* or other *Person's* explanation or expiry of the deadline to provide such explanation, or after the hearing of the *Athlete* or other *Person*, the NADP is (still) satisfied that the *Athlete* or other *Person* has committed (an) anti-doping rule violation(s), it shall promptly notify, in writing, the *Athlete* or other *Person* with the anti-doping rule violation(s) they are asserted to have breached. In this letter of notice of conclusion of the proceeding, the NADP:

- a) shall set out the provision(s) of its anti-doping rules asserted to have been violated by the *Athlete* or other *Person*;
- b) shall provide a detailed summary of the relevant facts upon which the assertion is based;
- c) shall indicate the specific *Consequences* being sought in the event that the asserted antidoping rule violation(s) is/are upheld and that such *Consequences* shall have binding effect on all *Signatories* in all sports and countries as per *Code* Article 15;
- d) shall grant a deadline of twenty (20) days from receipt of the letter of notice of conclusion of the proceeding (which may be extended only in exceptional cases) to the *Athlete* or other *Person* to admit the anti-doping rule violation asserted and to accept the proposed *Consequences* by signing, dating and returning an acceptance of *Consequences* form, which shall be enclosed with the letter;
- e) informs the *Athlete* or other *Person* that, for the eventuality that she/he does not accept in writing the proposed *Consequences* within the deadline of twenty (20) days from receipt of the letter of notice of conclusion of the proceeding, the NADP will refer the person under investigation to the NADT within ten (10) days;
- f) shall set out any matters relating to *Provisional Suspension* as per Article 3 (if applicable).

5.2 The notice of charge referred to in Article 5.1 e) is lodged by the NADP to the NADT with copy of the relevant investigation file and sent to the *Athlete* or other *Person* and/or or his/her legal counsel, if appointed. It contains the decision adopted by the NADP and indicates the right of the *Athlete* or other *Person* to request a hearing within twenty (20) days from the notice. The person under investigation, *WADA* and the International Federation shall have the right to (i) view the documents in the case only after they have been filed with the NADT and (ii) make copies thereof at their own expense, save for *WADA* and International Federation concerned who shall not be required to pay any administrative fee.

The notice of charge shall indicate that the *Athlete* or other *Person* may be able to obtain a suspension of *Consequences* if they provide *Substantial Assistance* under *ADSC* Article 11.7.1, may admit the anti-doping rule violation(s) within twenty (20) days from receipt of the letter of charge and potentially benefit from a one-year reduction in the period of *Ineligibility* under *ADSC* Article 11.8.1 (if applicable) and/or seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under *ADSC* Article 11.8.2 and under RMP Article 7.

It shall set out any matters relating to *Provisional Suspension* as per Article 3 (if applicable).

The notice of charge shall be notified by NADO Italia also to the *Athlete's National Anti-Doping Organization(s)*, if different from NADO Italia, International Federation, International Olympic Committee and International Paralympic Committee, if applicable, as parties to the first instance judgement and notified to the relevant NSF/ASD/SPE and Club and *WADA*, and, if applicable, it shall be reported promptly into *ADAMS*.

- 5.3 In absence of agreement after the notice of the conclusion of the proceeding, the notice of charge to an *Athlete* or other *Person* subject to *Provisional Suspension* pursuant to Article 3 must be transmitted to the NADT promptly and, in any case, no later than thirty (30) days from the date of notification of the suspension measure referred to above, except in case of needs related to the investigations, request of B *Sample* analysis, time limits to submit defensive brief or if appeals against a *Provisional Suspension* are pending.
- 5.4 If an *Athlete* or other *Person* retires while the NADO Italia's *Results Management* process is underway, NADO Italia's retains authority to complete its *Results Management* process. If an *Athlete* or other *Person* retires before any *Results Management* process has begun, and NADO Italia would have had *Results Management Authority* over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, NADO Italia has authority to conduct *Results Management*.
- 5.6 Upon request of the Judicial Authorities, the NADP shall provide a copy of the decision and related documents in the case.

ARTICLE 6 JURISDICTION CRITERIA

- 6.1 The NADT has the authority to pass first instance judgement for all *ADSC* violations committed by *Athletes* who are not included in the NADO Italia's RTP and in the RTP of the relevant International Federation or are not *International-Level Athletes* as well as *ADSC* violations committed by other registered and not registered individuals.
- 6.2 The NADT has also the authority to pass first instance judgement for *ADSC* violations committed by *Athletes* who are included in the NADO Italia's RTP and in the RTP of the relevant International Federation or are *International-Level Athletes*, or violations arising from participating in an International sports *Event*, as well as judgements connected therewith. It also has the authority to pass first instance judgement on disciplinary proceedings lying within the province of another ADO if the latter has delegated such proceedings to NADO Italia.
- 6.3 The NADT has the exclusive authority to review the decisions adopted by NADO Italia with respect to Failures due to "Filing Failure" and/or "Missed Test" if so requested by the *Athlete*.
- 6.4 The NADAB has the authority to decide on appeal against *Provisional Suspension* rulings, as under Article 17, issued by the NADT.
- 6.5 Appeals against the decisions of the TUEC whereby the latter rejects the granting of a *TUE* may be lodged to NADAB.

- 6.6 Appeals against first instance decisions adopted by the NADT may be lodged to NADAB, according to the Article 18.

ARTICLE 7 APPLICATION OF SANCTIONS ON REQUEST WITHOUT HEARING

- 7.1 During the management of the results, after the notice of conclusion of the proceeding, and/or after the notice of charge and, in any case, prior to the hearing before the NADT, it is the right of the *Athlete* or other *Person* to admit the violation of the disputed anti-doping rule violation, to waive the hearing and agree with the NADP the *Consequences* arising from the violation committed. The agreement, signed by the NADP and the *Athlete* or other *Person*, must contain the nature and extent of the sanctions, as well as any other item inherent to the agreement. The signed agreement is ratified by the Director of NADO Italia.
- 7.2 The ratified agreements adopted pursuant to Article 7.1 will be reported, according to Article 26, to *WADA*, the International Federation concerned or by another competent ADO, with right to appeal under *ADSC* Article 18.
- 7.3 If new facts or facts emerge which were not known to the NADP at the time of the agreement and which would not have enabled the agreement to be defined in the terms signed, the procedure may be reopened.
- 7.4 Publication of the ratification of the agreement is subject to the provisions of *ADSC* Article 19.
- 7.5 This Article shall not apply in cases of second or further infringement.

ARTICLE 8 PROCEDURE FOR THE SUSPENSION OF THE PERIODS OF INELIGIBILITY OR OTHER CONSEQUENCES IMPOSED UNDER ADSC

ARTICLE 11.7.1

8.1 Before the Decision Becomes Final

Before the disciplinary action taken against him or her becomes final, the *Athlete* or other *Person* being subject to sanctions may benefit from a suspension of a part of the *Ineligibility* period as under *ADSC* Article 11.7.1.

The application for suspension, signed personally by the individual concerned and containing the reasons upon which it is based, must be submitted to the NADP. Subject to investigations and findings as may be necessary, the NADP shall, within thirty (30) days which may be extended to additional 30 (thirty) days in the event of particularly complex investigations, may approve the application for suspension.

The suspension of *Consequences* for *Substantial Assistance* may also be adopted *ex-officio* by the NADP where substantial assistance was provided before the NADP during the investigation phase.

8.2 After the Decision Becomes Final

Once the disciplinary measure taken against him or her becomes final, the individual being subject to sanctions may benefit from a suspension of a part of the *Ineligibility* period as under *ADSC* Article 11.7.1.2 by applying with the NADP, subject to approval by *WADA* and the relevant International Federation.

The application for suspension, duly signed and containing the reasons upon which it is based, must be submitted to the NADP. Subject to investigations and findings as may be necessary, the NADP shall, within 30 (thirty) days which may be extended to additional thirty (30) days in the event of particularly complex investigations, submit the suspension proposal to *WADA* and the relevant International Federation for their evaluation and opinion, expressly stating the measure deemed as applicable or a motivated request for rejection.

8.3 Common Rules

For the purposes of identifying the procedure as outlined here above, reference shall be made to the date on which the application for suspension is submitted.

ARTICLE 9 PARTIES OF FIRST INSTANCE PROCEEDINGS

- 9.1 The following entities shall be deemed to be parties to first instance proceedings: person under investigation and NADO Italia, through the NADP.

ARTICLE 10 TERMINATION OF PROCEEDINGS

If, following the review and notification pursuant to Article 2, the PNA considers not to proceed with the charge, it shall send the documents, with a request for filing, to the NADT. The NADT shall, *ex-parte*:

- a) uphold the request and cause the case to be dismissed;
- b) reject the request and send the documents back to the NADP for further investigations, stating the additional investigations deemed as necessary;
- c) reject the request, asking the NADP to proceed *ex* Article 5.

The decisions under Article 10 a) shall be sent to *WADA*, the relevant International Federation, the *National Anti-Doping Organization* of the *Person's* country of residence (if different from NADO Italia), the International Olympic Committee, and International Paralympic Committee (where applicable) and notified to the relevant NSF/ASD/SPE and Club.

ARTICLE 11 START OF FIRST HEARING PROCEEDINGS

- 11.1 If the *Athlete* or other *Person* requests a hearing within ten (10) days from the date of receipt of the notice of charge, the NADT shall schedule the hearing within forty (40) days, that shall be held in a reasonable timeframe to ensure the *Results Management* (including the Hearing Process at first instance) will be concluded within six (6) months from the notification as per Article 2. If the *Athlete* does not request the hearing within the indicated deadline, the hearing will be conducted, in chamber of council and without the *Athlete* or other *Person* having been heard, within a reasonable timeframe as above from the submission of the investigation file according to Article 5.1 e).

The timeliness is assured, save for cases involving complex issues or delays not in the control of NADO Italia.

The charged person shall have the right to formally waive the requested hearing or refrain from disputing the disciplinary charges pressed against him/her. Such waiver must be submitted to the NADT and the other parties to the case within ten (10) days prior to the date set for the hearing. In this event, the NADT shall decide in chamber of council and without the *Athlete* or other *Person* having been heard. The decision shall be notified as pursuant to Article 14.

- 11.2 The date of the hearing must be notified to the parties to the case at least twenty (20) days in advance.
- 11.3 In the event that the order concerns an *Athlete* or other *Person* subject to *Provisional Suspension* pursuant to Article 3, the term to set the hearing is seven (7) days and the date of the hearing must fall within the following thirty (30) days.
- 11.4 Within and not later than ten (10) days prior to the date of the hearing, the parties may file a defence brief with the NADT containing their own, evidentiary allegations, arguments and defense submissions and, under penalty of cancellation, any measures of enquiry (e.g. admission of witnesses, opinions by experts appointed by the court, appointment of defense experts, if any). The aforesaid brief shall, under penalty of exclusion, be notified to the other parties to the case within the same deadline of ten (10) days prior to the date of the hearing according to the same terms and conditions as under Article 26.
- 11.5 Within and not later than five (5) days prior to the date of the hearing, the parties shall have the power to file a reply brief to those referred to in Article 11.4. The aforesaid reply brief shall, under penalty of exclusion, be notified to the other parties to the case within the same deadline of five (5) days prior to the date of the hearing according to the same terms and conditions as under Article 26.
- 11.6 The NADT shall be responsible for notifying the procedural briefs to *WADA* and the relevant International Federation, if appropriate.
- 11.7 No submissions or defence briefs shall be allowed other than those listed above or may be filed after the final deadlines as set forth.
- 11.8 The parties to the case shall have the right to seek the postponement of the hearing by filing an appropriate application containing specific grounds for such postponement. The application must be sent to the office of the NADT at least seven (7) days prior to the date of the hearing, except in cases of proven emergency. If the application is filed by the *Athlete* or other *Person*, it must be notified to the NADP for its perusal and opinion. The President of the NADT shall reach a final decision within two (2) days after the application is filed. The acceptance of the postponement shall not cause the deadlines set for the submission of the briefs to be postponed if such deadlines have already expired.
The postponement of the hearing may also be ordered *ex parte* by the President of the NADT due to logistic and/or organizational reasons. Again, any such postponement shall not cause the deadlines set for the submission of the briefs to be postponed if such deadlines have already expired.
- 11.9 Hearings may also take place remotely by the participants joining together using technology, according to the indications provided by the NADT.

ARTICLE 12 SINGLE HEARING BEFORE CAS

- 12.1** Pursuant to *Code* Article 8.5, anti-doping rule violations asserted against *International Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, NADO Italia and *WADA*, be heard in a single hearing directly at *CAS* under *CAS* appellate procedures, with no requirement for a prior hearing, or as otherwise agreed by the parties.
- 12.2** If the *Athlete* or other *Person* and NADO Italia agree to proceed with a single hearing before *CAS*, it shall be the responsibility of NADO Italia to liaise in writing with *WADA* to determine whether it agrees to the proposal. Should *WADA* not agree (in its entire discretion), then the case shall be heard by the NADT.

ARTICLE 13 FIRST HEARING PROCEEDING – DISCUSSION

- 13.1** Disputes shall be discussed in closed session, unless the *Athlete* or other *Person* requests a public hearing, or unless NADO Italia requests a public hearing and the *Athlete* or other *Person* agrees to the same, and recording thereof, by filing a motivated motion with the NADT within seven (7) days of the date set for the hearing. After receipt of the written consent of the *Athlete* or other *Person*, the NADT shall uphold the motion unless the need for confidentiality and/or protection of the individuals involved in the proceedings otherwise requires, in accordance with the ISRM.
- 13.2** The *Athlete* or other *Person* shall have the right to (i) appear in person, if not a *Protected Person*, or through the holder of parental responsibility, if a *Minor* or a *Protected Person*, (ii) be aided by his/her own counsel during the hearing and (iii) seek the support of an interpreter, if necessary, whose personal details must be notified to the NADT within twenty-four (24) hours prior to the date set for the hearing so that accreditation papers may be issued.
- 13.3** Failure to appear at the hearing by the party and/or his/her counsel shall not result in the proceedings being suspended, interrupted or postponed inasmuch as proceedings shall continue in their absence.
- 13.4** Failure to appear at the hearing by the accused without a sound reason may constitute a conduct which may be considered when reaching a decision.
- 13.5** The NADP shall attend the proceedings with one or more members; the International Federation and *WADA* may attend the hearing through their own representatives.
- 13.6** The Chairman of the Panel or a member appointed by him/her shall report on the case and then the parties shall be heard, keeping the discussion as brief as possible.
- 13.7** The Chairman of the Panel may ask questions to the parties or dispute facts stated by the accused or witnesses during the preliminary phase.
- 13.8** If a new fact or a fact that proves different compared to the way it is stated in the referral deed is brought to light during the hearing, the NADP shall change the accusation and charge the accused, if in attendance, who shall have the right to either accept cross examination immediately or request a

postponement of the hearing. If the accused is not in attendance, the NADP may ask the Chairman of the Panel to cause any such different charge to be reflected in the hearing report and that such report be sent to the accused. In this event, the Chairman of the Panel shall suspend the hearing and set a new hearing for the continuation of proceedings.

13.9 A brief report of the hearing shall be drawn up by the Office of the NADT.

13.10 Measures of Enquiry

13.10.1 The Panel shall either accept or reject the measures of enquiry requested by the party by resolution adopted during the hearing.

13.10.2 To the extent as it shall deem necessary, the Panel may seek the opinion of an expert. To this end, it shall define the (i) questions to be dealt with, including on an *inter partes* basis, (ii) deadline by which the expert opinion must be filed, and the parties' memos must be submitted, and (iii) the date of the next hearing. The parties may also rely on the aid of their own expert, whose personal details must be notified as pursuant to Article 13.11.1.

13.10.3 The Panel shall be vested with the broadest preliminary investigation powers and may likewise entrust the NADP with the performance of specific investigations or further appraisals.

ARTICLE 14 FIRST INSTANCE PROCEEDING – DECISION

14.1 Following the hearing, the text of the decision shall be immediately read out to the parties, unless the complexity or magnitude of the matters to be decided upon or the need to renew individual deeds lead the Chairman of the Panel to deem it appropriate to postpone such reading to another hearing or arrange for such text to be notified in writing without reading it out during the hearing.

14.2 If it is not possible to draft the grounds immediately during the closed session meeting, it shall be done within thirty (30) days after the text of the decision has been notified.

14.3 The operative part and the decision with grounds shall be notified to the parties pursuant to Article 26. The operative part with the former also being notified to the relevant NSF/ASD/SPE and Club.

ARTICLE 15 REVIEW OF TUEC'S DECISIONS

15.1 The *Athlete* shall have the right to file an appeal with the NADAB, in accordance with the applicable procedural rules, against any decision of rejection of a *TUE* by the TUEC of NADO Italia.

15.2 Appeals shall not cause a stay of a rejection decision adopted by the TUEC.

ARTICLE 16 REVIEW OF THE DECISIONS OF THE NADP REGARDING FILING FAILURE AND/OR MISSED TEST

- 16.1** The *Athlete* may, within and not later than ten (10) days of receipt of notice of Failure by the NADP, apply with the NADT for a review of the decisions adopted regarding Filing Failure or Missed Test. Under penalty of exclusion, the *Athlete* shall be required to produce receipt of payment of the administrative fees as per Financial Schedule of Fees available on NADO Italia's website (www.nadoitalia.it).
- 16.2** The request for review must also be notified to the NADP within the same deadline. The NADP will, within five (5) days, submit the case file to the NADT together with an accompanying note, if appropriate.
- 16.3** The Panel shall proceed with the review in closed session based on the documents acquired, without prejudice to the right to seek further information from the *Athlete* and NADP.
- 16.4** The review shall end fourteen (14) days after receipt of the *Athlete's* request and the decision shall be notified to the *Athlete* and NADP no later than seven (7) days after the date of the decision.
- 16.5** If the request for review is upheld, the Panel shall cause for the NADP's decision to be cancelled, stating the grounds and notifying the *Athlete*, NADP, WADA and the relevant IF.
- 16.6** In the event the request for review is rejected, the Panel shall inform the *Athlete* and NADP thereof, with the latter discharging the resulting formalities.
- 16.7** The decision whereby the Panel confirms the measures taken by the NADP shall be final. If the decision of the Panel is to revoke the measures taken by the NADP, WADA and the IF shall have the right of appeal against that decision, in accordance with *Code* Article 13.

ARTICLE 17 APPEAL AGAINST *PROVISIONAL SUSPENSION* DECISIONS

- 17.1** An appeal against a *Provisional Suspension* as under Article 3 may be filed by the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed. The appeal must be filed with the NADAB according to the applicable procedural rules, within and not later than ten (10) days after notice of the decision of *Provisional Suspension*.

ARTICLE 18 APPEAL AGAINST FIRST INSTANCE DECISIONS

- 18.1** First instance decisions – except for the decisions involving *Athletes* who are included in the *Registered Testing Pool* (RTP) of the relevant International Federation or *International Level Athlete* or in cases arising from the participation in *International Events* – adopted, as pursuant to Article 6, by the NADT may be appealed in writing before NADAB, in accordance with the applicable procedural rules, within and not later than fifteen (15) days of receipt of the decision, without prejudice to other deadlines granted

by *WADA* in the cases governed by *Code* Article 13.

- 18.2 First instance decisions adopted, as pursuant to Article 6, by the NADT for *ADSC* violations committed by *Athletes* who are *International-Level Athletes*, or violations arising from participating in an *International Event*, may be lodged to *CAS*, according to the applicable procedural rules. The decisions adopted by *CAS* may be appealed against before the Swiss Federal Tribunal, observing the procedures established by the said jurisdictional body.
- 18.3 All of the decisions referred to in *ADSC* Article 18.2 may be subject to appeal.
- 18.4 The following individuals shall have the right to appeal against first instance decisions adopted by the NADT: the *Athlete* or Other Person being sanctioned; NADP; relevant International Federation; National *Anti-Doping Organization* of the country where the *Athlete* or Other Person have their residence; *WADA*; IOC and 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.
- 18.5 The parties to the case at first instance shall be considered to be parties to the appeal proceedings, without prejudice to the right to attend or right to appeal for other parties who were not parties to the case.
- 18.6 If none of the parties appeals against a first instance decision, then *WADA* shall have the right to file an appeal against such decision directly with the *CAS* as pursuant to *Code* Article 13.1.3.
- 18.7 The appeal shall not result in a stay of a first instance decision.
- 18.8 The appeal lodged with the NADAB must be notified to the other parties as pursuant to Article 26, while reference shall be made to the specific provisions of the Court of Arbitration for Sport (*CAS*) with respect to the terms and conditions for lodging an appeal before such body and notifying it to the parties concerned.
- 18.9 The appeal must be lodged by *WADA*, depending on the circumstance that arises subsequently, within: (a) twenty-one (21) days after expiry of the deadline by which the other parties to first instance proceedings were to file an appeal; (b) twenty-one (21) days after receipt of the complete case file pertaining to the first instance decision.

ARTICLE 19 CROSS-APPEAL

- 19.1 If one of the parties has filed an appeal against a first instance decision, the other parties may file an incidental appeal according to the NADAB applicable procedural rules and according to the applicable procedural rules of *CAS*, if competent, and the *ADSC* Article 18.2.4.

ARTICLE 20 EXCLUSION AND OBJECTION

- 20.1** The judge shall be required to abstain from attending proceedings if:
- a) he/she or one of his/her close relatives has an interest in the case he/she brought before him/her;
 - b) he/she or his/her spouse is a next of kin of one of the parties or counsels in the case brought before him/her;
 - c) he/she holds serious enmity towards or has conflicts with one of the parties or any of the counsels in the case brought before him/her;
 - d) he/she carried out investigation tasks with respect to the case brought before him/her or related cases or acted as legal or technical expert in such cases.
- 20.2** In all other cases where serious grounds exist, including those indicated in the ISRM, the judge shall be required to abstain from attending proceedings.
- 20.3** A decision on the request for abstention submitted by the member shall be reached by the Panel, excluding the member submitting such request, *ex parte* within 15 (fifteen) days of the request being submitted. The decision so adopted shall be final.
- 20.4** If each party believes that the conditions under a), b), c) or d) of Article 20.1 (obligation for the judge to abstain) are fulfilled, they may seek the challenge of the members of NADT by submitting a written request, to be signed personally by the party or his/her own counsel holding appropriate proxy. The request must contain the specific grounds for the challenge as well as the evidence provided within 3 (three) days of the reason warranting the challenge being disclosed. The secretary's office of the NADT shall cause a notice to be served on the other parties to the case and the challenged member, who may submit his/her own comments within the following three (3) days.
- 20.5** A decision on the request for challenge submitted by the party shall be reached by the Panel, excluding the challenged member, *ex parte* within fifteen (15) days of the request being submitted. The decision so adopted shall be final.
- 20.6** A challenge will cause disciplinary proceedings to be suspended, without prejudice to the effects of any *Provisional Suspension* inflicted under Article 3, unless such measure has already expired.
- 20.7** The order upholding the request for challenge shall exclude the challenged judge from the case. The challenge shall be declared inadmissible if the request is not submitted as specified under the previous paragraph.
- 20.8** If the challenge is deemed to be inadmissible or rejected, the challenged judge may take part in the proceedings.
- 20.9** Under the order whereby the challenge is deemed to be inadmissible or rejected, the Panel may rule that the unsuccessful party should bear the cost of proceedings as per Financial Schedule of Fees available on NADO Italia's website (www.nadoitalia.it).
- 20.10** The order whereby the request for challenge is upheld or rejected shall be notified by the secretary's office of the NADT to the applicant, the judge being challenged as well the other parties to the case.
- 20.11** To the extent as applicable, the foregoing paragraphs shall also apply to any expert appointed by the court.

ARTICLE 21 LAPSING AND SUSPENSION OF PROCEDURAL TIME LIMITS

- 21.1** The lapsing of procedural time limits relating to proceedings started before the NADT shall be suspended *ipso facto* for a summer period not exceeding thirty (30) days per year or in other periods of the year to be identified by joint decision of the Presidents of NADT, and shall become effective again as of the end of the suspension period. The decision shall be published on NADO Italia's website (www.nadoitalia.it). If the lapsing of procedural time limits starts during the suspension period, then time limits shall be deemed to start at the end of such period.
- 21.2** Limited to the periods during which NADO Italia office is closed, the operations of organizations providing support to anti-doping bodies may suffer disruptions.
- 21.3** When calculating procedural time limits, the starting day shall not be calculated, whereas the final day will. If the day of expiry of time limits falls on a holiday, then the expiry shall be postponed *ipso facto* to the first working day thereafter. The time limits expressly defined as final under the ADSRs shall be considered as such.

ARTICLE 22 NOTICES AND COMMUNICATIONS

- 22.1** NADO Italia shall notify *Athletes*, other *Persons* and other *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3 and *WADA* of the decisions as provided in *Code* Article 14 and in the ISRM Article 9.2.
- 22.2** Without prejudice to the provisions as under 22.3 here below, notices to be served by the NADP and the NADT shall be delivered either by registered mail with acknowledgement of receipt, fax, cable, courier or email as follows:
- if sent to private individuals: to the address chosen for the purposes of the proceedings or, failing which, to the address shown in the anti-doping *Sample* collection report as well as the address filed with the records at the time of registering with the relevant NSF/ASD/SPE; to the place of residence or such other place as specified by the judicial authorities for non-registered individuals;
 - if sent to clubs: to the registered office as filed with the records at the time of registration with the relevant NSF/ASD/PSE.
- 22.3** Notices to be served by the NADP for Filing Failure and Missed Test shall be delivered by registered email or registered letter.
- 22.4** The NSF/ASD/PSE, relevant sports organizations and/or club the *Athlete* is registered with shall, where requested, be required to ensure that the individual concerned has received the foregoing notices and, if not, see to it forthwith.
- 22.5** In the event of a registered individual being unavailable, notification shall be deemed to have been served by delivering the deed to the relevant NSF/ASD/PSE and/or Club.
- 22.6** In the event of a non-registered individual being unavailable, notification shall be deemed to have

been served by filing the deed with the NADP's office or the NADT to the extent as lying within their respective province.

- 22.7** For the purposes of checking the timely service of process, reference shall be made solely to the date shown on the postmark set by the Post Office accepting the registered mail with acknowledgement of receipt or certifying delivery to the courier or receipt by fax, cable or email.
- 22.8** During the hearing held before the NADP or, failing which, in the first act of defence, the parties shall be required to state the email address where they wish to receive communications. Failing this, communications may be forwarded to any personal email address of the *Athlete* already known to the relevant NSF/ASD/SPE and/or International Federation.

ANNEX A – REVIEW OF A POSSIBLE FAILURE TO COMPLY

A.1 Responsibility

A.1.1 NADO Italia is responsible for ensuring that:

- a) When the possible Failure to Comply comes to its attention, it notifies *WADA*, and instigates review of the possible Failure to Comply based on all relevant information and documentation;
- b) The *Athlete* or other *Person* is informed of the possible Failure to Comply in writing and has the opportunity to respond in accordance with Article 2.3.2;
- c) The review is conducted without unnecessary delay and the evaluation process is documented; and
- d) If it decides not to move forward with the matter, its decision is notified in accordance with Article 4.11.

A.1.2 The DCO is responsible for providing a detailed written report of any possible Failure to Comply.

A.2 Requirements

A.2.1 Any potential Failure to Comply shall be reported by the DCO to NADO Italia and/or followed up by the Testing Authority and reported to the *Results Management Authority* as soon as practicable.

A.2.2 If NADO Italia determines that there has been a potential Failure to Comply, the *Athlete* or other *Person* shall be promptly notified in accordance with Article 2.3.2 and further *Results Management* shall be conducted as per Article 2.

A.2.3 Any additional necessary information about the potential Failure to Comply shall be obtained from all relevant sources (including the *Athlete* or other *Person*) as soon as possible and recorded.

A.2.4 NADO Italia shall establish a system for ensuring that the outcomes of its reviews into potential Failures to Comply are considered for *Results Management* action and, if applicable, for further planning and *Target Testing*.

ANNEX B – RESULTS MANAGEMENT FOR WHEREABOUTS FAILURES

B.1 Determining a Potential Whereabouts Failure

B.1.1 Three (3) Whereabouts Failures by an *Athlete* within any 12-month period amount to an anti-doping rule violation under *Code* Article 2.4. The Whereabouts Failures may be any combination of Filing Failures and/or Missed Tests declared in accordance with Article B.3 and adding up to three (3) in total.

B.1.2 The 12-month period referred to in *Code* Article 2.4 starts to run on the date that an *Athlete* commits the first Whereabouts Failure being relied upon in support of the allegation of a violation of *Code* Article 2.4. If two (2) more Whereabouts Failures occur during the ensuing 12-month period, then *Code* Article 2.4 anti-doping rule violation is committed, irrespective of any *Samples* successfully collected from the *Athlete* during that 12-month period. However, if an *Athlete* who has committed one (1) Whereabouts Failure does not go on to commit a further two (2) Whereabouts Failures within the 12-months, at the end of that 12-month period, the first Whereabouts Failure “expires” for purposes of *Code* Article 2.4, and a new 12-month period begins to run from the date of their next Whereabouts Failure.

B.1.3 For purposes of determining whether a Whereabouts Failure has occurred within the 12-month period referred to in *Code* Article 2.4:

- a) A Filing Failure will be deemed to have occurred (i) where the *Athlete* fails to provide complete information in due time in advance of an upcoming quarter, on the first day of that quarter, and (ii) where any information provided by the *Athlete* (whether in advance of the quarter or by way of update) transpires to be inaccurate, on the (first) date on which such information can be shown to be inaccurate; and
- b) A Missed Test will be deemed to have occurred on the date that the *Sample* collection was unsuccessfully attempted.

B.1.4 Whereabouts Failures committed by the *Athlete* prior to retirement as defined in ISTI Article 4.8.7.3 may be combined, for purposes of *Code* Article 2.4, with Whereabouts Failures committed by the *Athlete* after the *Athlete* again becomes available for *Out-of-Competition Testing*.

B.2 Requirements for a Potential Filing Failure or Missed Test

B.2.1 An *Athlete* may only be declared to have committed a Filing Failure where NADO Italia establishes each of the following:

- a) That the *Athlete* was duly notified: (i) that they had been designated for inclusion in a *Registered Testing Pool*; (ii) of the consequent requirement to make Whereabouts Filing; and (iii) of the *Consequences* of any Failure to Comply with that requirement;
- b) That the *Athlete* failed to comply with that requirement by the applicable deadline;
- c) In the case of a second or third Filing Failure, that they were given notice, in accordance with Article B.3.2(d), of the previous Filing Failure, and (if that Filing Failure revealed deficiencies in the Whereabouts Filing that would lead to further Filing Failures if not rectified) was advised in

the notice that in order to avoid a further Filing Failure they must file the required Whereabouts Filing (or update) by the deadline specified in the notice (which must be within 48 hours after receipt of the notice) and yet failed to rectify that Filing Failure by the deadline specified in the notice; and

- d) That the *Athlete's* failure to file was at least negligent. For these purposes, the *Athlete* will be presumed to have committed the failure negligently upon proof that they were notified of the requirements yet did not comply with them. That presumption may only be rebutted by the *Athlete* establishing that no negligent behavior on their part caused or contributed to the failure.

B.2.2 While *Code* Article 5.2 specifies that every *Athlete* must submit to *Testing* at any time and place upon request by an *Anti-Doping Organization* with *Testing* Authority over them, in addition, an *Athlete* in a *Registered Testing Pool* must specifically be present and available for *Testing* on any given day during the 60-minute time slot specified for that day in their Whereabouts Filing, at the location that the *Athlete* has specified for that time slot in such filing. Where this requirement is not met by the *Athlete*, it shall be pursued as an apparent Missed Test. If the *Athlete* is tested during such a time slot, the *Athlete* must remain with the DCO until the *Sample* collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of *Code* Article 2.3 (refusal or failure to submit to *Sample* collection).

B.2.3 To ensure fairness to the *Athlete*, where an unsuccessful attempt has been made to test an *Athlete* during one of the 60-minute time slots specified in their Whereabouts Filing, any subsequent unsuccessful attempt to test that *Athlete* (by the same or any other *Anti-Doping Organization*) during one of the 60-minute time slots specified in their Whereabouts Filing may only be counted as a Missed Test (or, if the unsuccessful attempt was because the information filed was insufficient to find the *Athlete* during the time slot, as a Filing Failure) against that *Athlete* if that subsequent attempt takes place after the *Athlete* has received notice, in accordance with Article B.3.2(d), of the original unsuccessful attempt.

B.2.4 An *Athlete* may only be declared to have committed a Missed Test where NADO Italia can establish each of the following:

- a) that when the *Athlete* was given notice that they had been designated for inclusion in the *Registered Testing Pool*, they were advised that they would be liable for a Missed Test if they were unavailable for *Testing* during the 60-minute time slot specified in their Whereabouts Filing at the location specified for that time slot;
- b) that a DCO attempted to test the *Athlete* on a given day in the quarter, during the 60-minute time slot specified in the *Athlete's* Whereabouts Filing for that day, by visiting the location specified for that time slot;
- c) that during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the *Athlete*, short of giving the *Athlete* any advance notice of the test;
- d) that Article B.2.3 does not apply or (if it applies) was complied with; and
- e) that the *Athlete's* non-availability for *Testing* at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the *Athlete* will be presumed to have

been negligent upon proof of the matters set out at sub-Articles B.2.4 (a) to (d). That presumption may only be rebutted by the *Athlete* establishing that no negligent behavior on their part caused or contributed to their failure (i) to be available for *Testing* at such location during such time slot, and (ii) to update their most recent Whereabouts Filing to give notice of a different location where they would instead be available for *Testing* during a specified 60-minute time slot on the relevant day.

B.3 Results Management for a Potential Whereabouts Failure

B.3.1 In accordance with *Code* Articles 7.1.6, NADO Italia is the Results Management Authority in relation to potential Whereabouts Failures committed by an *Athlete* that files whereabouts information towards NADO Italia.

B.3.2 When a Whereabouts Failure appears to have occurred, NADO Italia shall proceed as follows:

- a) If the apparent Whereabouts Failure has been uncovered by an attempt to test the *Athlete*, NADO Italia shall timely obtain an Unsuccessful Attempt Report from the DCO. If the Testing Authority is different from the *Results Management Authority*, it shall provide the Unsuccessful Attempt Report to the *Results Management Authority* without delay, and thereafter it shall assist the Results Management Authority as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.
- b) NADO Italia shall timely review the file (including any Unsuccessful Attempt Report filed by the DCO) to determine whether all of the Article B.2.1 requirements (in the case of a Filing Failure) or all of the Article B.2.4 requirements (in the case of a Missed Test) are met. It shall gather information as necessary from third parties (e.g., the DCO whose test attempt uncovered the Filing Failure or triggered the Missed Test) to assist it in this task.
- c) If NADO Italia concludes that any of the relevant requirements have not been met (so that no Whereabouts Failure should be declared), it shall so advise *WADA*, the International Federation, and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, if different from NADO Italia, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.
- d) If NADO Italia concludes that all of the relevant requirements as set out in B.2.1 (Filing Failure) and B.2.4 (Missed Test) have been met, it should notify the *Athlete* within fourteen (14) days of the date of the apparent Whereabouts Failure. The notice shall include sufficient details of the apparent Whereabouts Failure to enable the *Athlete* to respond meaningfully, and shall give the *Athlete* a reasonable deadline to respond, advising whether they admit the Whereabouts Failure and, if they do not admit to the Whereabouts Failure, then an explanation as to why not. The notice should also advise the *Athlete* that three (3) Whereabouts Failures in any 12-month period is a *Code* Article 2.4 anti-doping rule violation, and should note whether they had any other Whereabouts Failures recorded against them in the previous twelve (12) months. In the case of a Filing Failure, the notice must also advise the *Athlete* that in order to avoid a further Filing Failure they must file the missing whereabouts information by the deadline specified in the notice, which must be within 48 hours after receipt of the notice.

- e) If the *Athlete* does not respond within the specified deadline, NADO Italia shall record the notified Whereabouts Failure against them.

If the *Athlete* does respond within the deadline, NADO Italia shall consider whether their response changes its original decision that all of the requirements for recording a Whereabouts Failure have been met.

- i. If so, it shall so advise the *Athlete*, *WADA*, the International Federation, and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, if different from NADO Italia, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.
 - ii. If not, it shall so advise the *Athlete* (with reasons) and specify a reasonable deadline by which they may request an administrative review of its decision. The Unsuccessful Attempt Report shall be provided to the *Athlete* at this point if it has not been provided to them earlier in the process.
- f) If the *Athlete* does not request an administrative review by the specified deadline, NADO Italia shall record the notified Whereabouts Failure against them. If the *Athlete* does request an administrative review before the deadline, it shall be carried out, based on the papers only, by one or more person not previously involved in the assessment of the apparent Whereabouts Failure. The purpose of the administrative review shall be to determine anew whether or not all of the relevant requirements for recording a Whereabouts Failure are met.
- g) If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, NADO Italia shall so advise the *Athlete*, *WADA*, the International Federation and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, if different from NADO Italia, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13. On the other hand, if the conclusion is that all of the requirements for recording a Whereabouts Failure are met, it shall notify the *Athlete* and shall record the notified Whereabouts Failure against them.

B.3.3 NADO Italia reports a decision to record a Whereabouts Failure against an *Athlete* to *WADA* and all other relevant *Anti-Doping Organizations*, on a confidential basis, via *ADAMS*.

B.3.4 Where three (3) Whereabouts Failures are recorded against an *Athlete* within any 12-month period, NADO Italia shall notify the *Athlete* and other *Anti-Doping Organizations* in accordance with Article 2.3.2 alleging violation of *Code* Article 2.4 and proceed with *Results Management* in accordance with Article 2 et seq. If NADO Italia fails to bring such proceedings against an *Athlete* within 30-days of *WADA* receiving notice of the recording of that *Athlete's* third Whereabouts Failure in any 12-month period, then NADO Italia shall be deemed to have decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at *Code* Article 13.2.

B.3.5 An *Athlete* asserted to have committed a *Code* Article 2.4 anti-doping rule violation shall have the right to have such assertion determined at a full evidentiary hearing in accordance with *Code* Article 8 and Articles 8 and 10 of the *International Standard for Results Management*. The hearing panel shall not be bound by any determination made during the *Results Management* process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden

shall be on the *Anti-Doping Organization* bringing the proceedings to establish all of the requisite elements of each alleged Whereabouts Failure to the comfortable satisfaction of the hearing panel. If the hearing panel decides that one (or two) Whereabouts Failure(s) have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no *Code Article 2.4* anti-doping rule violation shall be found to have occurred. However, if the *Athlete* then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with *Code Article 3.2.3*) and the Whereabouts Failure(s) subsequently committed by the *Athlete*.

- B.3.6** A finding that an *Athlete* has committed a *Code Article 2.4* anti-doping rule violation has the following *Consequences*: (a) imposition of a period of *Ineligibility* in accordance with *Code Article 10.3.2* (first violation) or *Code Article 10.9* (subsequent violation(s)); and (b) in accordance with *Code Article 10.10* (*Disqualification*, unless fairness requires otherwise) of all individual results obtained by the *Athlete* from the date of the *Code Article 2.4* anti-doping rule violation through to the date of commencement of any *Provisional Suspension* or *Ineligibility* period, with all of the resulting *Consequences*, including forfeiture of any medals, points and prizes. For these purposes, the anti-doping rule violation shall be deemed to have occurred on the date of the third Whereabouts Failure found by the hearing panel to have occurred. The impact of any *Code Article 2.4* anti-doping rule violation by an individual *Athlete* on the results of any team for which that *Athlete* has played during the relevant period shall be determined in accordance with *Code Article 11*.

ANNEX C – RESULTS MANAGEMENT REQUIREMENTS AND PROCEDURES FOR THE *ATHLETE BIOLOGICAL PASSPORT*

C.1 Administrative Management

C.1.1 The requirements and procedures described in this Annex apply to all modules of the *Athlete Biological Passport* except where expressly stated or implied by the context.

C.1.2 These processes shall be administered and managed by an *Athlete* Passport Management Unit on behalf of the Passport Custodian. The *Athlete* Passport Management Unit will initially review profiles to facilitate targeting recommendations for the Passport Custodian when appropriate or refer to the Experts as required. Management and communication of the biological data, *Athlete* Passport Management Unit reporting and Expert reviews shall be recorded in *ADAMS* and be shared by the Passport Custodian with other *Anti-Doping Organizations* with Testing Authority over the *Athlete* to coordinate further Passport *Testing* as appropriate. A key element for *Athlete Biological Passport* management and communication is the *Athlete* Passport Management Unit report in *ADAMS*, which provides an overview of the current status of the *Athlete's* Passport including the latest targeting recommendations and a summary of the Expert reviews.

C.1.3 This Annex describes a step-by-step approach to the review of an *Athlete's* Passport:

- a) the review begins with the application of the Adaptive Model.
- b) in case of an *Atypical Passport Finding* or when the Athlete Passport Management Unit considers that a review is otherwise justified, an Expert conducts an initial review and returns an evaluation based on the information available at that time.
- c) in case of a “Likely doping” initial review, the Passport is then subjected to a review by three (3) Experts including the Expert who conducted the initial review.
- d) in case of a “Likely doping” consensus of the three (3) Experts, the process continues with the creation of an *Athlete Biological Passport* Documentation Package.
- e) an *Adverse Passport Finding* is reported by the *Athlete* Passport Management Unit to the Passport Custodian if the Experts’ opinion is maintained after review of all information available at that stage, including the *Athlete Biological Passport* Documentation Package.
- f) the *Athlete* is notified of the *Adverse Passport Finding* and offered the opportunity to provide explanations.
- g) if after review of the explanations provided by the *Athlete*, the Experts maintain their unanimous conclusion that it is highly likely that the *Athlete* Used a *Prohibited Substance* or a *Prohibited Method*, an anti-doping rule violation is asserted against the *Athlete* by the Passport Custodian.

C.2 Initial Review Phase

C.2.1 Review by the Adaptive Model

- C.2.1.1.** In *ADAMS*, the Adaptive Model automatically processes data on the biological *Markers* of the *Athlete Biological Passport*. These *Markers* include primary *Markers* that are defined as the most specific to doping and secondary *Markers* that provide supporting evidence of doping in isolation or in combination with other *Markers*. The Adaptive Model predicts for an individual an expected range within which a series of *Marker* values falls assuming a normal physiological condition. Outliers correspond to those values outside of the 99%-range, from a lower limit corresponding to the 0.5th percentile to an upper limit corresponding to the 99.5th percentile (1:100 chance or less that this result is due to normal physiological variation). A specificity of 99% is used to identify both haematological and steroidal *Atypical Passport Findings*. In the case of sequence deviations (sequence *Atypical Passport Findings*), the applied specificity is 99.9% (1:1000 chance or less that this is due to normal physiological variation).
- C.2.1.2.** An *Atypical Passport Finding* is a result generated by the Adaptive Model in *ADAMS* which identifies either a primary *Marker(s)* value(s) as being outside the *Athlete's* intra-individual range or a longitudinal profile of a primary *Marker* values (sequence deviations) as being outside expected ranges, assuming a normal physiological condition. An *Atypical Passport Finding* requires further attention and review.
- C.2.1.3.** The *Athlete* Passport Management Unit may also submit a Passport to the Expert when there is no *Atypical Passport Finding* (see C.2.2.4 below).
- C.2.1.4.** *Atypical Passport Finding* – Haematological Module
- C.2.1.4.1.** For the Haematological Module, the Adaptive Model automatically processes in *ADAMS* two primary *Markers*, haemoglobin concentration (HGB) and stimulation index OFF-score (OFFS), and two secondary *Markers*, the reticulocyte percentage (RET%) and the Abnormal Blood Profile Score (ABPS). An *Atypical Passport Finding* is generated when a HGB and /or OFFS value of the last test falls outside the expected intra-individual ranges. Furthermore, the longitudinal profile composed of (up to) the last five valid HGB and/or OFFS values is also considered as an *Atypical Passport Finding* when deviating from the expected ranges, as determined by the Adaptive Model (sequence *Atypical Passport Finding*). An *Atypical Passport Finding* is only generated by the Adaptive Model based on values of the primary *Markers* HGB and OFFS or the sequence thereof.
- C.2.1.4.2.** In case of an *Atypical Passport Finding* the *Athlete* Passport Management Unit shall advise the *Results Management Authority* (or Testing Authority as applicable) in the *Athlete* Passport Management Unit report, or via the Passport Custodian where appropriate, on whether the *Sample*, or any accompanying urine *Sample*, should be subjected to analysis for Agents

Affecting Erythropoiesis analysis when the Adaptive Model detects an abnormality in the secondary *Markers* RET% and/or ABPS.

C.2.1.5. *Atypical Passport Finding* – Steroidal Module

- C.2.1.5.1** For the Steroidal Module, the Adaptive Model automatically processes in *ADAMS* one primary *Marker*, the T/E ratio, and four (4) secondary *Markers*, the ratios A/T, A/Etio, 5 α Adiol/5 β Adiol and 5 β Adiol/E.
- C.2.1.5.2** Ratios coming from a *Sample* that showed signs of heavy microbial degradation, and ratios for which one or both of the concentrations were not measured accurately by the Laboratory as established in the *Technical Document* for Endogenous Anabolic Androgenic Steroids (TDEAAS), shall not be processed by the Adaptive Model. In the case where the Laboratory reports a confounding factor that may otherwise cause an alteration in the steroid profile, such as the presence of ethanol glucuronide in the *Sample*, the *Athlete* Passport Management Unit shall evaluate whether the steroid profile can still be considered as valid and processed by the Adaptive Model and the *Sample* be subjected to a Confirmation Procedure (see TDEAAS).
- C.2.1.5.3** An *Atypical Passport Finding* is generated when a value of the T/E ratio falls outside the expected intra-individual ranges. In addition, the “*longitudinal steroid profile*” composed of (up to) the last five (5) valid values of the T/E ratio is also considered as atypical when deviating from the expected ranges, as determined by the Adaptive Model (sequence *Atypical Passport Finding*).
- C.2.1.5.4** In the case of a “*longitudinal steroidal profile*”, an *Atypical Passport Finding* caused by an atypically high T/E value will trigger an *Atypical Passport Finding* Confirmation Procedure Request notification through *ADAMS* as established in the TDEAAS. When the Adaptive Model determines an abnormality in any of the other ratios of the “*steroid profile*” (A/T, A/Etio, 5 α Adiol/5 β Adiol and 5 β Adiol/E), the *Athlete* Passport Management Unit should advise the *Results Management* Authority (or Testing Authority as applicable) in the *Athlete* Passport Management Unit report, or via the Passport Custodian where appropriate, on whether the *Sample* should be subjected to a Confirmation Procedure.

C.2.1.6. Suspicious Steroid Profiles – Steroidal Module

- C.2.1.6.1** If the *Sample* constitutes the first and unique result in a Passport, or if the *Sample* cannot be matched to a *Doping Control* Form in *ADAMS*, *ADAMS* will flag the result as a Suspicious Steroid Profile (SSP) if the steroid profile of the *Sample* meets any of the SSP criteria established in the TD EAAS, and the Laboratory and the Testing Authority will receive an SSP-Confirmation Procedure Request (CPR) notification from *ADAMS*. In such cases, the Testing Authority, upon consultation by the Laboratory, shall confirm, in

writing within seven (7) days, whether or not the SSP result shall be confirmed by the Laboratory. The Testing Authority may consult with their APMU, or the Passport Custodian where applicable, in order to reach a decision. If the Testing Authority advises the Laboratory not to proceed with Confirmation Procedures, then it shall provide the reasons for this decision to the Laboratory, which shall update the *ADAMS* test report for the *Sample* accordingly. In the absence of any justification from the Testing Authority, the Laboratory shall proceed with the confirmation analyses (for further details, see TD EAAS).

C.2.1.7. Departure from *WADA Athlete Biological Passport* requirements

C.2.1.7.1 If there is a departure from *WADA Athlete Biological Passport* requirements for *Sample* collection, transport and analysis, the biological *Marker* result obtained from this *Sample* affected by the non-conformity shall not be considered in the Adaptive Model calculations (for example, RET% can be affected but not HGB under certain transportation conditions).

C.2.1.7.2 A *Marker* result which is not affected by the non-conformity can still be considered in the Adaptive Model calculations. In such case, the *Athlete* Passport Management Unit shall provide the specific explanations supporting the inclusion of the result(s). In all cases, the *Sample* shall remain recorded in the *Athlete's* Passport. The Experts may include all results in their review provided that their conclusions may be validly supported when taking into account the effects of the non-conformity.

C.2.2 The Initial Expert Review

C.2.2.1 A Passport generating an *Atypical Passport Finding*, or for which a review is otherwise justified, shall be sent by the *Athlete* Passport Management Unit to an Expert for review in *ADAMS*. This should take place within seven (7) days following the generation of the *Atypical Passport Finding* in *ADAMS*. The review of the Passport shall be conducted based on the Passport and other basic information (e.g. *Competition* schedules), which may be available, such that the Expert is blinded to the identity of the *Athlete*.

C.2.2.2 If a Passport has been recently reviewed by an Expert and the Passport Custodian is in the process of executing a specific multi-*Sample Testing* strategy on the *Athlete*, the *Athlete* Passport Management Unit may delay the review of a Passport generating an *Atypical Passport Finding* triggered by one of the *Samples* collected in this context until completion of the planned series of tests. In such situations, the *Athlete* Passport Management Unit shall clearly indicate the reason for delaying the review of the Passport in the *Athlete* Passport Management Unit report.

C.2.2.3 If the first and unique result in a Passport is flagged as an *Atypical Passport Finding* by the Adaptive Model, the *Athlete* Passport Management Unit may recommend the collection of an additional *Sample* before initiating the initial Expert review.

C.2.2.4 Review in the absence of an *Atypical Passport Finding*

C.2.2.4.1 A Passport may also be sent for Expert review in the absence of an *Atypical Passport Finding* where the Passport includes other elements otherwise justifying a review.

These elements may include, without limitation:

- a) Data not considered in the Adaptive Model;
- b) Any abnormal levels and/or variations of *Marker(s)*;
- c) Signs of hemodilution in the haematological Passport;
- d) Steroid levels in urine below the corresponding Limit of Quantification of the assay;
- e) Intelligence in relation to the *Athlete* concerned.

C.2.2.4.2 An Expert review initiated in the above-mentioned situations may result in the same consequences as an Expert review triggered by an *Atypical Passport Finding*.

C.2.2.5 Expert Evaluation

C.2.2.5.1 When evaluating a Passport, an Expert weighs the likelihood that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* against the likelihood that the Passport is the result of a normal physiological or pathological condition in order to provide one of the following opinions: “Normal”, “Suspicious”, “Likely doping” or “Likely medical condition”. For a “Likely doping” opinion, the Expert shall come to the conclusion that the likelihood that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* outweighs the likelihood that the Passport is the result of a normal physiological or pathological condition.

C.2.2.5.2 To reach a conclusion of “Likely doping” in the absence of an *Atypical Passport Finding*, the Expert shall come to the opinion that it is highly likely that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* and that it is highly unlikely that the Passport is the result of a normal physiological or pathological condition.

C.2.3 Consequences of the Initial Review

Depending on the outcome of the initial review, the *Athlete* Passport Management Unit will take the following action:

Expert Evaluation	Athlete Passport Management Unit Action
“Normal”	Continue normal Testing plan.
“Suspicious”	Provide recommendations to the Passport Custodian for Target Testing, Sample analysis and/or requesting further information as required.
“Likely doping”	Send to a panel of three (3) Experts, including the initial Expert, as per section C.2 of this Annex C.
“Likely medical condition”	Inform the Athlete as soon as possible via the Passport Custodian (or send to other Experts).

C.3 Review by Three (3) Experts

C.3.1 In the event that the opinion of the appointed Expert in the initial review, pending other explanation to be provided at a later stage, is that of “Likely doping”, the Passport shall then be sent by the *Athlete* Passport Management Unit to two (2) additional Experts for review. This should take place within seven (7) days after the reporting of the initial review. These additional reviews shall be conducted without knowledge of the initial review. These three (3) Experts now constitute the Expert Panel, composed of the Expert appointed in the initial review and these two (2) other Experts.

C.3.2 The review by the three (3) Experts must follow the same procedure, where applicable, as presented in section C.2.2 of this Annex. The three (3) Experts shall each provide their individual reports in *ADAMS*. This should take place within seven (7) days after receipt of the request.

C.3.3 The *Athlete* Passport Management Unit is responsible for liaising with the Experts and for advising the Passport Custodian of the subsequent Expert assessment. The Experts can request further information, as they deem relevant for their review, notably information related to medical conditions, *Competition* schedule and/or *Sample(s)* analysis results. Such requests are directed via the *Athlete* Passport Management Unit to the Passport Custodian.

C.3.4 A unanimous opinion among the three (3) Experts is necessary in order to proceed further towards declaring an *Adverse Passport Finding*, which means that all three (3) Experts render an opinion of “Likely doping”. The conclusion of the Experts must be reached with the three (3) Experts assessing the *Athlete’s* Passport with the same data.

C.3.5 To reach a conclusion of “Likely doping” in the absence of an *Atypical Passport Finding*, the Expert Panel shall come to the unanimous opinion that it is highly likely that the Passport is the result of the *Use* of a *Prohibited Substance* or *Method* and that there is no reasonably conceivable hypothesis under which the Passport is the result of a normal physiological condition and highly unlikely that it is the result of pathological condition.

C.3.6 In the case when two (2) Experts evaluate the Passport as “Likely doping” and the third Expert as “Suspicious” asking for more information, the *Athlete* Passport Management Unit shall confer with the Expert Panel before they finalize their opinion. The group can also seek advice from an appropriate outside Expert, although this must be done while maintaining strict confidentiality of the *Athlete’s* Personal Information.

C.3.7 If no unanimity can be reached among the three (3) Experts, the *Athlete* Passport Management Unit shall report the Passport as “Suspicious”, update the *Athlete* Passport Management Unit report, and recommend that the Passport Custodian pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate.

C.4 Conference Call, Compilation of the *Athlete Biological Passport* Documentation Package and Joint Expert Report

C.4.1 If a unanimous opinion of “Likely doping” is rendered by all three (3) Experts, the *Athlete* Passport Management Unit shall declare a “Likely doping” evaluation in the *Athlete* Passport Management Unit report in *ADAMS* and should organize a conference call with the Expert Panel to initiate the next steps for the case, including proceeding with the compilation of the *Athlete Biological Passport* Documentation Package (see *Technical Document* for *Athlete* Passport Management Units) and drafting of the joint Expert report. In preparation for this conference call, the *Athlete* Passport Management Unit should coordinate with the Passport Custodian to compile any potentially relevant information to share with the Experts (e.g. suspicious analytical findings, relevant intelligence and relevant pathophysiological information).

C.4.2 Once completed, the *Athlete Biological Passport* Documentation Package shall be sent by the *Athlete* Passport Management Unit to the Expert Panel, who will review it and provide a joint Expert report to be signed by all three (3) Experts. The conclusion within the joint Expert report shall be reached without interference from the Passport Custodian. If necessary, the Expert Panel may request complementary information from the *Athlete* Passport Management Unit.

C.4.3 At this stage, the identity of the *Athlete* is not mentioned but it is accepted that specific information provided may allow to identify the *Athlete*. This shall not affect the validity of the process.

C.5 Issuing an *Adverse Passport Finding*

C.5.1 If the Expert Panel confirms their unanimous position of “likely doping”, the *Athlete* Passport Management Unit shall declare an *Adverse Passport Finding* in *ADAMS* that includes a written statement of the *Adverse Passport Finding*, the *Athlete Biological Passport* Documentation Package and the joint Expert report.

C.5.2 After reviewing the *Athlete Biological Passport* Documentation Package and joint Expert report, the Passport Custodian shall:

- a) Notify the *Athlete* of the *Adverse Passport Finding* in accordance with Article 2.3.2;

- b) Provide the *Athlete* the *Athlete Biological Passport* Documentation Package and the joint Expert report;
- c) Invite the *Athlete* to provide their own explanation, in a timely manner, of the data provided to the Passport Custodian.

C.6 Review of Explanation from *Athlete* and Disciplinary Proceedings

C.6.1 Upon receipt of any explanation and supporting information from the *Athlete*, which should be received within the specified deadline, the *Athlete* Passport Management Unit shall forward it to the Expert Panel for review with any additional information that the Expert Panel considers necessary to render its opinion in coordination with both the Passport Custodian and the *Athlete* Passport Management Unit. At this stage, the review is no longer anonymous. The Expert Panel shall reassess or reassert the case and reach one of the following conclusions:

- a) Unanimous opinion of “Likely doping” by the Experts based on the information in the Passport and any explanation provided by the *Athlete*; or
- b) Based on the available information, the Experts are unable to reach a unanimous opinion of “Likely doping” set forth above.

C.6.2 If the Expert Panel expresses the opinion set forth in section C.6.1(a), then the Passport Custodian shall be informed by the *Athlete* Passport Management Unit, shall charge the *Athlete* in accordance with Article 7 and continue with *Results Management* in accordance with the ISRM.

C.6.3 If the Expert Panel expresses the opinion set forth in section C.6.1(b), the *Athlete* Passport Management Unit shall update the *Athlete* Passport Management Unit report and recommend the Passport Custodian to pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate. The Passport Custodian shall notify the *Athlete* and *WADA* of the outcome of the review.

C.7 Passport Re-setting

C.7.1 In the event the *Athlete* has been found to have committed an anti-doping rule violation based on the Passport, the *Athlete's* Passport shall be reset by the Passport Custodian at the start of the relevant period of *Ineligibility* and a new Biological Passport ID shall be assigned in *ADAMS*. This maintains the *Athlete's* anonymity for potential *Athlete* Passport Management Unit and Expert Panel reviews conducted in the future.

C.7.2 When an *Athlete* is found to have committed an anti-doping rule violation on any basis other than the *Athlete Biological Passport*, the haematological and/or Steroidal Passport will remain in effect, except in those cases where the *Prohibited Substance* or *Prohibited Method* caused an alteration of the haematological or steroidal *Markers*, respectively (e.g. for *AAF* reported for anabolic androgenic steroids, which may affect the *Markers* of the steroid profile, or for the *Use* of Erythropoiesis Stimulating Agents or blood transfusions, which would alter the haematological *Markers*). The Passport Custodian shall consult with their *Athlete* Passport Management Unit following an *Adverse Analytical Finding* to determine whether a Passport reset is warranted. In such instances, the *Athlete's* profile(s) would be reset from the time of the beginning of the sanction.

Definitions

Defined Terms from the *Code* and from the *ADSC*

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.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method 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 that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Anti-Doping Organization: *WADA* or 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, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

Anti-Doping Sport Code (ADSC): The Code, adopted by NADO Italia, implementing the *World Anti-Doping Code* and the *International Standards*.

Athlete: Any *Person* who Competes in sport under the aegis of the relevant International Federation and/or the Italian National Olympic Committee (CONI) and Italian Paralympic Committee (IPC).

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard* for Testing and Investigations and *International Standard* for Laboratories.

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 *WADA*-accredited laboratory or other *WADA*-approved laboratory which requires further investigation as provided by the *International Standard* for Laboratories or related *Technical Documents* prior to the determination of an *Adverse Analytical Finding*.

Atypical Passport Finding: A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport 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 Rule Violations (“Consequences”): 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 on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in *Code* Article 10.14.1; (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with *Code* Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in *Code* Article 11.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Delegated Third Parties: Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping educational programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee Doping Control Officers or chaperones). This definition does not include *CAS*.

Disqualification: See *Consequences of Anti-Doping Rule Violations* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in

between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of *Code* Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

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

Financial Consequences: See *Consequences of Anti-Doping Rule Violations* above.

In-Competition: The period commencing at 11:59 p.m. on the day 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*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

Ineligibility: See *Consequences of Anti-Doping Rule Violations* above.

Institutional Independence: Hearing panels on appeal shall be fully *Independent Institutionally* from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

International Event: An *Event* or *Competition* 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* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard* for *Testing* and *Investigations*.

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 variable(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Minor: A natural *Person* who has not reached the age of eighteen years.

National Anti-Doping Appeal Body: The National Anti-Doping Appeal Panel competent to judge appeals against first instance decisions of the NADT as pursuant to *Code* Article 13.2 and against any decision of rejection of a *TUE* by the TUEC of NADO Italia.

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*, manage test results and conduct *Results Management* at the national level. 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-Level Athlete: An *Athlete* included in the national RTP; *Athletes* included in the Club Olimpico (who receive funding from Sports movement); an *Athlete* who currently or in the last six (6) months has represented Italy at senior level; an *Athlete* who has been selected to represent Italy in International *Events* or Competitions, not classified as International-Level *Athlete* by the relevant International Federation.

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

Out-of-Competition: Any period which is not *In-Competition*.

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 or intends to exercise 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, or class of substances, so described on the *Prohibited List*.

Provisional Hearing: For purposes of *ADSC* Article 8.4, an expedited abbreviated hearing occurring prior to a hearing under Article 3.3 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 Rule Violations* above.

Publicly Disclose: See *Consequences of Anti-Doping Rule Violations* above.

Registered Testing Pool (RTP): The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in *Code* Article 5.5 and the *International Standard for Testing and Investigations*. In Italy, NADO Italia's *Registered Testing Pool* is defined as set out in *ADSC* Article 6.5.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, *Whereabouts Failure*), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the Hearing Process at first instance or on appeal (if an appeal was lodged).

Results Management Procedure (RMP): The document adopted by NADO Italia and implementing the *International Standard for Results Management*, regulating the results management procedure from the review and notification of a potential anti-doping rule violation until the appeals. The RMP is published on NADO Italia's website (www.nadoitalia.it).

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

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23.

Specified Method: See *Code* Article 4.2.2.

Specified Substance: See *Code* Article 4.2.2.

Substance of Abuse: See *Code* Article 4.2.3.

Substantial Assistance: For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter 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 or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or TUE committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

Technical Document: A document adopted and published by *WADA* from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

Technical Document for Testing and Investigations (TD_TI): The document adopted by NADO Italia implementing the *International Standard for Testing and Investigations*, published on NADO Italia's website (www.nadoitalia.it).

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

Therapeutic Use Exemption (TUE): A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to use a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard for Therapeutic Use Exemptions* are met.

Therapeutic Use Exemptions' Application Procedure (TUE_AP): The procedure adopted by NADO Italia for the TUEs' application, published on NADO Italia's website (www.nadoitalia.it).

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.

Defined Terms from the *International Standard for Testing and Investigations*

Doping Control Officer (or DCO): An official who has been trained and authorized by the *Sample Collection Authority* to carry out the responsibilities given to *DCOs* in the *International Standard for Testing and Investigations*.

Expert: The *Expert(s)* and/or *Expert Panel*, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or *Athlete Passport Management Unit*, are responsible for providing an evaluation of the *Passport*. The *Expert* must be external to the *Anti-Doping Organization*.

For the Haematological Module, the *Expert* panel should consist of at least three (3) *Experts* who have qualifications in one or more of the fields of clinical and *Laboratory* haematology, sports medicine or exercise physiology, as they apply to blood doping. For the Steroidal Module, the *Expert* panel should be composed of at least three (3) individuals with qualifications in the fields of *Laboratory* steroid analysis, steroid doping and metabolism and/or clinical endocrinology. For both modules, an *Expert* panel should consist of *Experts* with complementary knowledge such that all relevant fields are represented. The *Expert* panel may include a pool of at least three (3) appointed *Experts* and any additional ad hoc *Expert(s)* who may be required upon request of any of the appointed *Experts* or by the *Athlete Passport Management Unit* of the *Anti-Doping Organization*.

Sample Collection Authority: The organization that is responsible for the collection of *Samples* in compliance with the requirements of the *International Standard for Testing and Investigations*, whether (1) the *Testing Authority* itself; or (2) a *Delegated Third Party* to whom the authority to conduct *Testing* has been granted or sub-contracted. The *Testing Authority* always remains ultimately responsible under the *Code* for compliance with the requirements of the *International Standard for Testing and Investigations* relating to collection of *Samples*.

Sample Collection Session: All of the sequential activities that directly involve the *Athlete* from the point that initial contact is made until the *Athlete* leaves the *Doping Control Station* after having provided their *Sample(s)*.

Testing Authority: The *Anti-Doping Organization* that authorizes *Testing* on *Athletes* it has authority over. It may authorize a *Delegated Third Party* to conduct *Testing* pursuant to the authority of and in accordance with the rules of the *Anti-Doping Organization*. Such authorization shall be documented. The *Anti-Doping Organization* authorizing *Testing* remains the *Testing Authority* and ultimately responsible under the *Code* to ensure the *Delegated Third Party* conducting the *Testing* does so in compliance with the requirements of the *International Standard for Testing and Investigations*.

Unsuccessful Attempt Report: A detailed report of an unsuccessful attempt to collect a *Sample* from an *Athlete* in a *Registered Testing Pool* or *Testing* pool setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the *Athlete* (including details of any contact made with third parties), and any other relevant details about the attempt.

Whereabouts Filing: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* (or *Testing pool* if applicable) that sets out the *Athlete's* whereabouts during the following quarter, in accordance with ISTI Article 4.8.

Defined Terms from the *International Standard* for Laboratories

Adaptive Model: A mathematical model designed to identify unusual longitudinal results from *Athletes*. The model calculates the probability of a longitudinal profile of *Marker* values assuming that the *Athlete* has a normal physiological condition.

Athlete Passport Management Unit (APMU): A unit composed of a *Person* or *Persons* that is responsible for the timely management of *Athlete Biological Passports* in *ADAMS* on behalf of the *Passport Custodian*.

Confirmation Procedure (CP): An *Analytical Testing Procedure* that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific *Prohibited Substances*, *Metabolite(s)* of a *Prohibited Substance*, or *Marker(s)* of the *Use of a Prohibited Substance* or *Prohibited Method* in a *Sample*.

Independent Witness: A *Person*, invited by the *Testing Authority*, the *Laboratory* or *WADA* to witness parts of the *Analytical Testing* process. The *Independent Witness* shall be independent of the *Athlete* and his/her representative(s), the *Laboratory*, the *Sample Collection Authority*, the *Testing Authority* / *Results Management Authority* or *WADA*, as applicable. The *Independent Witness* may be indemnified for his/her service.

Laboratory(ies): (A) *WADA*-accredited laboratory(ies) applying *Test Methods* and processes to provide evidentiary data for the detection and/or identification of *Prohibited Substances* or *Prohibited Methods* on the *Prohibited List* and, if applicable, quantification of a *Threshold Substance* in *Samples* of urine and other biological matrices in the context of *Doping Control* activities.

Laboratory Documentation Package: The material produced by the *Laboratory* to support an analytical result such as an *Adverse Analytical Finding* as set forth in the *WADA Technical Document* for *Laboratory Documentation Packages* (TD LDOC).

Limit of Quantification (LOQ): Analytical parameter of assay technical performance. Lowest concentration of an *Analyte* in a *Sample* that can be quantitatively determined with acceptable precision and accuracy (i.e. acceptable *Measurement Uncertainty*) under the stated test conditions

Threshold Substance: An exogenous or endogenous *Prohibited Substance*, *Metabolite* or *Marker* of a *Prohibited Substance* for which the identification and quantitative determination (e.g. concentration, ratio, score) in excess of a pre-determined *Decision Limit*, or, when applicable, the establishment of an exogenous origin, constitutes an *Adverse Analytical Finding*. *Threshold Substances* are identified as such in the *Technical Document* on *Decision Limits* (TD DL).

Defined Term from the *International Standard for Therapeutic Use Exemptions*

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

Defined Term from the *International Standard for Protection of Privacy and Personal Information*

Personal Information: Information, including without limitation Sensitive Personal Information, relating to an identified or identifiable *Participant* or relating to other *Person* whose information is Processed solely in the context of an *Anti-Doping Organization's Anti-Doping Activities*.

Defined Terms Specific to the *International Standard for Results Management*

Athlete Biological Passport Documentation Package: The material compiled by the Athlete Passport Management Unit to support an *Adverse Passport Finding* such as, but not limited to, analytical data, Expert Panel comments, evidence of confounding factors as well as other relevant supporting information.

Expert Panel: The Experts, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or Athlete Passport Management Unit, who are responsible for providing an evaluation of the Passport. For the Haematological Module, Experts should have knowledge in one or more of the fields of clinical haematology (diagnosis of blood pathological conditions), sports medicine or exercise physiology. For the Steroidal Module, the Experts should have knowledge in Laboratory analysis, steroid doping and/or endocrinology. For both modules, an Expert Panel should consist of Experts with complementary knowledge such that all relevant fields are represented. The Expert Panel may include a pool of at least three appointed Experts and any additional ad hoc Expert(s) who may be required upon request of any of the appointed Experts or by the Athlete Passport Management Unit of the *Anti-Doping Organization*.

Failure to Comply: A term used to describe anti-doping rule violations under *Code* Articles 2.3 and/or 2.5.

Filing Failure: A failure by the *Athlete* (or by a third party to whom the *Athlete* has delegated the task) to make an accurate and complete Whereabouts Filing that enables the *Athlete* to be located for *Testing* at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the *International Standard for Testing and Investigations* and Annex B.2 of the *International Standard for Results Management*.

Hearing Process: The process encompassing the timeframe between the referral of a matter to a hearing panel or tribunal until the issuance and notification of a decision by the hearing panel (whether at first instance or on appeal).

Missed Test: A failure by the *Athlete* to be available for *Testing* at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the *International Standard for Testing and Investigations* and Annex B.2 of the *International Standard for Results Management*.

Passport: A collation of all relevant data unique to an individual *Athlete* that may include longitudinal profiles of *Markers*, heterogeneous factors unique to that particular *Athlete* and other relevant information that may help in the evaluation of *Markers*.

Passport Custodian: The *Anti-Doping Organization* responsible for *Result Management* of the *Athlete's Passport* and for sharing any relevant information associated to that *Athlete's Passport* with other *Anti-Doping Organization(s)*.

Results Management Authority: The *Anti-Doping Organization* responsible for conducting *Results Management* in a given case.

Whereabouts Failure: A Filing Failure or a Missed Test.



**TECHNICAL DOCUMENT
FOR
TESTING AND INVESTIGATIONS**

Implementing the *WADA International Standard for Testing and Investigations*

Version 1.0, in effect as from 1 January 2021

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INTRODUCTION

The *Technical Document for Testing and Investigations* (hereinafter “TD_TI”) implements the *WADA International Standards for Testing and Investigations* (hereinafter “ISTI”) and it is deemed to form an integral and material part of the NADO Italia’s *Anti-Doping Sports Code* (hereinafter “ADSC”).

Interpretation

Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the TD_TI.

The Annexes to the TD_TI have the same mandatory status as the rest of the Document.

Terms used in this TD_TI that are defined terms from the *Code* and from the *ADSC* are italicized. Terms that are defined in this or another *WADA International Standard* are underlined.

General Principle

Like the *ADSC*, this TD_TI has been drafted giving consideration to the principles of proportionality, human rights, and other applicable legal principles. It shall be interpreted and applied in that light.

TITLE I TEST PLANNING

ARTICLE 1 TESTING DISTRIBUTION PLAN

- 11 NADO Italia, through the Anti-Doping Controls Committee (hereinafter the “ADCC”) plans and implements an Intelligent Testing Program which is proportionated to the risk of doping and that is effective to detect and to deter such practices.
- 12 In order to increase the effectiveness of NADO Italia’s testing program, the ADCC annually develops and approves the Technical Document “Risk Assessment” for sports and disciplines subject of its Testing Distribution Plan (“TDP”).
- 13 The Risk Assessment and the TDP are developed according to the relevant WADA’s documents (e.g. “International Standard for Testing and Investigations” – “ISTI”, “Guidelines for Implementing an Effective Testing Programme” and “TDSSA”).
- 14 The TDP is monitored, assessed and, if necessary, amended and updated on a regular basis as a result of possible changes in anti-doping circumstances and strategies.
- 15 Test distribution planning is an ongoing process, not a static one. NADO Italia shall review the TDP regularly during the year/cycle and shall adapt it, as necessary, to reflect new information gathered and intelligence developed, and to take into account Testing conducted by other Anti-Doping Organizations.
- 16 The ADCC develops a written strategy for retention of Samples and the documentation relating to the collection of such Samples so as to enable the further analysis of such Samples at a later date in accordance with *Code* Articles 6.5 and 6.6. Such strategy shall comply with the requirements of the International Standard for Laboratories and the International Standard for the Protection of Privacy and Personal Information and shall take into account the purposes of analysis of Samples set out in *Code* Article 6.2.
- 17 To implement the TDP, the ADCC selects the *Athletes* who are to undergo *Sample* collection procedures, according to the *Target Testing* and Random Selection method.
- 18 Once the *Athletes* to be subject to testing have been identified and the method of testing has been defined, the ADCC shall arrange for In-Competition or Out-of-Competition Testing to be conducted.
- 19 Testing takes place between 6 a.m. and 11 p.m. unless (i) the *Athlete* included in the national “*Registered Testing Pool*” stipulates a 60-minute timeslot from 5 a.m. or, (ii) valid grounds exist for Testing overnight (i.e., between 11 p.m. and 6 a.m.). Moreover, the fundamental principle set out in WADA Code (the “Code”) Article 5.2 is that an *Athlete* may be required to provide a *Sample* at any time and at any place by NADO Italia. Accordingly, an *Athlete* may not refuse to submit to *Sample* collection on the basis that such Testing is not provided for in the NADO Italia’s Test Distribution Plan and/or is not being conducted between 6 a.m. and 11 p.m., and/or that the *Athlete* does not meet the relevant selection criteria for Testing or otherwise should not have been selected for Testing.

- 110 NADO Italia, through the ADCC, shall coordinate their Testing efforts with the efforts of other Anti-Doping Organizations with overlapping Testing Authority, in order to maximize the effectiveness of those combined efforts, to avoid unnecessarily repetitive Testing of particular Athletes and to ensure Athletes competing at International Events are suitably tested in advance.
- 111 All Testing shall be No Advance Notice Testing, save in exceptional and justifiable circumstances set out in ISTI Article 5.3.1 and Article 5.3.7.
- 112 The *Athlete's* Support Personnel or any other person having a conflict of interests may not be involved in the (i) planning of Testing, (ii) selection of *Athletes* or (iii) phase of Testing implementation.

ARTICLE 2 REGISTERED TESTING POOL

- 2.1 The *Registered Testing Pool* ("RTP") includes *Athletes* that are subject to the greatest amount of Testing and are therefore required to provide whereabouts information in accordance with the provisions of the Article 3 here below and with ISTI Article 4.8.6. *Athletes* in the RTP are subject to *Code* Article 2.4.
- 2.2 The NSF/ASD/PSE shall be required to provide full support to NADO Italia during the collection of Whereabouts Information regarding *Athletes* falling under their jurisdiction.
- 2.3 The inclusion of an *Athlete* in the RTP implies compliance with whereabouts requirements as laid down by Article here below.
- 2.4 NADO Italia shall conduct Out-of-Competition Testing on *Athletes* included in its RTP using the *Athlete's* Whereabouts information. Testing shall not be limited to the 60-minute time slot provided by the *Athlete*. To ensure Out-of-Competition Testing is unpredictable to the *Athlete*, the ADCC shall also consider other whereabouts information provided e.g., regular activities to test the *Athlete*.
- 2.5 *Athletes* under the Testing Authority of NADO Italia and of an International Federation should only be in one *Registered Testing Pool* and therefore shall only file one set of whereabouts information. If the *Athlete* is included in the International Federation's RTP and in the NADO Italia's RTP, then each of them shall notify the *Athlete* that they are in its pool. Prior to doing so, however, they shall agree between themselves to whom the *Athlete* shall provide their Whereabouts Filings, and that Anti-Doping Organization shall be the whereabouts custodian. Each notice sent to the *Athlete* shall specify that they shall provide their Whereabouts Filings to that Anti-Doping Organization only (and it will then share that information with the other, and with any other Anti-Doping Organizations having authority to conduct Testing on that *Athlete*).
- 2.6 NADO Italia notifies each *Athlete* designated for inclusion in its RTP, at least, of the following: the fact that they have been included in its RTP with effect from a specified date in the future; the whereabouts requirements with which they shall therefore comply; the Consequences if they fail to comply with those whereabouts requirements; and that they may also be tested by other

Anti-Doping Organizations with authority to conduct Testing. NADO Italia gives to each *Athlete* included in its RTP a registered e-mail, for formal notice purposes.

- 2.7 *Athlete* who has been included in a RTP shall continue to be subject to the *Code* Article 2.4 Whereabouts Requirements unless and until: a) they have been given written notice by NADO Italia that put them in its RTP that they are no longer meet the criteria for inclusion in the RTP; or b) they retire from Competition in the sport in question in accordance with the applicable rules and gives written notice to that effect to each Anti-Doping Organization that put them in its RTP.

ARTICLE 3 WHEREABOUTS INFORMATION

- 3.1 *Athletes* included in the RTP shall be required to provide quarterly thorough and accurate personal information concerning his/her whereabouts during the relevant period so that he/she may be always located for the purposes of No Advanced Notice Testing during such period. NADO Italia reviews *Athletes* Whereabouts Filings to ensure they are submitted in accordance with the following provisions.

In detail:

- FIRST QUARTER (JANUARY/FEBRUARY/MARCH): Whereabouts Information must be notified by the *Athlete* in advance or within and not later than **15 December**, failing which disciplinary proceedings according to the document “Results Managements Procedure_First Instance Proceeding and Appeals”;
- SECOND QUARTER (APRIL/MAY/JUNE): Whereabouts Information must be notified by the *Athlete* in advance or within and not later than **15 March**, failing which disciplinary proceedings according to the document “Results Managements Procedure_First Instance Proceeding and Appeals”;
- THIRD QUARTER (JULY/AUGUST/SEPTEMBER): Whereabouts Information must be notified by the *Athlete* in advance or within and not later than **15 June**, failing which disciplinary proceedings according to the document “Results Managements Procedure_First Instance Proceeding and Appeals”;
- FOURTH QUARTER (OCTOBER/NOVEMBER/DECEMBER): Whereabouts Information must be notified by the *Athlete* in advance or within and not later than **15 September**, failing which disciplinary proceedings according to the document “Results Managements Procedure_First Instance Proceeding and Appeals”.

It is understood that if an *Athlete* is included in the RTP during a quarter that has already started (e.g. he/she is notified of his/her inclusion in the RTP on 15 July), then he/she shall be required to provide such thorough and accurate Whereabouts Information as to complete the relevant quarter starting from the day specified by NADO Italia and proceed with the completion of the following quarters according to the time schedule and conditions as outlined in Article 3.2 here above.

Whereabouts Information shall be provided through *ADAMS*.

3.2 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 his or her International Federation and NADO Italia. WADA, in consultation with the relevant International Federation and NADO Italia, may grant an exemption to the six-month written notice rule where strict application of that rule would be manifestly unfair to an *Athlete*. This decision may be appealed under *Code* Article 13.

3.3 The required information shall include the following data for each day of the following quarter:

- a) personal details;
- b) a complete mailing address and personal e-mail address where correspondence concerning the *Athlete* may be sent for formal notice purposes. Any notice or other document sent to the aforesaid address shall be considered as received by the *Athlete* within 7 (seven) working days of its mailing and immediately when notification of a sent registered e-mail is generated/obtained; it is understood that NADO Italia transmits the formal communications on the registered email given according to the Article 2.6;
- c) specific confirmation that the *Athlete* understands that their Whereabouts Filing will be shared with other Anti-Doping Organizations that have authority to conduct Testing on them;
- d) for each day during the following quarter, name and address of the place where the *Athlete* will be staying overnight (e.g. home, temporary accommodation, hotel, etc.);
- e) for each day during the following quarter, the name and address of each location where the *Athlete* will train, work or conduct any other regular activity (e.g. school), as well as the usual time frames for such regular activities;
- f) programme of sports events, including the name and address of each competition venue, where the *Athlete* plans to compete;
- g) details of any *Athlete's* impairment which may affect the procedure to be followed for conducting a Sample Collection Session.

3.4 In addition to the foregoing information, the *Athlete* shall also be required to state a specific 60 (sixty) minute time slot between 05:00 am and 11:00 pm for each day of the quarter during which he/she will be available and accessible at the specified location to undergo Testing. It is up to the *Athlete* to ensure accessibility to their selected 60 (sixty) minutes location with no advance warning to the *Athlete* (e.g., the location shall be easily accessible by Sample Collection Personnel, by indicating a street number or other item identifying the location must be available, the *Athlete's* name must be shown on the door phone and/or notified to any concierge/reception desk services within the building/hotel, etc.). Under no circumstances shall the 60 (sixty) minute time slot limit the *Athlete's* obligation to make himself/herself available for Testing at any time and at any location.

3.5 It is the *Athlete's* explicit responsibility to ensure, including through updates entered in the

ADAMS system as necessary such appropriate Whereabouts Information is supplied as to enable NADO Italia to locate him/her for Testing in any given day during the quarter, including, but not limited to, the 60 (sixty) minute time slot specified for that day in his/her Whereabouts Information.

- 3.6 More specifically, the *Athlete* shall provide sufficient information to enable the DCO to find the location, to gain access to the location, and to find the *Athlete* at the location with no advance notice to the *Athlete*. A failure to do so may be pursued as a Filing Failure and/or (if the circumstances so warrant) as evasion of *Sample* collection under *ADSC* Article 2.3, and/or *Tampering* or *Attempted Tampering* with *Doping Control* under *ADSC* Article 2.5. In any event, the *Anti-Doping Organization* shall consider *Target Testing* of the *Athlete* (e.g.: *declarations such as “running in the Black Forest” are insufficient and are likely to result in a Filing Failure*. Similarly, *specifying a location that the DCO cannot access is likely to result in a Filing Failure*).
- 3.7 If the *Athlete* is tested during the 60-minute time slot, the *Athlete* must remain with the DCO until the *Sample* collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of *ADSC* Article 2.3 (refusal or failure to submit to *Sample* collection).
- 3.8 If the *Athlete* is not available for *Testing* at the beginning of the 60-minute time slot, but becomes available for *Testing* later on in the 60-minute time slot, the DCO should collect the *Sample* and should not process the attempt as an unsuccessful attempt to test, but should report the details of the delay in availability of the *Athlete*. Any pattern of behavior of this type should be investigated as a possible anti-doping rule violation of evading *Sample* collection under *ADSC* Article 2.3 or *ADSC* Article 2.5. It may also prompt *Target Testing* of the *Athlete*. If an *Athlete* is not available for *Testing* during their specified 60-minute time slot at the location specified for that time slot for that day, they will be liable for a Missed Test even if they are located later that day and a *Sample* is successfully collected from them.
- 3.9 Once the DCO has arrived at the location specified for the 60-minute time slot, if the *Athlete* cannot be located immediately, then the DCO should remain at that location for whatever time is left of the 60-minute time slot and during that remaining time they should do what is reasonable in the circumstances to try to locate the *Athlete*.
- 3.10 Where a change in circumstances means that the information in a Whereabouts Filing is no longer accurate or complete, the *Athlete* shall file, through *ADAMS*, an update so that the information on file is again accurate and complete. The *Athlete* must always update their Whereabouts Filing to reflect any change in any day in the quarter in question in particular: (a) in the time or location of the 60-minute time slot; and/or (b) in the place where they are staying overnight. The *Athlete* shall file the update as soon as possible after they become aware of the change in circumstances, and in any event prior to the 60-minute time slot specified in their filing for the relevant day. Under specific circumstances, however, any updates made by the *Athlete* immediately before the start of the time slot may be considered as possible violations of the *ADSC*. A failure to do so may be pursued as a Filing Failure and/or (if the circumstances so warrant) as evasion of *Sample* collection under *ADSC* Article 2.3, and/or *Tampering* or *Attempted Tampering* with *Doping Control* under *ADSC* Article 2.5. In any event, NADO Italia shall consider *Target Testing* of the *Athlete*.

- 3.11 An *Athlete* included in an RTP may delegate the task of filing of all or part of the Whereabouts Information (and/or any update thereof) to a third party including, but not limited to, a coach, a Team (for Team Sports as under Article 4), a manager or National Federation, provided that the third party accepts such task.

However, each *Athlete* shall remain personally responsible for filing his/her Whereabouts Information even if such task is delegated. It shall not be a defence to an allegation of Filing Failure and/or Missed Test under ADSC Article 2.4 that the *Athlete* delegated responsibility for filing his/her Whereabouts Information to a third party and that third party failed to file correct/current/complete Whereabouts Information.

ARTICLE 4 WHEREABOUTS INFORMATION IN TEAM SPORTS

- 4.1 An *Athlete* engaging in a Team Sport or other sports discipline where competitions and/or training are held on a collective basis may delegate the task of filing Whereabouts Information to his/her own team, entrusting the latter's personnel and staff with such task.
- 4.2 Indeed, in Team Sports *Athletes* are likely to carry out most of their activities (such as training, away matches, technical meetings) on a collective basis. As a result, most of the Whereabouts Information will be the same for all team *Athletes*. In addition, in the event that an *Athlete* does not take part in a scheduled collective activity (e.g. due to injury), then he/she is likely to engage in other activities under the supervision of his/her team (e.g. therapy with the team physician).
- 4.3 An *Athlete* who engages in such sports may also delegate Whereabouts Filing requirements to his/her team not only with respect to the Team Activities as referred to above, but also with regard to periods that do not fall under such Activities, subject to his/her Team's consent. In this event, the *Athlete* shall be required to provide his/her team with such information, which will supplement the information supplied with respect to Team Activities.
- 4.4 Under the circumstances as described above, the *Athlete* shall however remain personally responsible for filing his/her Whereabouts Information. It shall not be a defence to an allegation of Filing Failure and/or Missed Test under ADSC Article 2.4 that the *Athlete* delegated responsibility for filing his/her Whereabouts Information to a third party and that third party failed to file correct/ current/complete Whereabouts Information.
- 4.5 Notwithstanding the foregoing, if an attempt to test an *Athlete* during the 60 (sixty) minute time slot as identified within a period included in Team Activities fails due to the team's Filing Failure, then the team shall be liable to undergo disciplinary proceedings with subsequent infliction of the financial sanctions as under ADSC Article 15.

TITLE II SAMPLE COLLECTION'S PROCEDURE

ARTICLE 5 NOTIFICATION OF *ATHLETE*

- 5.1 Notification starts when the Sample Collection Authority initiates the notification of the selected Athlete and ends when he/she arrives at the Doping Control Station or when the *Athlete's* possible Failure to Comply has occurred.

The main activities are:

- a) appointment of Sample Collection Personnel, sufficient to ensure No Advance Notice Testing and continuous observation of *Athletes* notified of their selection to provide a *Sample*;
- b) locating the *Athlete* and confirming his/her identity;
- c) informing the *Athlete* that he/she has been selected for *Testing* and of his/her rights and responsibilities;
- d) continuously chaperoning the *Athlete* from the time of notification to the arrival at the designated Doping Control Station;
- e) documenting the notification, or notification attempt.

5.2 Requirements prior to notification of *Athletes*

5.2.1 No Advance Notice Testing shall be the method for *Sample* collection save in exceptional and justifiable circumstances. The *Athletes* shall be the first Person notified that they have been selected for *Sample* collection, except where prior contact with a third party is required as specified in ISTI Article 5.3.7. In order to ensure that *Testing* is conducted on a No Advance Notice Testing basis, the Testing Authority (and the Sample Collection Authority, if different) shall ensure that *Athlete* selection decisions are only disclosed in advance of *Testing* to those who strictly need to know in order for such *Testing* to be conducted. Any notification to a third party shall be conducted in a secure and confidential manner so that there is no risk that the *Athlete* will receive any advance notice of their selection for *Sample* collection. For In-Competition *Testing*, such notification shall occur at the end of the Competition in which the *Athlete* is competing.

5.2.2 The Sample Collection Authority shall appoint and authorize Sample Collection Personnel who (i) have been trained for their assigned responsibilities, (ii) do not have a conflict of interest in relation to *Sample* collection procedures, and (iii) are not minors. Sample Collection Personnel shall have official documentation, provided by the Sample Collection Authority, evidencing their authority to collect a *Sample* from the *Athlete*, such as an authorization letter from NADO Italia. DCOs shall also be required to hold valid personal identification papers bearing a photograph (e.g. identity card, driver's licence, passport) and the expiry date of the identification.

5.2.3 The *Athlete* selected for *Testing* shall be identified through his/her identity papers, federation membership card if bearing a photograph, or any piece of photo identification. If a photo identification is not available, the DCO/Chaperone will write on *Doping Control* Form 'No Document' in the 'Type of Identification' box. The DCO will then document how the *Athlete* was identified in the 'Comments' box of the DCF and the DCO Report Form. The DCO/Chaperone shall be required to document and record, using the Supplementary Report, any (i) circumstances where the *Athlete's* identity is confirmed using other methods, or (ii) failure to confirm the *Athlete's* identity. The Sample Collection Personnel shall document *Athlete* notification attempt(s) and outcome(s). The DCO and/or Chaperone shall establish the location of the selected *Athlete* and plan the approach and timing of notification, taking into consideration the specific circumstances of the sport/competition/training session.

5.2.4 Notification of testing shall be served personally on the *Athlete* selected for *Testing*, unless a

third party is required to be notified prior to notification of the *Athlete* in the following situations:

- a) where required by an *Athlete's* impairment (as provided for in Annex A - Modifications for *Athletes* with Impairments);
- b) where the *Athlete* is a Minor (as provided for in Annex B – Modifications for *Athletes* who are Minors);
- c) where an interpreter is required and available for the notification;
- d) where required to assist Sample Collection Personnel to identify the *Athlete(s)* to be tested and to notify such *Athlete(s)* that they are required to provide a *Sample*.

ARTICLE 6 REQUIREMENTS FOR NOTIFICATION OF *ATHLETES*

6.1 When initial contact is made, the Sample Collection Personnel shall ensure that the *Athlete* and/or a third party is informed:

- a) that the *Athlete* is required to undergo a *Sample* collection;
- b) of the authority under which the *Sample* collection is to be conducted;
- c) of the type and method of *Sample* collection and any conditions that need to be adhered or the purposes of *Sample* collection;
- d) of the *Athlete's* rights, including the right to:
 - i. have a representative and, if necessary, an interpreter accompany him/her;
 - ii. ask for additional information about the *Sample* collection process;
 - iii. request a delay in reporting to the Doping Control Station for valid reasons;
 - iv. request modifications as provided for in Annex A – Modifications for *Athletes* with Impairments;
- e) of the *Athlete's* responsibilities, including the requirement to:
 - i. remain within direct observation of the Sample Collection Personnel at all times from the time of notification until the completion of the *Sample* collection procedure;
 - ii. produce identification in accordance with Article 5.2.3;
 - iii. comply with *Sample* collection procedures (and the *Athlete* should be informed of the possible consequences of Failure to Comply);
 - iv. report immediately for *Sample* collection, unless there are valid reasons for a delay, as determined in accordance with Article 6.3 here below;
- f) of the location of the Doping Control Station;
- g) that should the *Athlete* choose to consume food or fluids prior to providing a *Sample*, he/she does so at his/her own risk, while advising him/her that he/she should not hydrate excessively, having in mind the requirement to provide a *Sample* with a Suitable Specific Gravity for Analysis;
- h) that the urine *Sample* provided by the *Athlete* to the Sample Collection Personnel should be the first urine passed by the *Athlete* subsequent to notification (i.e., he/she should not pass urine in the shower or otherwise prior to providing a *Sample* to the Sample Collection Personnel).

6.2 After contact is made with the *Athlete*, the Sample Collection Personnel shall:

- a) keep the *Athlete* under observation at all times until the end of the *Sample* Collection

- Session;
- b) identify themselves to the *Athlete* using the documentation referred to in Article 5.2.2;
- c) confirm the *Athlete's* identity as per the criteria established in Article 5.2.3. Any cases where the *Athlete's* identity cannot be confirmed it must be documented and reported to NADO Italia. NADO Italia shall decide whether it is appropriate to follow up in accordance with Annex A – Review of a Possible Failure to Comply of the Results Management Procedure_First Instance Proceedings and Appeals.

The Sample Collection Personnel shall then have the *Athlete* sign an appropriate form to acknowledge and accept the notification. If the *Athlete* refuses to sign that he/she has been notified, or evades the notification, the Sample Collection Personnel shall, if possible, inform the *Athlete* of the Consequences of refusing or failing to comply, and the Chaperone (if not the DCO) shall immediately report all relevant facts to the DCO, documenting such circumstance and informing NADO Italia. NADO Italia follows the steps prescribed in Annex A – Review of a Possible Failure to Comply of the Results Management Procedure_First Instance Proceedings and Appeals.

The DCO shall at any rate be required to carry on the *Sample* collection procedure.

6.3 The Sample Collection Personnel may at their discretion consider any reasonable third party request or any request by the *Athlete* for permission to delay reporting to the Doping Control Station following acknowledgment and acceptance of notification, and/or to leave the Doping Control Station temporarily after arrival, and may grant such permission if the *Athlete* can be continuously chaperoned and kept under direct observation during the delay. For example, delayed reporting to or temporary departure from the Doping Control Station may be permitted for the following activities:

- For In-Competition Testing:

- a) Participation in a presentation ceremony;
- b) Fulfilment of media commitments;
- c) Competing in further competitions;
- d) Performing a warm down;
- e) Obtaining necessary medical treatment;
- f) Locating a representative and/or interpreter;
- g) Obtaining photo identification; or
- h) Any other reasonable circumstances, as determined by DCO, taking into account any instructions of NADO Italia.

- For Out-of-Competition Testing:

- a) Locating a representative;
- b) Completing a training session;
- c) Receiving necessary medical treatment;

- d) Obtaining photo identification; or
- e) Any other reasonable circumstances, as determined by DCO, considering any instructions of NADO Italia.

6.4 The Sample Collection Personnel shall reject a request for delay in reporting to the Doping Control Station if it is not possible for the *Athlete* to be continuously observed during such delay.

The Sample Collection Personnel shall use the Supplementary Report to document any reasons for the *Athlete's* delay in reporting to the Doping Control Station and/or reasons for leaving the Doping Control Station that may require further investigation by NADO Italia.

6.5 If the *Athlete* delays reporting to the Doping Control Station other than in accordance with Article 6.3 and/or any failure of the *Athlete* to remain under constant observation during chaperoning but the *Athlete* arrives at the Doping Control Station prior to the DCO's departure from the *Sample* collection location, the DCO shall report a possible Failure to Comply. If at all possible, the DCO shall proceed with collecting a *Sample* from the *Athlete*. NADO Italia shall investigate a possible Failure to Comply in accordance with Annex A – Review of a Possible Failure to Comply of the Results Management Procedure_First Instance Proceedings and Appeals.

6.6 If Sample Collection Personnel observe any other matter with potential to compromise the collection of the *Sample*, the circumstances shall be reported to and documented by the DCO. If deemed appropriate by the DCO, the DCO shall consider if it is appropriate to collect an additional *Sample* from the *Athlete*. NADO Italia shall investigate a possible Failure to Comply in accordance with Annex A – Review of a Possible Failure to Comply of the Results Management Procedure_First Instance Proceedings and Appeals.

ARTICLE 7 DCO AND BCO's DUTIES

As pursuant to the provisions laid down in the ISTI, Annex G and in the WADA Guidelines, the DCO/BCO are Sample Collection Personnel responsible for *Sample* collection-related services.

The DCO shall be responsible for:

- a) Organizing and training any additional Sample Collection Personnel;
- b) Contacting sports representatives, if necessary;
- c) Organizing equipment, including all forms and documents as necessary;
- d) Assessing and arranging facilities;
- e) Arranging and performing notification and chaperoning of *Athletes*;
- f) Ensuring that the *Athlete* is informed about his/her rights and responsibilities;
- g) Witnessing DCO entitlement to have a representative observe the witnessing DCO when the Minor Athlete is passing a urine *Sample*;
- h) Explaining the process of Urine *Sample* or Blood *Sample* collection to the *Athletes* and *Athletes'* representatives, as necessary;
- i) Overseeing *Sample* collection, including witnessing *Sample* provision;

- j) Coordinating Blood *Sample* collection, as necessary;
- k) Completing and verifying the relevant forms and documentation;
- l) Initiating and supervising the Chain of Custody of the testing phase, including organizing a delivery service, if necessary, ensuring that the waybill number is duly recorded if *Sample* transportation is arranged through a courier service;
- m) Dealing with the collection and disposal of waste resulting from *Sample* collection procedures.

ARTICLE 8 CHAPERONE'S DUTIES

As pursuant to the provisions laid down in the *WADA* Guidelines, a Chaperone shall be responsible for:

- a) Assisting the DCO in the conduct of anti-doping controls while strictly following his/her instructions;
- b) Informing the *Athlete* about his/her own identity by producing the official card and/or document vesting him/her with power of Chaperone;
- c) Personally informing the *Athlete* of the need for him/her to undergo Testing and his/her rights and duties, according to the DCO' instructions;
- d) Accompanying the *Athlete* while keeping direct visual contact from the time of notification to the *Athlete*'s arrival at the Doping Control Station and thereafter, if so required by the DCO.

ARTICLE 9 DUTIES OF ANTI-DOPING DETECTIVE INSPECTORS (ADDIs)

Pursuant to the Framework Agreement executed on 9 February 2015 between CONI and the Carabinieri Department for Health Protection (i.e., the Italian anti-adulteration unit locally known as "NAS" or "CCTS"), NAS personnel accredited by NADO Italia as Anti-Doping Detective Inspectors ("ADDIs") shall take part to the anti-doping activities, in conjunction with FMSI's Doping Control Officers/Blood Control Officers.

During Testing as well as In-Competition Sample Collection Sessions, the ADDIs shall perform the following tasks in particular:

- a) To the extent as lying within their province and without prejudice to the duties and responsibilities of the DCO/BCO and Chaperones, they supervise the conduct of all of anti-doping phases in compliance with the ADSRs, such as:
 - Notification of Testing;
 - Sample Collection Session;
 - Documenting testing operations;
- b) When attending anti-doping procedures, they shall be required to show the card issued by NADO Italia and, if expressly requested by the *Athlete* or his/her representative, their personal identification card issued by the Carabinieri Corps;

- c) In conjunction with the DCO and Chaperone, they help identify *Athletes* who are unable to produce identity papers or a Federation membership card bearing a photo;
- d) They shall request the DCO to include the following in the anti-doping report:
 - Any requests made by the *Athlete*/third parties to
 - (i) interrupt the *Sample* collection phase due to kits that the *Athlete* claims to be non-compliant, or (ii) delay reporting to the Doping Control Station after notification has been received and accepted, or (iii) temporarily leave the Doping Control Station after arrival.
 - *Athlete*'s late arrival or early departure;
 - Any doubts arisen regarding the origin and genuineness of the *Sample* and the *Athlete*'s request to produce another *Sample*;
 - Any other matter that may compromise the legitimacy of the analyses or procedure compliance;
 - Any refusal by the *Athlete* to produce an additional *Sample* or sign the notification form.
- e) They shall sign the anti-doping control report together with all the other individuals attending the proceedings.

During Out-of-Competition Testing as well as Sample Collection Sessions, the ADDIs shall perform the following tasks:

- a) Help find the exact location of the *Athlete(s)* selected for Testing;
- b) To the extent as lying within their province and without prejudice to the duties and responsibilities of the DCO/BCO and Chaperones, they supervise the conduct of all of anti-doping phases in compliance with the ADSRs, such as:
 - Notification of Testing;
 - Sample Collection Session;
 - Documenting testing operations;
- c) When attending anti-doping procedures, they shall be required to show the card issued by NADO Italia and, if expressly requested by the *Athlete* or his/her representative, their personal identification card issued by the Carabinieri Corps;
- d) In conjunction with the DCO, they help identify *Athletes* who are unable to produce identity papers or a Federation membership card bearing a photo;
- e) They shall request the DCO to include the following in the anti-doping report:
 - Any requests made by the *Athlete*/third parties to

- (i) interrupt the *Sample* collection phase due to kits that the *Athlete* claims to be non-compliant, or (ii) delay reporting to the Doping Control Station after notification has been received and accepted, or (iii) temporarily leave the Doping Control Station after arrival.
- *Athlete's* late arrival or early departure;
- Any doubts arisen regarding the origin and genuineness of the *Sample* and the *Athlete's* request to produce another *Sample*;
- Any other matter that may compromise the legitimacy of the analyses or procedure compliance;
- Any refusal by the *Athlete* to produce an additional *Sample* or sign the notification form.
- f) They help identify the site where Testing is to be conducted;
- g) They shall sign the anti-doping control report together with all the other individuals attending the proceedings.

TITLE III SAMPLE COLLECTION SESSION

ARTICLE 10 PREPARING FOR THE SAMPLE COLLECTION SESSION

- 10.1** For the purpose holding a Sample Collection Session, the following requirements need to be fulfilled beforehand:
- a) establishing an information collection system;
 - b) establishing criteria for who may be present during a Sample Collection Session;
 - c) ensuring that the Doping Control Station meets the minimum criteria prescribed in Article 7.3;
 - d) ensuring that the Sample Collection Equipment meets the minimum criteria prescribed in ISTI Article 6.3.4.
- 10.2** NADO Italia and the Sample Collection Authority shall establish a system for obtaining all the information necessary to ensure that the Sample Collection Session can be conducted effectively, including identifying specific requirements to meet the needs of *Athletes* with impairments (as provided in Annex A - Modifications for *Athletes* with Impairments) as well as the needs of *Athletes* who are *Minors* (as provided in Annex B - Modifications for *Athletes* who are *Minors*), consistent with applicable privacy provisions.
- 10.3** The Sample Collection Authority shall be required to use a Doping Control Station which, at a minimum, ensures the *Athlete's* privacy and confidentiality and is used solely as a Doping Control Station throughout the Session. Moreover, according to the WADA Guidelines applicable to In- Competition Testing, where possible, the Doping Control Station shall meet the following criteria:

- a) be accessible only to authorized personnel;
- b) be secure enough to store Sample Collection Equipment;
- c) be comprised of a waiting area with chairs and a separate area with a table and chairs for completion of paperwork. There should be adjacent toilet facilities large enough to allow *Sample* provision to be observed.
- d) include facilities to allow the *Athlete* to wash his/her hands;
- e) be large enough to accommodate the *Athletes* as well as authorized personnel;
- f) be suitably located in relation to the field of play or other location where *Athletes* will be notified.

With regard to Out-of-Competition Testing, when identifying the most suitable location the DCO/BCO shall take into account the demands and needs of the *Athlete* and/ third parties concerned with respect to privacy and dignity rights. However, no information concerning the *Athlete's* private life or unrelated third parties (e.g. family members) which is deemed as unnecessary, irrelevant or exceeding doping control purposes shall be collected.

Any non-compliance with the aforesaid requirements shall be documented by the DCO/BCO in the Supplementary Report form.

The Sample Collection Authority shall only use Sample Collection Equipment systems for urine and blood *Samples* which, at a minimum, complies with the requirements set out in ISTI Article 6.3.4.

10.4 In addition to the Sample Collection Personnel, the following people may be authorized by NADO Italia, to be present during the Sample Collection Session:

- a) representative and/or interpreter, if requested by the *Athlete*, except when the *Athlete* is passing a urine *Sample*;
- b) a Minor *Athlete's* entitlement (as provided for in Annex B – Modifications for *Athletes* who are Minors), and the witnessing DCO/Chaperone's entitlement to have a representative observe the witnessing DCO/Chaperone when the Minor *Athlete* is passing a urine *Sample*, but without the representative directly observing the passing of the *Sample* unless requested to do so by the Minor *Athlete*;
- c) a representative who accompanies an *Athlete* with impairment, if requested by the latter, pursuant to Annex A – Modifications for *Athletes* with Impairments;
- d) an Independent Observer, if sent by WADA under the *Independent Observer Programme*, or WADA auditor, where applicable;
- e) an authorized Person who is involved in the training of Sample Collection Personnel or auditing the Sample Collection Authority;
- f) a NADO Italia Observer if officially appointed for the event, including Anti-Doping Detective Inspectors (“ADDIs”) as referred to in *ADSC* Article 6.7.

The WADA observer/auditor and/or authorized Person shall not directly observe the passing of a urine *Sample*.

ARTICLE 11

CONDUCTING THE SAMPLE COLLECTION SESSION

- 11.1 The Sample Collection Session starts with defining the overall responsibility for the conduct of the Sample Collection Session and ends once the *Sample* has been collected and secured and the Sample Collection Session documentation is complete.
- 11.2 The main activities are:
- a) preparing for collecting the *Sample*;
 - b) collecting and taking all steps to secure the *Sample*;
 - c) documenting the *Sample* collection.
- 11.3 The Sample Collection Authority shall be responsible for the overall conduct of the Sample Collection Session, with specific responsibilities being either delegated to or lying with the DCO/BCO.
- 11.4 The DCO shall ensure that the *Athlete* has been informed of his/her rights and responsibilities.
- 11.5 The DCO shall advise the *Athlete* not to hydrate excessively, having in mind the requirement to provide a *Sample* with a Suitable Specific Gravity for Analysis.
- 11.6 NADO Italia prohibits the provision of alcohol or its consumption within the Doping Control Station.
- 11.7 The *Athlete* shall only leave the Doping Control Station under continuous observation by the DCO or Chaperone and with the approval of the DCO. The DCO shall consider any reasonable request by the *Athlete* to leave the Doping Control Station, as specified in Article 6.3, until the *Athlete* is able to provide a *Sample*.
- 11.8 If the DCO gives approval for the *Athlete* to leave the Doping Control Station, the DCO shall agree with the *Athlete* on the following conditions of leave:
- a) the purpose of the *Athlete* leaving the Doping Control Station;
 - b) establish and agree with the *Athlete* the time of return (or return upon completion of an agreed activity).
 - c) ensure that the *Athlete* remains under continuous observation throughout;
 - d) restrict the *Athlete* from passing urine until he/she returns to the Doping Control Station.
 - e) the DCO shall be required to document the actual time of the *Athlete's* departure and return.
- 11.9 The DCO shall collect the *Sample* from the *Athlete* according to the following protocol(s) for the specified type of *Sample* collection:
- a) Annex C: Collection of Urine *Samples*;

- b) Annex D: Collection of Blood *Samples*;
- c) Annex I: Collection, Storage and Transportation of Blood *Athlete* Biological Passport *Samples*.

- 11.10** Any behaviour by the *Athlete* and/or Persons associated with the *Athlete* or anomalies with potential to compromise the *Sample* collection shall be recorded in detail by the DCO using the Supplementary Report form. If appropriate, NADO Italia shall institute the procedures under Annex A – Review of a possible Failure to Comply, “Results Managements Procedure_First Instance Proceeding and Appeals”.
- 11.11** If there are doubts as to the origin or authenticity of the *Sample*, the *Athlete* shall be asked to provide an additional *Sample*. If the *Athlete* refuses to provide an additional *Sample*, the DCO shall document in detail the circumstances around the refusal using the Supplementary Report form, and NADO Italia shall institute the procedures under Annex A – Review of a possible Failure to Comply, “Results Managements Procedure_First Instance Proceeding and Appeals”.
- 11.12** The DCO shall provide the *Athlete* with the opportunity to document any concerns he/she may have about how the Sample Collection Session was conducted.
- 11.13** In conducting the Sample Collection Session, the following information shall be recorded in the relevant report:
- a) date, time of notification, name and signature of notifying DCO/Chaperone;
 - b) arrival time of the *Athlete* at the Doping Control Station and any temporary departures and returns;
 - c) date and time of sealing of each *Sample* collected and date and time of completion of entire *Sample* collection process (i.e., the time when the *Athlete* signs the declaration at the bottom of the Doping Control form);
 - d) the name of the *Athlete*;
 - e) the date of birth of the *Athlete*;
 - f) the gender of the *Athlete*;
 - g) means by which the *Athlete*’s identity is validated (e.g., passport, driver’s license or *Athlete* accreditation) including by a third party (who is so identified)
 - h) the *Athlete*’s home address, email address and telephone number;
 - i) the *Athlete*’s sport and discipline (in accordance with the TDSSA);
 - j) the name of the *Athlete*’s coach and doctor (if applicable);
 - k) the *Sample* code number and reference to the equipment manufacturer;
 - l) the type of the *Sample* (urine, blood, etc.);
 - m) the type of Testing (In-Competition or Out-of-Competition);
 - n) the name and signature of the witnessing DCO;
 - o) the name and signature of the BCO (where applicable);
 - p) partial *Sample* information, as per Article E.4.4, Annex E;
 - q) required Laboratory information on the *Sample* (i.e., for a urine *Sample*, its volume and specific gravity measurement);
 - r) medications and supplements taken within the previous seven (7) days and (where the *Sample* collected is a blood *Sample*) blood transfusions within the previous three (3) months, as declared by the *Athlete*;

- s) for an *Athlete* Biological Passport blood *Sample*, the DCO/BCO shall record the information as outlined in Annex I - Collection, Storage and Transport of Blood *Athlete* Biological Passport *Samples*;
- t) any irregularities in procedures, for example, if advance notice was provided;
- u) *Athlete* comments or concerns regarding the conduct of the Sample Collection Session, as declared by the *Athlete*;
- v) *Athlete* acknowledgment of the Processing of *Sample* collection data and description of such Processing in accordance with the International Standard for the Protection of Privacy and Personal Information, with the GDPR, EU 2016/679 and pursuant to Legislative Decree n. 196/2003 as amended by Legislative Decree n. 101/2018;
- w) *Athlete* consent or otherwise for the use of the *Sample(s)* for research purposes;
- x) the name and signature of the *Athlete's* representative (if applicable), as per Article 8.11;
- y) the name and signature of the *Athlete*;
- z) the name and signature of the DCO;
- aa) the name of the Testing Authority;
- bb) the name of the Sample Collection Authority;
- cc) the name of the Results Management Authority; and
- dd) the name of the Doping Control Coordinator (if applicable).

11.14 At the conclusion of the Sample Collection Session, the *Athlete* and DCO shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the *Athlete's* Sample Collection Session, including any concerns expressed by the *Athlete*. The *Athlete's* representative, if present and who witnessed the proceedings, should sign the documentation. Other persons present who had a formal role during the *Athlete's* Sample Collection Session may sign the documentation as a witness of the proceedings.

11.15 The DCO shall provide the *Athlete* with a copy of the records of the Sample Collection Session that have been signed by the *Athlete*.

11.16 The *Doping Control Form*, duly completed and signed in all of its sections by the DCO, shall be prepared in 3 copies (NADO Italia, *Athlete* and WADA-accredited laboratory) and delivered as follows:

- a) NADO Italia: The DCO shall arrange for the reports of all the *Athletes* to be placed in an envelope bearing the details of the NSF/ASD/SPE concerned (or ADO/Organization concerned), event, venue and date. The envelope shall be promptly sent to NADO Italia. The *Athlete's* notification, the Supplementary Report (if any) and other documentation shall be placed solely in the parcel to be delivered to NADO Italia.
- b) *Athlete*: Upon completion of the Sample Collection Session, the DCO shall hand over to the *Athlete* his/her copy of the session report.
- c) Laboratory: The copy(ies) intended for the WADA-accredited laboratory shall not contain any information identifying the *Athlete* and shall be placed by the DCO in a carrying case containing the collected *Samples*, while the Chain of Custody shall be kept out of the case in order that it may be updated during the different stages.

TITLE IV SECURITY, POST-TEST ADMINISTRATION PROCEDURE, TRANSPORT AND OWNERSHIP OF SAMPLES

ARTICLE 12 REQUIREMENTS

- 12.1** Post-test administration begins when the *Athlete* has left the Doping Control Station after providing his/her *Sample(s)*, and ends with preparation of all of the collected *Samples* and *Sample* collection documentation for transport.
- 12.2** The Sample Collection Authority shall, through the DCO, ensure that all sealed *Samples* are stored in a manner that protects their integrity, identity and security prior to transport from the Doping Control Station. In the event that the *Samples* are stored, the location where *Samples* are stored, who has custody of the *Samples* and/or who is permitted access to the *Samples* shall also be documented.
- 12.3** The Sample Collection Authority shall develop a system for recording the Chain of Custody of the *Samples* and *Sample* collection documentation to ensure that the documentation for each *Sample* is completed and securely handled. This shall include confirming that both the *Samples* and *Sample* collection documentation have arrived at their intended destinations. The Laboratory shall report any irregularities to NADO Italia on the condition of *Samples* upon arrival in line with the ISL.
- 12.4** Insofar as necessary, NADO Italia, through the DCO, shall ensure that instructions for the type of analysis to be conducted are provided to the WADA-accredited laboratory or other WADA-approved laboratory. In addition, NADO Italia, shall, through the DCO, provide the information as under Article 8.10, paragraphs c), f), i), k), l), m), q), r), w), aa), bb), cc) for result reporting and statistical purposes. To this end, the copy of the form designed for the laboratory shall be used.

ARTICLE 13 TRANSPORT OF SAMPLES AND DOCUMENTATION

- 13.1** Transport starts when the sealed *Samples* and related Sample Collection Session documentation leave the Doping Control Station and ends with the confirmed receipt of the *Samples* and related documentation at their intended destinations.
- 13.2** The Sample Collection Authority shall authorize a transport system that ensures *Samples* and documentation are transported in a manner that protects their integrity, identity and security.
- 13.3** *Samples* shall always be transported to the Laboratory that will be analyzing the *Samples* using the Sample Collection Authority's authorized transport method, as soon as possible after the completion of the Sample Collection Session. *Samples* shall be transported in a manner which minimizes the potential for *Sample* degradation due to factors such as time delays and extreme temperature variations.
- 13.4** The documentation identifying the *Athlete* shall not be attached to the *Samples* or documentation sent to the laboratory.

- 13.5 If the *Samples*, complete with the relevant documentation or Sample Collection Session report, are not acknowledged to have been received at their respective intended destinations, or if a Sample's integrity or identity may have been compromised during transport, then the Sample Collection Authority shall check the Chain of Custody, and NADO Italia shall consider whether the *Samples* should be voided.
- 13.6 Documentation related to a Sample Collection Session and/or an anti-doping rule violation shall be stored for the period and other requirements specified in the International Standard for the Protection of Privacy and Personal Information, and according to GDPR, EU 2016/679 and pursuant to Legislative Decree no. 196/2003 as amended by Legislative Decree no. 101/2018.

ARTICLE 14 OWNERSHIP OF SAMPLES

- 14.1 *Samples* collected from an *Athlete* are owned by NADO Italia for the Sample Collection Session in question.
- 14.2 NADO Italia, upon request, may transfer such ownership to the Anti-Doping Organization responsible for *Results Management*, if different from NADO Italia or to another Anti-Doping Organization upon request.
- 14.3 WADA may assume Testing Authority in certain circumstances in accordance with the Code and the ISL.
- 14.4 Where NADO Italia is not the Passport Custodian, but initiated and directed the Sample collection, it maintains the responsibility for additional Analytical Testing of the Sample. This includes the performance of further Confirmation Procedure(s) upon requests generated automatically by the Adaptive Model of the *Athlete* Biological Passport in *ADAMS* (e.g., GC/C/IRMS triggered by elevated T/E) or a request by the APMU (e.g., GC/C/IRMS requested due to abnormal secondary Markers of the urinary “longitudinal steroid profile” or ESA analysis tests due to suspicious haematological Marker values).

ANNEX A – MODIFICATIONS FOR *ATHLETES* WITH IMPAIRMENTS

A.1. Objective

To ensure that the particular needs of *Athletes* with impairments are considered in relation to the provision of a Sample, where possible, without compromising the integrity of the Sample Collection Session.

A.2. Scope

Determining whether modifications are necessary starts with identification of situations where Sample collection involves *Athletes* with impairments and ends with modifications to Sample collection procedures and equipment where necessary and where possible.

A.3. Responsibility

A.3.1 NADO Italia or the Sample Collection Authority (as applicable) has responsibility for ensuring, when possible, that the DCO has any information and Sample Collection Equipment necessary to conduct a Sample Collection Session with an *Athlete* with an impairment, including details of such impairment that may affect the procedure to be followed in conducting a Sample Collection Session.

A.3.2 The DCO has responsibility for Sample collection.

A.4. Requirements

A.4.1 All aspects of notification and Sample collection for *Athletes* with impairments shall be carried out in accordance with the standard notification and Sample collection procedures unless modifications are necessary due to the *Athlete's* impairment. NADO Italia in the case of an *Athlete* with an intellectual impairment, shall decide whether to obtain consent to Testing from their representative and inform the Sample Collection Authority and Sample Collection Personnel.

A.4.2 In planning or arranging Sample collection, the Sample Collection Authority and DCO shall consider whether there will be any Sample collection for *Athletes* with impairments that may require modifications to the standard procedures for notification or Sample collection, including Sample Collection Equipment and Doping Control Station.

A.4.3 The Sample Collection Authority and DCO shall have the authority to make modifications as the situation requires when possible and as long as such modifications will not compromise the identity, security or integrity of the Sample. The DCO shall consult the *Athlete* in order to determine what modifications may be necessary for the *Athlete's* impairment. All such modifications shall be documented.

A.4.4 An *Athlete* with an intellectual, physical or sensorial impairment may be assisted by the *Athlete's* representative or Sample Collection Personnel during the Sample Collection Session where authorized by the *Athlete* and agreed to by the DCO.

- A.4.5 The DCO may decide that alternative Sample Collection Equipment or an alternative Doping Control Station will be used when required to enable the *Athlete* to provide the Sample, as long as the Sample's identity, security and integrity will not be affected.
- A.4.6 *Athletes* who are using urine collection or drainage systems are required to eliminate existing urine from such systems before providing a urine Sample for analysis. Where possible, the existing urine collection or drainage system should be replaced with a new, unused catheter or drainage system prior to collection of the Sample. The catheter or drainage system is not a required part of Sample Collection Equipment to be provided by the Sample Collection Authority; instead it is the responsibility of the *Athlete* to have the necessary equipment available for this purpose.
- A.4.7 For *Athletes* with visual or intellectual impairments, the DCO and/or *Athlete* may determine if they shall have a representative present during the Sample Collection Session. During the Sample Collection Session, a representative of the *Athlete* and/or a representative of the DCO may observe the witnessing DCO/Chaperone while the *Athlete* is passing the urine Sample. This representative or these representatives may not directly observe the passing of the urine Sample, unless requested to do so by the *Athlete*.
- A.4.8 The DCO shall record modifications made to the standard Sample collection procedures for *Athletes* with impairments, including any applicable modifications specified in the above actions.

ANNEX B – MODIFICATIONS FOR *ATHLETES* WHO ARE MINORS

B.1. Objective

To ensure that the particular needs of *Athletes* who are Minors are met in relation to the provision of a Sample, where possible, without compromising the integrity of the Sample Collection Session.

B.2. Scope

Determining whether modifications are necessary starts with identification of situations where Sample collection involves *Athletes* who are Minors and ends with modifications to Sample collection procedures where necessary and where possible.

B.3. Responsibility

B.3.1 NADO Italia has responsibility for ensuring, when possible, that the DCO has any information necessary to conduct a Sample Collection Session with an *Athlete* who is a Minor. This includes confirming wherever necessary that the necessary parental consent for Testing any participating *Athlete* who is a Minor.

B.3.2 The DCO has responsibility for Sample collection.

B.4. Requirements

B.4.1 All aspects of notification and Sample collection for *Athletes* who are Minors shall be carried out in accordance with the standard notification and Sample collection procedures unless modifications are necessary due to the *Athlete* being a Minor.

B.4.2 In planning or arranging Sample collection, the Sample Collection Authority and DCO shall consider whether there will be any Sample collection for *Athletes* who are Minors that may require modifications to the standard procedures for notification or Sample collection.

B.4.3 The Sample Collection Authority and the DCO shall have the authority to make modifications as the situation requires when possible and as long as such modifications will not compromise the identity, security or integrity of the Sample. All such modifications shall be documented.

B.4.4 *Athletes* who are Minors should be notified in the presence of an *Athlete* representative (who is not a Minor) in addition to the DCO/Chaperone, and may choose to be accompanied by a representative throughout the entire Sample Collection Session. Even if the Minor declines a representative, the Sample Collection Authority or DCO, as applicable, shall consider whether another third party ought to be present during notification of the *Athlete*.

B.4.5 Should an *Athlete* who is a Minor decline to have a representative present during the collection of a Sample, this shall be clearly documented by the DCO. This does not invalidate the Test, but shall be recorded.

B.4.6 The DCO shall determine who may be present during the collection of a Sample from an

Athlete who is a Minor, in addition to a representative of the DCO/Chaperone who shall be present. A representative of the Minor may be present during Sample provision (including observing the DCO when the Minor is passing the urine Sample, but not directly observing the passing of the urine Sample unless requested to do so by the Minor). The DCO's/Chaperone's representative shall only observe the DCO/Chaperone and shall not directly observe the passing of the Sample.

- B.4.7 The preferred venue for all Out-of-Competition Testing of a Minor is a location where the presence of an *Athlete* representative (who is not a Minor) is most likely to be available for the duration of the Sample Collection Session, e.g., a training venue.
- B.4.8 NADO Italia or Sample Collection Authority (as applicable) shall consider the appropriate course of action when no *Athlete* representative (who is not a Minor) is present at the Testing of an *Athlete* who is a Minor (for example by ensuring that more than one Sample Collection Personnel is present during a Sample Collection Session of such Minor *Athlete*) and shall accommodate the Minor in locating a representative if requested to do so by the Minor.

ANNEX C - COLLECTION OF URINE SAMPLES

C.1. Objective

To collect an *Athlete's* urine *Sample* in a manner that ensures:

- a) Consistency with relevant principles of internationally recognized standard precautions in healthcare settings so that the health and safety of the *Athlete* and Sample Collection Personnel are not compromised;
- b) The *Sample* meets the Suitable Specific Gravity for Analysis and the Suitable Volume of Urine for Analysis. Failure of a *Sample* to meet these requirements in no way invalidates the suitability of the *Sample* for analysis. The determination of a *Sample's* suitability for analysis is the decision of the relevant Laboratory, in consultation with the Testing Authority for the Sample Collection Session in question;
- c) the *Sample* has not been manipulated, substituted, contaminated or otherwise tampered with in any way;
- d) the *Sample* is clearly and accurately identified; and
- e) the *Sample* is securely sealed in a Tamper Evident kit.

C.2. Scope

The collection of a urine *Sample* begins with ensuring the *Athlete* is informed of the *Sample* collection requirements and ends with discarding any residual urine remaining at the end of the *Athlete's* Sample Collection Session.

C.3. Responsibility

C.3.1 The DCO has the responsibility for ensuring that each *Sample* is properly collected, identified and sealed.

C.3.2 The DCO/Chaperone has the responsibility for directly witnessing the passing of the urine *Sample*.

C.4. Requirements

C.4.1 The DCO shall ensure that the *Athlete* is informed of the requirements of the Sample Collection Session, including any modifications as provided for in Annex A – Modifications for *Athletes* with Impairments.

C.4.2 The DCO shall ensure that the *Athlete* is offered a choice of *Sample* collection vessels for collecting the *Sample*. If the nature of an *Athlete's* impairment requires that they must use additional or other equipment as provided for in Annex A - Modifications for *Athletes* with Impairments, the DCO shall inspect that equipment to ensure that it will not affect

the identity or integrity of the *Sample*.

- C.4.3 When the *Athlete* selects a collection vessel, and for selection of all other Sample Collection Equipment that directly holds the urine *Sample*, the DCO will instruct the *Athlete* to check that all seals on the selected equipment are intact and the equipment has not been tampered with. If the *Athlete* is not satisfied with the selected equipment, they may select another. If the *Athlete* is not satisfied with any of the equipment available for selection, this shall be recorded by the DCO. If the DCO does not agree with the *Athlete* that all of the equipment available for the selection is unsatisfactory, the DCO shall instruct the *Athlete* to proceed with the Sample Collection Session. If the DCO agrees with the *Athlete* that all of the equipment available for the selection is unsatisfactory, the DCO shall terminate the Sample Collection Session and this shall be recorded by the DCO.
- C.4.4 The *Athlete* shall retain control of the collection vessel and any *Sample* provided until the *Sample* (or partial *Sample*) is sealed, unless assistance is required by reason of an *Athlete's* impairment as provided for in Annex A - Modifications for *Athletes* with Impairments. Additional assistance may be provided in exceptional circumstances to any *Athlete* by the *Athlete's* representative or Sample Collection Personnel during the Sample Collection Session where authorized by the *Athlete* and agreed to by the DCO.
- C.4.5 The DCO/Chaperone who witnesses the passing of the *Sample* shall be of the same gender as the *Athlete* providing the *Sample* and where applicable, based on the gender of the Event the *Athlete* competed in.
- C.4.6 The DCO/Chaperone shall, where practicable, ensure the *Athlete* thoroughly washes their hands with water only prior to the provision of the *Sample* or wears suitable (e.g., disposable) gloves during provision of the *Sample*.
- C.4.7 The DCO/Chaperone and *Athlete* shall proceed to an area of privacy to collect a *Sample*.
- C.4.8 The DCO/Chaperone shall ensure an unobstructed view of the *Sample* leaving the *Athlete's* body and shall continue to observe the *Sample* after provision until the *Sample* is securely sealed. In order to ensure a clear and unobstructed view of the passing of the *Sample*, the DCO/Chaperone shall instruct the *Athlete* to remove or adjust any clothing which restricts the DCO's/Chaperone's clear view of *Sample* provision.
- C.4.9 The DCO/Chaperone shall ensure that urine passed by the *Athlete* is collected in the collection vessel to its maximum capacity and thereafter the *Athlete* is encouraged to fully empty their bladder into the toilet. The DCO shall verify, in full view of the *Athlete*, that the Suitable Volume of Urine for Analysis has been provided.
- C.4.10 Where the volume of urine provided by the *Athlete* is insufficient, the DCO shall follow the partial *Sample* collection procedure set out in Annex E - Urine *Samples* - Insufficient Volume.
- C.4.11 Once the volume of urine provided by the *Athlete* is sufficient, the DCO shall instruct the *Athlete* to select a *Sample* collection kit containing A and B bottles or containers in

accordance with Annex C.4.3.

- C.4.12 Once a *Sample* collection kit has been selected, the DCO and the *Athlete* shall check that all *Sample* code numbers match and that this code number is recorded accurately by the DCO on the Doping Control form. If the *Athlete* or DCO finds that the numbers are not the same, the DCO shall instruct the *Athlete* to choose another kit in accordance with Annex C.4.3. The DCO shall record the matter.
- C.4.13 The *Athlete* shall pour the minimum Suitable Volume of Urine for Analysis into the B bottle or container (to a minimum of 30 mL), and then pour the remainder of the urine into the A bottle or container (to a minimum of 60 mL). The Suitable Volume of Urine for Analysis shall be viewed as an absolute minimum. If more than the minimum Suitable Volume of Urine for Analysis has been provided, the DCO shall ensure that the *Athlete* fills the A bottle or container to capacity as per the recommendation of the equipment manufacturer. Should there still be urine remaining, the DCO shall ensure that the *Athlete* fills the B bottle or container to capacity as per the recommendation of the equipment manufacturer. The DCO shall instruct the *Athlete* to ensure that a small amount of urine is left in the collection vessel, explaining that this is to enable the DCO to test the residual urine in accordance with Annex C.4.15.
- C.4.14 The *Athlete* shall then seal the A and B bottles or containers as directed by the DCO. The DCO shall check, in full view of the *Athlete*, that the bottles or containers have been properly sealed.
- C.4.15 The DCO shall test the residual urine in the collection vessel to determine if the *Sample* has a Suitable Specific Gravity for Analysis. If the DCO's field reading indicates that the *Sample* does not have a Suitable Specific Gravity for Analysis, then the DCO shall follow Annex F - Urine *Samples* that do not meet the requirement for Suitable Specific Gravity for Analysis.
- C.4.16 Urine should only be discarded when both the A and B bottles or containers have been sealed and the residual urine has been tested in accordance with Annex C.4.15.
- C.4.17 The *Athlete* shall be given the option of witnessing the discarding of any residual urine that will not be sent for analysis.

ANNEX D – COLLECTION OF BLOOD SAMPLES

D.1. Objective

To collect an *Athlete's* blood *Sample* in a manner that ensures:

- a) Consistency with relevant principles of internationally recognized standard precautions in healthcare settings, and is collected by a suitably qualified Person, so that the health and safety of the *Athlete* and Sample Collection Personnel are not compromised;
- b) The *Sample* is of a quality and quantity that meets the relevant analytical guidelines;
- c) The *Sample* has not been manipulated, substituted, contaminated or otherwise tampered with in any way;
- d) The *Sample* is clearly and accurately identified; and
- e) The *Sample* is securely sealed in a Tamper Evident kit.

D.2. Scope

The collection of a blood *Sample* begins with ensuring the *Athlete* is informed of the *Sample* collection requirements and ends with properly storing the *Sample* prior to transport to the Laboratory that will be analyzing the *Sample*.

D.3. Responsibility

D.3.1 The DCO has the responsibility for ensuring that:

- a) Each *Sample* is properly collected, identified and sealed; and
- b) All *Samples* have been properly stored and dispatched in accordance with the relevant analytical guidelines.

D.3.2 The BCO has the responsibility for collecting the blood *Sample*, answering related questions during the provision of the *Sample*, and proper disposal of used blood sampling equipment not required to complete the Sample Collection Session.

D.4. Requirements

D.4.1 Procedures involving blood shall be consistent with the local standards and regulatory requirements regarding precautions in healthcare settings where those standards and requirements exceed the requirements set out below.

D.4.2 Blood Sample Collection Equipment shall consist of:

- a) Collection tube(s) which meet the requirements of Article 6.3.4; and/or

- b) A and B bottles/containers for the secure transportation of collection tubes; and/or
 - c) Unique labels for collection tubes with a *Sample* code number; and/or
 - d) Such other types of equipment to be used in connection with the collection of blood as set out in Article 6.3.4 and WADA's *Sample* Collection Guidelines.
- D.4.3 The DCO shall ensure that the *Athlete* is properly notified of the requirements of the *Sample* collection, including any modifications as provided for in Annex A - Modifications for *Athletes* with Impairments.
- D.4.4 The DCO/Chaperone and *Athlete* shall proceed to the area where the *Sample* will be provided.
- D.4.5 The DCO/BCO shall ensure the *Athlete* is offered comfortable conditions and shall instruct the *Athlete* to remain in a normal seated position with feet on the floor for at least 10 minutes prior to providing a *Sample*.
- D.4.6 The DCO/BCO shall instruct the *Athlete* to select the *Sample* collection kit(s) required for collecting the *Sample* and to check that the selected equipment has not been tampered with and the seals are intact. If the *Athlete* is not satisfied with a selected kit, they may select another. If the *Athlete* is not satisfied with any kits and no others are available, this shall be recorded by the DCO. If the DCO does not agree with the *Athlete* that all of the available kits are unsatisfactory, the DCO shall instruct the *Athlete* to proceed with the Sample Collection Session. If the DCO agrees with the *Athlete* that all available kits are unsatisfactory, the DCO shall terminate the Sample Collection Session and this shall be recorded by the DCO.
- D.4.7 When a *Sample* collection kit has been selected, the DCO and the *Athlete* shall check that all *Sample* code numbers match and that this *Sample* code number is recorded accurately by the DCO on the Doping Control form. If the *Athlete* or DCO finds that the numbers are not the same, the DCO shall instruct the *Athlete* to choose another kit. The DCO shall record the matter.
- D.4.8 The BCO shall assess the most suitable location for venipuncture that is unlikely to adversely affect the *Athlete* or their performance. This should be the non-dominant arm, unless the BCO assesses the other arm to be more suitable. The BCO shall clean the skin with a sterile disinfectant wipe or swab and, if required apply a tourniquet. The BCO shall take the blood *Sample* from a superficial vein into the tube. The tourniquet, if applied, shall be immediately removed after the venipuncture has been made.
- D.4.9 The amount of blood removed shall be adequate to satisfy the relevant analytical requirements for the *Sample* analysis to be performed, as set out in WADA's *Sample* Collection Guidelines.
- D.4.10 If the amount of blood that can be removed from the *Athlete* at the first attempt is insufficient, the BCO shall repeat the procedure up to a maximum of three (3) attempts in total. Should all three (3) attempts fail to produce a sufficient amount of blood, then the BCO shall inform the DCO. The DCO shall terminate the blood *Sample* collection and record the reasons for

terminating.

- D.4.11 The BCO shall apply a dressing to the puncture site(s).
- D.4.12 The BCO shall dispose of used blood sampling equipment not required to complete the Sample Collection Session in accordance with the required local standards for handling blood.
- D.4.13 If the *Sample* requires further on-site processing, such as centrifugation or separation of serum (for example, in the case of a *Sample* intended for use in connection with the *Athlete* Biological Passport program), after the blood flow into the tube ceases, the BCO shall remove the tube from the holder and homogenize the blood in the tube manually by inverting the tube gently at least three (3) times). The *Athlete* shall remain in the blood collection area and observe their *Sample* until it is sealed in a Tamper Evident kit.
- D.4.14 The *Athlete* shall seal their *Sample* into a Tamper Evident kit as directed by the DCO. In full view of the *Athlete*, the DCO shall check that the sealing is satisfactory. The *Athlete* and the BCO/DCO shall sign the Doping Control form.
- D.4.15 The sealed *Sample* shall be stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station to the Laboratory that will be analyzing the *Sample*.
- D.4.16 Blood *Samples* shall be transported in accordance with Article 9 and WADA's *Sample* Collection Guidelines. The transport procedure is the responsibility of the DCO. Blood *Samples* shall be transported in a device that maintains the integrity of *Samples* over time, in a cool and constant environment, measured by a temperature data logger notwithstanding changes in external temperature. The transport device shall be transported by secure means using a method authorized by NADO Italia or Sample Collection Authority.

ANNEX E – URINE SAMPLES – INSUFFICIENT VOLUME

E.1. Objective

To ensure that where a Suitable Volume of Urine for Analysis is not provided, appropriate procedures are followed.

E.2. Scope

The procedure begins with informing the *Athlete* that the *Sample* that they have provided is not of Suitable Volume of Urine for Analysis and ends with the *Athlete's* provision of a *Sample* of sufficient volume.

E.3. Responsibility

The DCO has the responsibility for declaring the *Sample* volume insufficient and for collecting the additional *Sample(s)* to obtain a combined *Sample* of sufficient volume.

E.4. Requirements

E.4.1 If the *Sample* collected is of insufficient volume, the DCO shall inform the *Athlete* that a further *Sample* shall be collected to meet the Suitable Volume of Urine for Analysis requirements.

E.4.2 The DCO shall instruct the *Athlete* to select partial Sample Collection Equipment in accordance with Annex C.4.3.

E.4.3 The DCO shall then instruct the *Athlete* to open the relevant equipment, pour the insufficient *Sample* into the new container (unless the Sample Collection Authority's procedures permit retention of the insufficient *Sample* in the original collection vessel) and seal it using a partial *Sample* sealing system, as directed by the DCO. The DCO shall check, in full view of the *Athlete*, that the container (or original collection vessel, if applicable) has been properly sealed.

E.4.4 The DCO shall record the partial *Sample* number and the volume of the insufficient *Sample* on the Doping Control form and confirm its accuracy with the *Athlete*. The DCO shall retain control of the sealed partial *Sample*.

E.4.5 While waiting to provide an additional *Sample*, the *Athlete* shall remain under continuous observation and be given the opportunity to hydrate in accordance with Article 8.3.

E.4.6 When the *Athlete* is able to provide an additional *Sample*, the procedures for collection of the *Sample* shall be repeated as prescribed in Annex C - Collection of Urine *Samples*, until a sufficient volume of urine will be provided by combining the initial and additional *Sample(s)*.

E.4.7 Following each *Sample* provided, the DCO and *Athlete* shall check the integrity of the seal(s) on the container(s) containing the previously provided partial *Sample(s)*. Any irregularity with the integrity of the seal(s) will be recorded by the DCO and investigated according to Annex A – Review of a Possible Failure to Comply of the “Results Management Procedure_First Instance Proceedings and Appeals”. The DCO may request that an additional *Sample* is

collected from the *Athlete*. A refusal to provide a further *Sample* if requested, where the minimum requirements for *Sample* collection volume are not met, shall be recorded by the DCO and dealt with as a potential Failure to Comply in accordance with the International Standard for Results Management.

- E.4.8 The DCO shall then direct the *Athlete* to break the seal(s) and combine the *Samples*, ensuring that additional *Samples* are added in the order they were collected to the original partial *Sample* until, as a minimum, the requirement for Suitable Volume of Urine for Analysis is met.
- E.4.9 The DCO and the *Athlete* shall then continue with Annex C.4.12 or Annex C.4.14 as appropriate.
- E.4.10 The DCO shall check the residual urine in accordance with Annex C.4.15 to ensure that it meets the requirement for Suitable Specific Gravity for Analysis in accordance with Annex F.
- E.4.11 Urine should only be discarded when both the A and B bottles or containers have been filled to capacity in accordance with Annex C.4.14 and the residual urine has been checked in accordance with Annex C.4.15. The Suitable Volume of Urine for Analysis shall be viewed as an absolute minimum.

ANNEX F – URINE SAMPLES THAT DO NOT MEET THE REQUIREMENT FOR SUITABLE SPECIFIC GRAVITY FOR ANALYSIS

F.1. Objective

To ensure that when the urine *Sample* does not meet the requirement for Suitable Specific Gravity for Analysis, appropriate procedures are followed.

F.2. Scope

The procedure begins with the DCO informing the *Athlete* that a further *Sample* is required and ends with the collection of a *Sample* that meets the requirements for Suitable Specific Gravity for Analysis, or appropriate follow-up action by NADO Italia if required.

F.3. Responsibility

F.3.1 The Sample Collection Authority is responsible for establishing procedures to ensure that a suitable *Sample* is collected, if the original *Sample* collected does not meet the requirement for Suitable Specific Gravity for Analysis.

F.3.2 The DCO is responsible for collecting additional *Samples* until a suitable *Sample* is obtained.

F.4. Requirements

F.4.1 The DCO shall determine that the requirements for Suitable Specific Gravity for Analysis have not been met.

F.4.2 The DCO shall inform the *Athlete* that they are required to provide a further *Sample*.

F.4.3 While waiting to provide a further *Sample*, the *Athlete* shall remain under continuous observation and shall be advised not to hydrate, since this may delay the production of a suitable *Sample*. In appropriate circumstances, further hydration after the provision of an unsuitable *Sample* may be pursued as a violation of Code Article 2.5.

F.4.4 When the *Athlete* is able to provide an additional *Sample*, the DCO shall repeat the procedures for *Sample* collection set out in Annex C - Collection of Urine *Samples*.

F.4.5 The DCO shall continue to collect additional *Samples* until the requirement for Suitable Specific Gravity for Analysis is met, or until the DCO determines that there are exceptional circumstances which mean it is impossible to continue with the Sample Collection Session. Such exceptional circumstances shall be documented accordingly by the DCO and described on the Supplementary Report Form. They may include:

- Athlete travel, if the athlete provides proof of travel (i.e., flight itinerary);
- Early morning competition, if it is getting late and the athlete is competing again in the morning;
- Closing of venue, if the venue is closing and there are no other location options available (i.e., athlete accommodation, etc.).

The Sample Collection Authority and DCOs should ensure they have adequate equipment to

comply with the requirements of this Annex. The DCO should wait as long as necessary to collect such additional Sample(s) with a Suitable Specific Gravity for Analysis.

- F.4.6 The DCO shall record that the *Samples* collected belong to a single *Athlete* and the order in which the *Samples* were provided.
- F.4.7 The DCO shall then continue with the Sample Collection Session in accordance with Annex C.4.17.
- F.4.8 The DCO shall send to the Laboratory for analysis all *Samples* which were collected, irrespective of whether or not they meet the requirement for Suitable Specific Gravity for Analysis.
- F.4.9 When two (2) *Samples* are collected from an *Athlete*, during the same Sample Collection Session, both Samples shall be analyzed by the Laboratory. In cases where three (3) or more Samples are collected during the same Sample Collection Session, the Laboratory shall prioritize and analyze the first and the subsequent collected *Sample* with the highest specific gravity, as recorded on the Doping Control form. The Laboratory, in conjunction with the Testing Authority, may determine if the other *Samples* need to be analyzed.

ANNEX G – SAMPLE COLLECTION PERSONNEL REQUIREMENTS

G.1 Objective

To ensure that Sample Collection Personnel have no conflict of interest and have adequate qualifications and experience to conduct Sample Collection Sessions.

G.2 Scope

Sample Collection Personnel requirements start with the development of the necessary competencies for Sample Collection Personnel and end with the provision of identifiable accreditation.

G.3 Responsibility

The Sample Collection Authority has the responsibility for all activities defined in this Annex.

G.4 Requirements - Qualifications and Training

G.4.1 The Sample Collection Authority shall:

- a Determine the necessary competence, eligibility and qualification requirements for the positions of DCO, Chaperone and BCO; and
- b Develop duty statements for all Sample Collection Personnel that outline their respective responsibilities. As a minimum:
 - Sample Collection Personnel shall not be *Minors*; and
 - BCOs shall have adequate qualifications and practical skills required to perform blood collection from a vein.

G.4.2 The Sample Collection Authority shall ensure that Sample Collection Personnel sign an agreement dealing with conflicts of interest, confidentiality and code of conduct.

G.4.3 Sample Collection Personnel shall not be appointed to a Sample Collection Session where they have an interest in the outcome of a Sample Collection Session. At a minimum, Sample Collection Personnel are deemed to have such an interest if they are:

- Involved in the participation or administration of the sport at the level for which *Testing* is being conducted;
- Related to, or involved in the personal affairs of, any *Athlete* who might provide a *Sample* at that Sample Collection Session;
- Have family members actively involved in the daily activities of the sport at the level for which

Testing is being conducted (e.g., administration, coaching, training, officiating, competitor, medical);

- Are engaged in business with, have a financial interest in or personal stake in a sport that has *Athletes* who are subject to *Testing*;
- Are drawing or likely to draw personal and/or professional gain or advantage directly or indirectly from a third party due to their own decisions taken in the fulfillment of their official functions; and/or
- Appear to have private or personal interests that detract from their ability to perform their duties with integrity in an independent and purposeful manner.

G.4.4 The Sample Collection Authority shall establish a system that ensures that Sample Collection Personnel are adequately trained to carry out their duties.

G.4.4.1 The training program for BCOs shall include, as a minimum, studies of all relevant requirements of the *Testing* process and familiarization with relevant standard precautions in healthcare settings.

G.4.4.2 The training program for DCOs shall include, as a minimum:

- Comprehensive theoretical training in those *Doping Control* activities relevant to the DCO position;
- Observation of all Sample Collection Session activities that are the responsibility of the DCO as set out in this *International Standard for Testing and Investigations*, preferably on-site; and
- The satisfactory performance of one complete Sample Collection Session on-site under observation by a qualified DCO or similar. The requirement related to the actual passing of a urine *Sample* shall not be included in the on-site observations.

G.4.4.3 The training program for Chaperones shall include all relevant requirements of the Sample Collection Session including but not limited to situations dealing with Failure to Comply, *Athletes* who are *Minors* and/or *Athletes* with impairments.

G.4.4.4 A Sample Collection Authority that collects *Samples* from *Athletes* who are of a different nationality to its Sample Collection Personnel (e.g., at an *International Event* or in an *Out-of-Competition* context) should ensure that such Sample Collection Personnel are adequately trained to carry out their duties in respect of such *Athletes*.

G.4.4.45 The Sample Collection Authority shall maintain records of education, training, skills and experience of all Sample Collection Personnel.

G.5 Requirements - Accreditation, re-accreditation and delegation

G.5.1 The Sample Collection Authority shall establish a system for accrediting and re-accrediting Sample Collection Personnel.

- G.5.2 The Sample Collection Authority shall ensure that Sample Collection Personnel have completed the training program and are familiar with the requirements of this *International Standard for Testing and Investigations* (including, where G.4.4.4 applies, in relation to the collection of *Samples* from *Athletes* who are of a different nationality than the Sample Collection Personnel) before granting accreditation.
- G.5.3 Accreditation shall only be valid for a maximum of two (2) years. Sample Collection Personnel shall be subject to an assessment (theoretical and/or practical) before being re- accredited and shall be required to repeat a full training program if they have not participated in *Sample* collection activities within the year prior to re-accreditation.
- G.5.4 Only Sample Collection Personnel who have an accreditation recognized by the Sample Collection Authority shall be authorized to conduct *Sample* collection activities on behalf of the Sample Collection Authority.
- G.5.5 The Sample Collection Authority shall develop a system to monitor the performance of Sample Collection Personnel during the period of accreditation, including defining and implementing criteria for revoking accreditation.
- G.5.2 DCOs may personally perform any activities involved in the Sample Collection Session, with the exception of blood collection unless particularly qualified, or they may direct a Chaperone to perform specified activities that fall within the scope of the Chaperone's authorized duties as determined by the Sample Collection Authority

ANNEX I – COLLECTION, STORAGE AND TRANSPORT OF BLOOD *ATHLETE* BIOLOGICAL PASSPORT SAMPLES

I.1. Objective

To collect an *Athlete's* blood *Sample*, intended for use in connection with the measurement of individual *Athlete* blood variables within the framework of the *Athlete* Biological Passport program, in a manner appropriate for such use.

I.2. Requirements

I.2.1 Planning shall consider the *Athlete's* whereabouts information to ensure *Sample* collection does not occur within two (2) hours of the *Athlete's* training, participation in Competition or other similar physical activity. If the *Athlete* has trained or competed less than two (2) hours before the time the *Athlete* has been notified of their selection, the DCO or other designated Sample Collection Personnel shall chaperone the *Athlete* until this two-hour period has elapsed.

I.2.2 If the *Sample* was collected within two (2) hours of training or Competition, the nature, duration and intensity of the exertion shall be recorded by the DCO to make this information available to the APMU and subsequently to the Experts.

I.2.3 Although a single blood *Sample* is sufficient within the framework of the *Athlete* Biological Passport, it is recommended to collect an additional B *Sample* for a possible subsequent analysis of Prohibited Substances and Prohibited Methods in whole blood (e.g., detection of Homologous Blood Transfusion (HBT) and/or Erythropoiesis Stimulating Agents (ESAs)).

I.2.4 For Out-of-Competition Testing, A and B urine *Samples* should be collected together with the blood *Sample(s)* in order to permit Analytical Testing for ESAs unless otherwise justified by a specific intelligent Testing strategy.

I.2.5 The *Sample* shall be refrigerated from its collection until its analysis with the exception of when the *Sample* is analyzed at the collection site without delay. The storage procedure is the DCO's responsibility.

I.2.6 The storage and transport device shall be capable of maintaining blood *Samples* at a cool temperature during storage. Whole blood *Samples* shall not be allowed to freeze at any time. In choosing the storage and transport device, the DCO shall take into account the time of storage, the number of *Samples* to be stored in the device and the prevailing environmental conditions (hot or cold temperatures). The storage device shall be one of the following:

- a) Refrigerator;
- b) Insulated cool box;
- c) Isotherm bag; or
- d) Any other device that possesses the capabilities mentioned above.

I.2.7 A temperature data logger shall be used to record the temperature from the collection to the analysis of the *Sample* except when the *Sample* is analyzed at the collection site without delay. The temperature data logger shall be able to:

- a) Record the temperature in degrees Celsius at least once per minute;

- b) Record time in GMT;
- c) Report the temperature profile over time in text format with one line per measurement following the format “YYYY-MM-DD HH:MM T”; and
- d) Have a unique ID of at least six characters.

I.2.8 Following notification to the *Athlete* that he/she has been selected for *Sample* collection and following the DCO/BCO’s explanation of the *Athlete*’s rights and responsibilities in the *Sample* collection process, the DCO/BCO shall ask the *Athlete* to remain still, in a normal seated position, with feet on the floor for at least ten (10) minutes prior to providing a blood *Sample*.

I.2.9 The DCO/BCO shall collect and record the following additional information on an *Athlete* Biological Passport supplementary form, *Athlete* Biological Passport specific Doping Control form or other related report form to be signed by the *Athlete* and the DCO/BCO:

- a) Has the *Athlete* been seated for at least ten (10) minutes with their feet on the floor prior to blood collection?
- b) Was the *Sample* collected immediately following at least three (3) consecutive days of an intensive endurance Competition, such as a stage race in cycling?
- c) Has the *Athlete* had a training session or Competition in the two (2) hours prior to the blood collection?
- d) Did the *Athlete* train, compete or reside at an altitude greater than 1,500 meters within the prior two (2) weeks? If so, or if in doubt, the name and location of the place where the *Athlete* had been and the duration of their stay shall be recorded. The estimated altitude shall be entered, if known.
- e) Did the *Athlete* use any form of altitude simulation such as a hypoxic tent, mask, etc. during the prior two (2) weeks? If so, as much information as possible on the type of device and the manner in which it was used (e.g., frequency, duration, intensity) should be recorded.
- f) Did the *Athlete* receive any blood transfusion(s) during the prior three (3) months? Was there any blood loss due to accident, pathology or donation in the prior three (3) months? If so, the estimated volume should be recorded.
- g) Has the *Athlete* been exposed to any extreme environmental conditions during the last two (2) hours prior to blood collection, including any sessions in any artificial heat environment, such as a sauna? If so, the details should be recorded.

I.2.10 The DCO/BCO shall start the temperature data logger and place it in the storage device. It is important to start recording the temperature before *Sample* collection.

I.2.11 The storage device shall be located in the Doping Control Station and shall be kept secure.

I.2.12 The DCO/BCO instructs the *Athlete* to select the Sample Collection Equipment in accordance with Annex D.4.6. If the collection tube(s) are not pre-labelled, the DCO/BCO shall label them with a unique *Sample* code number prior to the blood being drawn and the *Athlete* shall check that the code numbers match.

I.3. The *Sample* Collection Procedure

I.3.1 The *Sample* collection procedure for the collection of blood for the purposes of the *Athlete* Biological Passport is consistent with the procedure set out in Annex D.4., including the ten (10) minute (or more) seated period, with the following additional elements:

- a) The BCO ensures that the collection tubes were filled appropriately; and
- b) After the blood flow into the tube ceases, the BCO removes the tube from the holder and homogenizes the blood in the tube manually by inverting the tube gently at least three (3) times.

I.3.2 The *Athlete* and the DCO/BCO sign the Doping Control and *Athlete* Biological Passport supplementary form(s), when applicable.

I.3.3 The blood *Sample* is sealed and deposited in the storage device containing the temperature data logger.

I.4. **Transportation Requirements**

I.4.1 Blood *Samples* shall be transported in a device that maintains the integrity of *Samples* over time, due to changes in external temperature.

I.4.2 The transport procedure is the DCO's responsibility. The transport device shall be transported by secure means using a Sample Collection Authority authorized transport method.

I.4.3 The integrity of the Markers used in the haematological module of the *Athlete* Biological Passport is guaranteed when the Blood Stability Score (BSS) remains below eighty-five (85), where the BSS is computed as:

$$BSS = 3 * T + CAT$$

with CAT being the Collection to Analysis Time (in hours), and T the average Temperature (in degrees Celsius) measured by the data logger between *Sample* collection and analysis.

I.4.4 Within the framework of the BSS, the following table can be used by the DCO/BCO to estimate the maximal transport time to a Laboratory or WADA- Approved Laboratory for the *Athlete* Biological Passport, called the Collection to Reception Time (CRT), for a given average temperature T:

T [°C]	CRT [h]
15	35
12	41
10	46
9	48
8	50
7	53
6	55
5	58
4	60

- I.4.5 The DCO/BCO shall as soon as possible transport the *Sample* to a Laboratory or WADA-Approved Laboratory for the *Athlete* Biological Passport.
- I.4.6 The Testing Authority or Sample Collection Authority shall report without delay into *ADAMS*:
- a) The Doping Control form as per ISTI Article 4.9.1 b);
 - b) The *Athlete* Biological Passport supplementary form, and/or the additional information specific to the *Athlete* Biological Passport collected on a related report form;
 - c) In the Chain of Custody, the temperature data logger ID (without any time reference) and the time zone of the Testing location in GMT.

Definitions

Defined Terms from the *Code* and from the *ADSC*

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 WADA-accredited laboratory or other WADA- approved laboratory that, consistent with the International Standard for Laboratories, establishes in a *Sample* the presence of a Prohibited Substance or its Metabolites or Markers or evidence of the Use of a Prohibited Method.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable International Standards.

Anti-Doping Organization: WADA or 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, other Major Event Organizations that conduct Testing at their Events, International Federations, and National Anti-Doping Organizations.

Anti-Doping Sport Code (ADSC): The Code, adopted by NADO Italia, implementing the *World Anti-Doping Code* and the *International Standards*.

Athlete: Any *Person* who Competes in sport under the aegis of the relevant International Federation and/or the Italian National Olympic Committee (CONI) and Italian Paralympic Committee (IPC).

Athlete Biological Passport: The program and methods of gathering and collating data as described in the International Standard for Testing and Investigations and International Standard for Laboratories.

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 WADA-accredited laboratory or other WADA-approved laboratory which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

Atypical Passport Finding: A report described as an Atypical Passport Finding as described in the applicable International Standards.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport 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 Rule Violations (“Consequences”): 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 on account of an anti-doping rule violation for a specified period of time from participating in any Competition or other activity or funding as provided in *Code* Article 10.14.1; (c) Provisional Suspension means the *Athlete* or other Person is barred temporarily from participating in any Competition or activity prior to the final decision at a hearing conducted under *Code* Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with *Code* Article 14. Teams in Team Sports may also be subject to Consequences as provided in *Code* Article 11.

Decision Limit: The value of the result for a Threshold Substance in *Sample*, above which an *Adverse Analytical Finding* shall be reported, as defined in the International Standard for Laboratories.

Delegated Third Parties: Any Person to which an Anti-Doping Organization delegates any aspect of Doping Control or anti-doping Education programs including, but not limited to, third parties or other Anti-Doping Organizations that conduct *Sample* collection or other Doping Control services or anti-doping Educational programs for the Anti-Doping Organization, or individuals serving as independent contractors who perform Doping Control services for the Anti-Doping Organization (e.g., non-employee Doping Control Officers or Chaperones). This definition does not include CAS.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of Consequences, including all steps and processes in between, including but not limited to, Testing, investigation, whereabouts, TUEs, *Sample* collection and handling, laboratory analysis, *Results Management*, hearings and appeals, and investigations or proceedings relating to violations of *Code* Article 10.14 (Status During Ineligibility or Provisional Suspension).

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

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

Event Venues: Those venues so designated by the ruling body for the Event.

In-Competition: The period commencing at 11:59 p.m. on the day 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. Provided, however, WADA may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by WADA, the alternative definition shall be followed by all Major Event Organizations for that particular sport.

Independent Observer Program: A team of observers and/or auditors, under the supervision of WADA, who observe and provide guidance on the Doping Control process prior to or during certain Events and report on their observations as part of WADA's compliance monitoring program.

Ineligibility: See Consequences of Anti-Doping Rule Violations above.

International Event: An Event or Competition 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* who compete in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations.

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.

Marker: A compound, group of compounds or biological variable(s) that indicates the Use of a Prohibited Substance or Prohibited Method.

Minor: A natural Person who has not reached the age of eighteen years.

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*, manage test results and conduct *Results Management* at the national level. 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 or Competition involving International- or National-Level *Athletes* that is not an International Event.

National-Level Athlete: An *Athlete* included in the national RTP; *Athletes* included in the Club Olimpico (who receive funding from Sports movement); an *Athlete* who currently or in the last six (6) months has represented Italy at senior level; an *Athlete* who

has been selected to represent Italy in International *Events* or Competitions, not classified as International-Level *Athlete* by the relevant International Federation.

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. In Italy, the *National Olympic Committee* is *Comitato Olimpico Nazionale Italiano* (CONI).

Out-of-Competition: Any period which is not In-Competition.

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

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

Prohibited Substance: Any substance, or class of substances, so described on the Prohibited List.

Protected Person: An *Athlete* or other natural Person who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (ii) has not reached the age of eighteen (18) years and is not included in any *Registered Testing Pool* and has never competed in any International Event in an open category; or (iii) for reasons other than age, has been determined to lack legal capacity under applicable national legislation.

Provisional Suspension: See Consequences of Anti-Doping Rule Violations above.

Recreational Athlete: In Italy, *Recreational Athlete* is any *Person* member of a Sport Promotion Entity, or any *Person* who takes part in local *Competitions* or competes at lower level *Team Sports*.

In any case, *Recreational Athlete* does not include who, within the five (5) years prior to committing any anti-doping rule violation: (i) has been an *International-Level Athlete* (as defined by each International Federation consistent with the *International Standard for Testing and Investigations*) or *National-Level Athlete* (as defined by NADO Italia or other *National Anti-Doping Organization* consistent with the *International Standard for Testing and Investigations*); (i) has represented Italy or any other country in an *International Event* in an open category; (iii) or has been included within any *Registered Testing Pool* or other whereabouts information pool maintained by any International Federation, NADO Italia or other *National Anti-Doping Organization*.

Registered Testing Pool: The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by National Anti-Doping Organizations, who are subject to focused In-Competition and Out-of-Competition Testing as part of that International Federation's or National Anti-Doping Organization's Test Distribution Plan and therefore are required to provide whereabouts information as provided in Article 5.5 and the *International Standard for Testing and Investigations*. In Italy, NADO Italia's *Registered Testing Pool* is defined as set out in *ADSC* Article 6.5.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the International Standard for Results Management, or in certain cases (e.g., Atypical Finding, *Athlete Biological Passport*, Whereabouts Failure), such pre-

notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

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

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in *Code* Article 23.

Substantial Assistance: For purposes of *Code* Article 10.7.1, a Person providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in *Code* Article 10.7.1.1 and (2) fully cooperate with the investigation and adjudication of any case or matter 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 or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a Sample, affecting or making impossible the analysis of a Sample, falsifying documents submitted to an Anti-Doping Organization or TUE committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the Anti-Doping Organization or hearing body to affect Results Management or the imposition of Consequences, and any other similar intentional interference or Attempted interference with any aspect of Doping Control.

Target Testing: Selection of specific *Athletes* for Testing based on criteria set forth in the *International Standard for Testing and Investigations*.

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

Technical Document: A document adopted and published by WADA from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

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

WADA: The World Anti-Doping Agency.

Defined terms from the International Standard for Laboratories:

Adaptive Model: A mathematical model designed to identify unusual longitudinal results from *Athletes*. The model calculates the probability of a longitudinal profile of Marker

values, assuming that the *Athlete* has a normal physiological condition.

Analytical Testing: The parts of the Doping Control process performed at the Laboratory, which include Sample handling, analysis and reporting of results.

Athlete Passport Management Unit (APMU): A unit composed of a Person or Persons that is responsible for the timely management of *Athlete* Biological Passports in ADAMS on behalf of the Passport Custodian.

Confirmation Procedure (CP): An Analytical Testing Procedure that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific Prohibited Substances, Metabolite(s) of a Prohibited Substance, or Marker(s) of the Use of a Prohibited Substance or Prohibited Method in a Sample.

Laboratory(ies): (A) WADA-accredited laboratory(ies) applying Test Methods and processes to provide evidentiary data for the detection and/or identification of Prohibited Substances or Prohibited Methods on the Prohibited List and, if applicable, quantification of a Threshold Substance in Samples of urine and other biological matrices in the context of Doping Control activities.

WADA-Approved Laboratory(-ies) for the Athlete Biological Passport: Laboratory(-ies) not otherwise accredited by WADA which apply Analytical Methods and processes in support of the hematological module of the ABP program and in accordance with the criteria for approval of non-accredited laboratories for the ABP.

Defined terms from the International Standard for Results Management:

Failure to Comply: A term used to describe anti-doping rule violations under *Code* Articles 2.3 and/or 2.5.

Filing Failure: A failure by the *Athlete* (or by a third party to whom the *Athlete* has delegated the task) to make an accurate and complete Whereabouts Filing that enables the *Athlete* to be located for Testing at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B of the International Standard for Results Management.

Missed Test: A failure by the *Athlete* to be available for Testing at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B of the International Standard for Results Management.

Passport: A collation of all relevant data unique to an individual *Athlete* that may include longitudinal profiles of Markers, heterogeneous factors unique to that particular *Athlete* and other relevant information that may help in the evaluation of Markers.

Passport Custodian: The Anti-Doping Organization responsible for Results Management of that *Athlete's* Passport and for sharing any relevant information associated to that *Athlete's* Passport with other Anti-Doping Organization(s).

Results Management Authority: The Anti-Doping Organization responsible for conducting Results Management in a given case.

Whereabouts Failure: A Filing Failure or a Missed Test.

Defined terms from the International Standard for the Protection of Privacy and Personal Information:

Processing (and its cognates, Process and Processed): Collecting, accessing, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.

Defined terms specific to the International Standard for Testing and Investigations:

Blood Collection Officer (or BCO): An official who is qualified and has been authorized by the Sample Collection Authority to collect a blood Sample from an *Athlete*.

Chain of Custody: The sequence of individuals or organizations who have responsibility for the custody of a Sample from the provision of the Sample until the Sample has been delivered to the Laboratory for analysis.

Chaperone: An official who is suitably trained and authorized by the Sample Collection Authority to carry out specific duties including one or more of the following (at the election of the Sample Collection Authority); notification of the *Athlete* selected for Sample collection; accompanying and observing the *Athlete* until arrival at the Doping Control Station; accompanying and/or observing *Athletes* who are present in the Doping Control Station; and/or witnessing and verifying the provision of the Sample where the training specifically qualifies them to do so.

Code Article 2.4 Whereabouts Requirements: The whereabouts requirements set out in Article 4.8 of the International Standard for Testing and Investigations, which apply to *Athletes* who are included in the Registered Testing Pool of an International Federation or a National Anti-Doping Organization.

Doping Control Coordinator: An Anti-Doping Organization or a Delegated Third Party that coordinates any aspect of Doping Control on behalf of an Anti-Doping Organization. The Anti-Doping Organization always remains ultimately responsible under the Code for compliance with the requirements of the International Standard for Testing and Investigations, Therapeutic Use Exemptions, Protection of Privacy and Personal Information, and Results Management.

Doping Control Officer (or DCO): An official who has been trained and authorized by the Sample Collection Authority to carry out the responsibilities given to DCOs in the International Standard for Testing and Investigations.

Doping Control Station: The location where the Sample Collection Session will be conducted in accordance with Article 6.3.2 of the International Standard for Testing and Investigations.

Expert: The Expert(s) and/or Expert Panel, with knowledge in the concerned field, chosen by the Anti-Doping Organization and/or *Athlete* Passport Management Unit, who are responsible for providing an evaluation of the Passport. The Expert must be external to the Anti-Doping Organization.

For the Haematological Module, the Expert Panel should consist of at least three (3) Experts who have qualifications in one or more of the fields of clinical and laboratory haematology, sports medicine or exercise physiology, as they apply to blood doping. For the Steroidal Module, the Expert Panel should be composed of at least three (3) individuals with qualifications in the fields of laboratory steroid analysis, steroid doping and metabolism and/or clinical endocrinology. For both modules, an Expert Panel should consist of Experts with complementary knowledge such that all relevant fields are represented. The Expert Panel may include a pool of at least three (3) appointed Experts and any additional ad hoc Expert(s) who may be required upon request of any of the appointed Experts or by the *Athlete* Passport Management Unit of the Anti-Doping Organization.

In-Competition Date: As described in Article 4.8.8.4 of the International Standard for Testing and Investigations.

No Advance Notice Testing: Sample collection that takes place with no advance warning to the *Athlete* and where the *Athlete* is continuously chaperoned from the moment of notification through Sample provision.

Random Selection: Selection of *Athletes* for Testing which is not *Target Testing*.

Risk Assessment: The assessment of risk of doping in a sport or sports discipline conducted by an Anti-Doping Organization in accordance with Article 4.2 of the International Standard for Testing and Investigations.

Sample Collection Authority: The organization that is responsible for the collection of Samples in compliance with the requirements of the International Standard for Testing and Investigations, whether (1) the Testing Authority itself; or (2) a Delegated Third Party to whom the authority to conduct Testing has been granted or sub-contracted. The Testing Authority always remains ultimately responsible under the Code for compliance with the requirements of the International Standard for Testing and Investigations relating to collection of Samples.

Sample Collection Equipment: A and B bottles, kits or containers, collection vessels, tubes or other apparatus used to collect, hold or store the Sample at any time during and after the Sample Collection Session that shall meet the requirements of Article 6.3.4 of the International Standard for Testing and Investigations.

Sample Collection Personnel: A collective term for qualified officials authorized by the Sample Collection Authority to carry out or assist with duties during the Sample Collection Session.

Sample Collection Session: All of the sequential activities that directly involve the *Athlete* from the point that initial contact is made until the *Athlete* leaves the Doping Control Station after having provided their Sample(s).

Suitable Specific Gravity for Analysis: For Samples with a minimum volume of 90mL

and less than 150mL, specific gravity measured at 1.005 or higher with a refractometer, or 1.010 or higher with lab sticks. For Samples with a volume of 150mL and above, specific gravity measured at 1.003 or higher with a refractometer only.

Suitable Volume of Urine for Analysis: A minimum of 90 mL, whether the Laboratory will be analyzing the Sample for all or only some Prohibited Substances or Prohibited Methods.

Tamper Evident: Refers to having one or more indicators or barriers to entry incorporated into or, if applicable, included with the Sample Collection Equipment, which, if breached or missing or otherwise compromised, can provide visible evidence that *Tampering* or Attempted *Tampering* of Sample Collection Equipment has occurred.

Team Activity/Activities: Sporting activities carried out by *Athletes* on a collective basis as part of a team (e.g., training, travelling, tactical sessions) or under the supervision of the team (e.g., treatment by a team doctor).

Technical Document for Sport Specific Analysis (TDSSA): The Technical Document which establishes minimum levels of analysis that Anti-Doping Organizations must apply to sports and sport disciplines for certain Prohibited Substances and/or Prohibited Methods, which are most likely to be abused in particular sports and sport disciplines.

Test(s): Any combination of Sample(s) collected (and analyzed) from a single *Athlete* in a single Sample Collection Session.

Test Distribution Plan (TDP): A document written by an Anti-Doping Organization that plans Testing on *Athletes*, in accordance with the requirements of Article 4 of the International Standard for Testing and Investigations.

Testing Authority: The Anti-Doping Organization that authorizes Testing on *Athletes* it has authority over. It may authorize a Delegated Third Party to conduct Testing pursuant to the authority of and in accordance with the rules of the Anti-Doping Organization. Such authorization shall be documented. The Anti-Doping Organization authorizing Testing remains the Testing Authority and ultimately responsible under the Code to ensure the Delegated Third Party conducting the Testing does so in compliance with the requirements of the International Standard for Testing and Investigations.

Unsuccessful Attempt Report: A detailed report of an unsuccessful attempt to collect a Sample from an *Athlete* in a *Registered Testing Pool* or Testing pool setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the *Athlete* (including details of any contact made with third parties), and any other relevant details about the attempt.

Whereabouts Filing: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* (or Testing pool if applicable) that sets out the *Athlete's* whereabouts during the following quarter, in accordance with Article 4.8 of the International Standard for Testing and Investigations.

NATIONAL ANTI-DOPING APPEAL BODY

Procedural Rules

Implementing the *WADA Code* and the *International Standard for Results Management*

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INTRODUCTION

The *National Anti-Doping Appeal Body, Procedural Rules* (hereinafter “NADAB_PR”) implements the *WADA Code* and the *International Standard for Results Management* (hereinafter “ISRM”). In the event of any conflict between the *Code* and the ISRM and the NADAB_PR, the *Code* and/or the ISRM shall, as applicable, prevail.

The comments annotating various provisions of the *Code* and of the ISRM are incorporated by reference into the NADAB_PR, shall be treated as if set out fully herein, and shall be used to interpret this NADAB_PR.

Interpretation

Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the NADAB_PR.

Terms used in this NADAB_PR that are defined terms from the *Code* and from the *Anti-Doping Sports Code* of NADO Italia (hereinafter “*ADSC*”) are italicized. Terms that are defined in this or another *WADA International Standard* are underlined.

General Principles

Judgements on Appeals under the NADAB_PR are aimed at the fair, expeditious and efficient manner of resolving disputes on appeal against decisions rendered by the National Anti-Doping Tribunal of NADO Italia (hereinafter “NADT”) pursuant to *Code* Article 13 – except for the decisions involving *International Level Athletes* or cases arising from the participation in *International Events*, for which the Court of Arbitration for Sport in Lausanne (hereinafter “*CAS*”) has jurisdiction – and appeals against TUEs rejection decisions adopted by the TUEC of NADO Italia.

The principles set out in *ADSC* Articles 23 and 24 shall apply, where applicable.

ARTICLE 1 JURISDICTION CRITERIA

The NADAB has jurisdiction to judge on appeals lodged against decisions adopted as pursuant to *Code* Article 13 by the NADT – except for the decisions involving *International Level Athlete* or cases arising from the participation in *International Events*, for which has jurisdiction the Court of Arbitration for Sport in Lausanne (hereinafter “CAS”) – and on appeals against TUEs rejection decisions adopted by the TUEC of NADO Italia.

ARTICLE 2 REVIEW OF NADO ITALIA TUEC’S DECISIONS

- 2.1 The *Athlete* shall have the right to file an appeal with the NADAB against any decision of rejection of a *TUE* by the TUEC of NADO Italia.
- 2.2 Review requests shall not cause a stay of the rejection decision adopted by the TUEC of NADO Italia.
- 2.3 The appeal must be filed in writing within and not later than ten (10) days of the date on which the rejection is notified, together with the medical documents submitted to the TUEC of NADO Italia and, under penalty of exclusion, proof of payment of the administrative fees set forth in the Financial Schedule of Fees in force.
- 2.4 The appeal must also be notified to the TUEC of NADO Italia within the same deadline. Within five (5) days of such notice being served, the TUEC shall be required to submit the relevant file to the NADAB, together with a brief, if appropriate.
- 2.5 The Panel shall deal with the review in closed session based on the documents acquired, without prejudice to the right to seek further information from the *Athlete* and the TUEC of NADO Italia.
- 2.6 The decision, to be issued within fourteen (14) days after receipt of the appeal, must be notified to the *Athlete* and TUEC of NADO Italia during the next seven (7) days, after the decision has been rendered.
- 2.7 If the NADAB overturns the decision of rejection of the TUEC of NADO Italia, then the *TUE* shall have immediate effect as pursuant to the terms of the decision.
- 2.8 The decision whereby the Panel confirms or annuls the measures taken by the TUEC of NADO Italia shall be final, subject to *WADA*’s right to review the NADAB’s decision.

ARTICLE 3 APPEAL AGAINST *PROVISIONAL SUSPENSION* DECISIONS

- 3.1 An appeal may be filed against a decision of *Provisional Suspension* as under NADO Italia’s *Results Management Procedure* (RMP) Article 3 by the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed. The appeal must be filed with the NADAB.

- 3.2 Under penalty of exclusion, the appeal must be lodged by the individual against whom the decision is made by written notice to be served on the NADAB and National Anti-Doping Prosecutor of NADO Italia (NADP), according to the same terms and conditions as under Article 11, within and not later than ten (10) days after notice of the decision of *Provisional Suspension*.
- 3.3 The appeal, signed personally or by the *Athlete's* own counsel, must contain the specific grounds on which it is based. Under penalty of exclusion, receipt of payment of the administrative fees set forth in the Financial Schedule of Fees in force, together with proof of notice served on the NADP must also be attached to the appeal.
- 3.4 Once the appeal has been received by the NADAB, it shall request the NADT that issued the decision being appealed against to produce copy of the case file, which must be submitted within three (3) days of the request.
- 3.5 The hearing must be held within ten (10) days after receipt of the case file, promptly informing the appellant and/or his/her counsel and the NADP of the date, time and place of the hearing.
- 3.6 The matter shall be discussed in closed session. The person under investigation shall have the right to attend the hearing personally, if not a *Protected Person*, or through the holder of parental responsibility and to rely on the aid of his/her own counsel and, if necessary, an interpreter. If the party or his/her counsel fail to attend, the proceedings shall nonetheless be carried out. The NADP shall attend the proceedings with one or more members.
- 3.7 At the end of the discussion, the text of the decision shall be read out immediately, such text being final. Both the text and the decision complete with grounds shall be notified to the party, with the former also being notified to the relevant National Sports Federation (NSF)/Associated Sports Discipline (ASD)/Sports Promotion Entity (SPE) and Club.

ARTICLE 4 APPEAL AGAINST FIRST INSTANCE DECISIONS ADOPTED BY THE NADT

- 4.1 All decisions referred to in *ADSC* Article 18.2 may be subject to appeal.
- 4.2 First instance decisions adopted by the NADT – as pursuant to Article 1 and RMP Article 6 – may be appealed against in writing before the NADAB. Under penalty of exclusion, such appeals must be filed within and not later than fifteen (15) days of the date of receipt of the first instance decision, without prejudice to any special deadline set out in *ADSC* Article 18.5.
- 4.3 Subject to Article 4.4, the decisions adopted by the NADT for *ADSC* violations involving *Athletes* who are included in the *Registered Testing Pool* (RTP) of the relevant International Federation or *International Level Athlete* or arising from the participation in an *International Events*, or may be appealed against before the Court of Arbitration for Sport (*CAS*) in Lausanne within and not later than twenty-one (21) days of receipt of the decision, without prejudice to other deadlines granted by *WADA* in the cases governed by *Code* Article 13. The decisions adopted by *CAS* may be appealed against before

the Swiss Federal Tribunal, observing the procedures established by the said jurisdictional body.

- 4.4 *WADA*, the International Federation concerned, the International Olympic Committee or International Paralympic Committee, when applicable, may also lodge an appeal against the decision adopted by the NADAB before *CAS*, as pursuant to *Code* Articles 13.2.1 and 13.2.3.
- 4.5 The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.
- 4.6 The following individuals shall have the right to appeal against first instance decisions adopted by the NADT: the *Athlete* or other *Person* being sanctioned; NADP; relevant International Federation; *National Anti-Doping Organization* of the country where the *Athlete* or other *Person* have their residence (if different from NADO Italia); *WADA*; IOC and 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.
- 4.7 The parties to the case at first instance shall be considered to be parties to the appeal proceedings, without prejudice to the right to attend for other parties who were not parties to the case.
- 4.8 If none of the parties appeals against a first instance decision, then *WADA* shall have the right to file an appeal against such decision directly with the *CAS* as pursuant to *Code* Article 13.1.3.
- 4.9 The appeal shall not result in a stay of a first instance decision.
- 4.10 The appeal lodged with the NADAB must be notified to the other parties as pursuant to Article 11, while reference shall be made to the specific provisions of the *CAS* with respect to the terms and conditions for lodging an appeal before such body and notifying it to the parties concerned.
- 4.11 The appeal must be lodged by *WADA*, depending on the circumstance that arises subsequently, within: (a) twenty-one (21) days after expiry of the deadline by which the other parties to first instance proceedings were to file an appeal; (b) twenty-one (21) days after receipt of the complete case file pertaining to the first instance decision.
- 4.12 Under penalty of exclusion, the appeal must indicate the decision being appealed against and its date and the specific grounds on which the appeal is based. To the same appeal, under penalty of exclusion, must be enclosed the receipt of payment of the administrative fees set forth in the Financial Schedule of Fees in force, together with proof of the notice served on the other parties.
- 4.13 In the event the appeal is lodged by the relevant International Federation or *WADA*, notice to the individual being sanctioned may also be served through the NSF/ASD/SPE who shall make every reasonable effort to forward the deed of appeal to the individual being sanctioned, providing proof of notification thereof.

- 4.14 The NADP, *WADA* and the International Federation concerned shall not be required to pay the administrative fees related to the appeal.

ARTICLE 5 CROSS-APPEAL

- 5.1 If one of the parties has filed an appeal against a first instance decision, the other parties may file a cross appeal.
- 5.2 Under penalty of exclusion, the appeal must be filed by informing the NADAB thereof. Such appeal must be notified to the other parties according to the same terms and conditions as under Article 11 within and not later than seven (7) days of the date of notice of the main appeal.
- 5.3 In the event that the incidental appeal is filed by the NADP, International Federation or *WADA*, the *reformatio in peius* principle shall apply whereby the first instance decision is amended to a worse one.
- 5.4 Under penalty of exclusion, the cross-appeal must contain the specific grounds on which the appeal is based as well as receipt of payment of the administrative fees set forth in the Financial Schedule of Fees in force, together with proof of the notice served on the other parties.
- 5.5 In the event the incidental appeal is lodged by the relevant International Federation or *WADA*, notice to the individual being sanctioned may also be served through the NSF/ASD/SPE who shall make every reasonable effort to forward the deed of appeal to the individual being sanctioned, providing proof of notification thereof.
- 5.6 The NADP, *WADA* and the International Federation concerned shall not be required to pay the administrative fees related to the incidental appeal.
- 5.7 Cross-appeals and other subsequent appeals by any respondent named in cases brought to *CAS* under the *Code* are specifically permitted. Any party with a right to appeal under *Code* Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

ARTICLE 6 STARTING A SECOND INSTANCE HEARING

- 6.1 Following notice of an appeal being filed, the Panel shall be provided with copy of the records of the case file directly by the NADT who shall cause such records to be forwarded within and not later than five (5) days after receipt of the request.
- 6.2 Within a time limit of forty (40) days after receipt of the records, the Panel shall set the date of the hearing to discuss the case.
- 6.3 The date of the hearing must be notified to the parties to the first instance proceedings at least twenty (20) days in advance.
- 6.4 Within and not later than ten (10) days prior to the date set for the hearing, the appealing parties may

file an initial brief with the NADB containing their own arguments and defense submissions and related preliminary allegations. The aforesaid brief shall, under penalty of exclusion, be notified to the parties within the same deadline of ten (10) days prior to the date of the hearing according to the same terms and conditions as under Article 11.

- 6.5 Within and not later than five (5) days prior to the date of the hearing, the parties shall have the power to file a second brief limited to the reply to the defense submissions and exceptions of the other parties. The aforesaid brief shall, under penalty of exclusion, be notified to the other parties within the same deadline of five (5) days prior to the date of the hearing according to the same terms and conditions as under Article 11.
- 6.6 The NADAB shall be responsible for notifying the procedural briefs to *WADA* and the relevant International Federation, if appropriate.
- 6.7 No submissions or defense briefs shall be allowed other than those listed above or may be filed after the final deadlines as set forth.
- 6.8 The parties to the case shall have the right to seek the postponement of the hearing by filing an appropriate application containing specific grounds for such postponement. The application must be sent to the office of the NADB at least seven (7) days prior to the date of the hearing, except in cases of proven emergency. If the application is filed by the *Athlete* or other *Person*, it must be notified to the NADP for its perusal and opinion. The President of the NADB shall reach a final decision within two (2) days after the application is filed. The acceptance of the postponement shall not cause the deadlines set for the submission of the briefs to be postponed if such deadlines have already expired. The postponement of the hearing may also be ordered *ex parte* by the President of the NADB due to logistic and/or organizational reasons. Again, any such postponement shall not cause the deadlines set for the submission of the briefs to be postponed if such deadlines have already expired.

ARTICLE 7 SECOND INSTANCE HEARING

- 7.1 Disputes shall be discussed in closed session, unless the *Athlete* or other *Person* requests a public hearing, or unless NADP requests a public hearing and the *Athlete* or other *Person* agrees to the same, the parties request a public hearing, and recording thereof, by filing a reasoned motion with the NADB within seven (7) days of the date set for the hearing. After hearing the other parties, the Panel shall uphold the motion unless the need for confidentiality and/or protection of the individuals involved in the proceedings otherwise requires, in accordance with the *ISRM*, without prejudice however to the Panel's right to arrange such public hearing *ex parte*.
- 7.2 The appealing party, if other than the NADP, shall have the right to (i) appear in person, if not a *Minor* or not a *Protected Person*, or through the holder of parental responsibility, if a *Minor* or a *Protected Person*, (ii) be aided by his/her own counsel during the hearing and (iii) seek the support of an interpreter, if necessary, whose personal details must be notified to the secretary's office of the NADAB within twenty-four (24) hours prior to the date set for the hearing so that accreditation papers may be issued.
- 7.3 If they choose to do so, the NADP shall attend the proceedings with one of its members, while the International Federation and *WADA* shall attend the proceedings with their own representatives.

- 7.4 The Chairman of the Panel or a member appointed by him/her shall report on the case and then the parties shall be heard, keeping the discussion as brief as possible.
- 7.5 The Chairman of the Panel may ask questions to the parties and admit or reject the measures of enquiry requested in the case as referred to in RMP Article 13.10.
- 7.6 To the extent as it shall deem necessary, the Panel may seek the opinion of an expert appointed by the court. To this end, it shall define the (i) questions to be dealt with, including on an *inter partes* basis, (ii) deadline by which the expert opinion must be filed and the parties' memos must be submitted, and (iii) the date of the next hearing. The parties may also rely on the aid of their own expert, whose personal details must be notified as pursuant to Article 7.2.
- 7.7 A brief report of the hearing shall be drawn up by the secretary's office staff.

ARTICLE 8 DECISION ON THE APPEAL

- 8.1 Following the hearing, the text of the decision shall be immediately read out to the parties, unless the complexity or magnitude of the matters to be decided upon or the need to renew individual deeds lead the Chairman of the Panel to deem it appropriate to postpone such reading to another hearing or arrange for such text to be notified in writing without reading it out during the hearing.
- 8.2 If it is not possible to draft the grounds immediately during the closed session meeting, it shall be done within thirty (30) days after the text of the decision has been notified.
- 8.3 The text and the decision complete with grounds shall be notified to the parties, with the former also being notified to the relevant NSF/ASD/SPE, Club, the *Athlete's* International Federation, the *Athlete's National Anti-Doping Organization* (if different from NADO Italia) and *WADA*.
- 8.4 The Panel shall declare the appeal to be inadmissible on grounds of lack of the right to start proceedings and/or interest to appeal.
- 8.5 In the event that the Panel finds that the NADT did not act on all the claims filed, did not consider factual circumstances deemed as crucial for the settlement of the case, did not provide the grounds for its decision, or where the Panel takes a different view, in fact and in law, of the outcome of first instance proceedings, then it shall rectify the impugned decision, either wholly or partly, deciding on the merits.
- 8.6 The Panel may rule that the unsuccessful party should bear the costs of proceedings and pay a financial sanction as per Financial Schedule of Fees in force.
- 8.7 If the appeal is waived, then the matter at issue shall be deemed as terminated, without prejudice to any ruling pertaining to the costs of proceedings.
- 8.8 The operative part and the decision complete with grounds shall be notified to the parties, pursuant to Article 11. The operative part with the former also being notified to the relevant NSF/ASD/SPE

and Club.

- 8.9** In accordance with Article 13.2.3.2 of the *Code*, *WADA*, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal the decision on appeal to *CAS*.

ARTICLE 9 EXCLUSION AND OBJECTION

- 9.1** The judge shall be required to abstain from attending proceedings if:
- (a) he/she or one of his/her close relatives has an interest in the case he/she brought before him/her;
 - (b) he/she or his/her spouse is a next of kin of one of the parties or counsels in the case brought before him/her;
 - (c) he/she holds serious enmity towards or has conflicts with one of the parties or any of the counsels in the case brought before him/her;
 - (d) he/she carried out investigation tasks with respect to the case brought before him/her or related cases or acted as legal or technical expert in such cases.
- 9.2** In all other cases where serious grounds exist, including those indicated in the ISRM, the judge shall be required to abstain from attending proceedings.
- 9.3** A decision on the request for abstention submitted by the member shall be reached by the Panel, excluding the member submitting such request, *ex parte* within fifteen (15) days of the request being submitted. The decision so adopted shall be final.
- 9.4** If each party believes that the conditions under (a), (b), (c) or (d) of Article 9.1 (obligation for the judge to abstain) are fulfilled, they may seek the challenge of the members of the NADB by submitting a written request, to be signed personally by the party or his/her own counsel holding appropriate proxy. The request must contain the specific grounds for the challenge as well as the evidence provided within three (3) days of the reason warranting the challenge being disclosed. The secretary's office of the NADB having jurisdiction shall cause a notice to be served on the other parties to the case and the challenged member, who may submit his/her own comments within the following three (3) days.
- 9.5** A decision on the request for challenge submitted by the party shall be reached by the Panel, excluding the challenged member, *ex parte* within fifteen (15) days of the request being submitted. The decision so adopted shall be final.
- 9.6** A challenge will cause disciplinary proceedings to be suspended, without prejudice to the effects of any *Provisional Suspension* inflicted under RMP Article 3, unless such measure has already expired.
- 9.7** The order upholding the request for challenge shall exclude the challenged judge from the case. The challenge shall be declared inadmissible if the request is not submitted as specified under the previous paragraph.

- 9.8** If the challenge is deemed to be inadmissible or rejected, the challenged judge may take part in the proceedings.
- 9.9** Under the order whereby the challenge is deemed to be inadmissible or rejected, the Panel may rule that the unsuccessful party should bear the cost of proceedings as per Financial Schedule of Fees available on www.nadoitalia.it website.
- 9.10** The order whereby the request for challenge is upheld or rejected shall be notified by the secretary's office of the NADAB to the applicant, the judge being challenged as well the other parties to the case.
- 9.11** To the extent as applicable, the foregoing paragraphs shall also apply to any expert appointed by the court.

ARTICLE 10 LAPSING AND SUSPENSION OF PROCEDURAL TIME LIMITS

- 10.1** The lapsing of procedural time limits relating to proceedings started before the NADAB shall be suspended *ipso facto* for a summer period not exceeding thirty (30) days per year or in other periods of the year to be identified by joint decision of the Presidents of the NADB, and shall become effective again as of the end of the suspension period. The decision shall be published on CONI's website (www.coni.it). If the lapsing of procedural time limits starts during the suspension period, then time limits shall be deemed to start at the end of such period.
- 10.2** Limited to the periods during which NADAB office is closed, the operations of organizations providing support to NADAB may suffer disruptions.
- 10.3** When calculating procedural time limits, the starting day shall not be calculated, whereas the final day will. If the day of expiry of time limits falls on a holiday, then the expiry shall be postponed *ipso facto* to the first working day thereafter. The time limits expressly defined as final shall be considered as such.

ARTICLE 11 NOTICES AND COMMUNICATIONS

- 11.1** Without prejudice to the provisions as under 11.2 here below, notices to be served by the NADAB shall be delivered either by registered mail with acknowledgement of receipt, fax, cable, courier or email as follows:
- if sent to private individuals: to the address chosen for the purposes of the proceedings;
 - if sent to club: to the registered office as filed with the records at the time of registration with the relevant NSF/ASD/PSE.
- 11.2** The NSF/ASD/PSE, relevant sports organizations and/or club the *Athlete* is registered with shall, where requested, be required to ensure that the individual concerned has received the foregoing notices and, if not, see to it forthwith.

- 11.3 In the event of a registered individual being unavailable, notification shall be deemed to have been served by delivering the deed to the relevant NSF/ASD/PSE and/or Club.
- 11.4 In the event of a non-registered individual being unavailable, notification shall be deemed to have been served by filing the deed with the NADAB's office.
- 11.5 For the purposes of checking the timely service of process, reference shall be made solely to the date shown on the postmark set by the Post Office accepting the registered mail with acknowledgement of receipt or certifying delivery to the courier or receipt by fax, cable or email.
- 11.6 During the hearing held before the NADAB or, failing which, in the first act of defense, the parties shall be required to state the email address where they wish to receive communications. Failing this, communications may be forwarded to any personal email address of the *Athlete* or other *Person* already known to the relevant NSF/ASD/SPE and/or International Federation.

Definitions

Defined Terms from the *Code* and from the *ADSC*

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.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method 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 that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Anti-Doping Organization: *WADA* or 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, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

Anti-Doping Sport Code (ADSC): The Code, adopted by NADO Italia, implementing the *World Anti-Doping Code* and the *International Standards*.

Athlete: Any *Person* who Competes in sport under the aegis of the relevant International Federation and/or the Italian National Olympic Committee (CONI) and Italian Paralympic Committee (IPC).

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard* for Testing and Investigations and *International Standard* for Laboratories.

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 *WADA*-accredited laboratory or other *WADA*-approved laboratory which requires further investigation as provided by the *International Standard* for Laboratories or related *Technical Documents* prior to the determination of an *Adverse Analytical Finding*.

Atypical Passport Finding: A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport 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 Rule Violations (“Consequences”): 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 on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in *Code* Article 10.14.1; (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with *Code* Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in *Code* Article 11.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Delegated Third Parties: Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping educational programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee Doping Control Officers or chaperones). This definition does not include *CAS*.

Disqualification: See *Consequences of Anti-Doping Rule Violations* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection

and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of *Code* Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

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

Financial Consequences: See *Consequences of Anti-Doping Rule Violations* above.

In-Competition: The period commencing at 11:59 p.m. on the day 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*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

Ineligibility: See *Consequences of Anti-Doping Rule Violations* above.

Institutional Independence: Hearing panels on appeal shall be fully *Independent Institutionally* from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

International Event: An *Event* or *Competition* 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* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*.

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 variable(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Minor: A natural *Person* who has not reached the age of eighteen years.

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*, manage test results and conduct *Results Management* at the national level. 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 Anti-Doping Appeal Body (NADAB): The National Anti-Doping Appeal Panel competent to judge appeals against first instance decisions of the NADT as pursuant to *Code* Article 13.2 and against any decision of rejection of a *TUE* by the TUEC of NADO Italia.

National-Level Athlete: An *Athlete* included in the national RTP; *Athletes* included in the Club Olimpico (who receive funding from Sports movement); an Athlete who currently or in the last six (6) months has represented Italy at senior level; an Athlete who has been selected to represent Italy in International *Events* or Competitions, not classified as International-Level *Athlete* by the relevant International Federation.

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

Out-of-Competition: Any period which is not *In-Competition*.

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 or intends to exercise 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, or class of substances, so described on the *Prohibited List*.

Provisional Hearing: For purposes of *ADSC* Article 8.4, an expedited abbreviated hearing occurring prior to a hearing under Article 3.3 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 Rule Violations* above.

Publicly Disclose: See *Consequences of Anti-Doping Rule Violations* above.

Registered Testing Pool (RTP): The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in *Code* Article 5.5 and the *International Standard for Testing and Investigations*. In Italy, NADO Italia's *Registered Testing Pool* is defined as set out in *ADSC* Article 6.5.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, *Whereabouts Failure*), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the Hearing Process at first instance or on appeal (if an appeal was lodged).

Results Management Procedure (RMP): The document adopted by NADO Italia and implementing the *International Standard for Results Management*, regulating the results management procedure from the review and notification of a potential anti-doping rule violation until the appeals. The RMP is published on NADO Italia's website (www.nadoitalia.it).

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

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23.

Specified Method: See *Code* Article 4.2.2.

Specified Substance: See *Code* Article 4.2.2.

Substance of Abuse: See *Code* Article 4.2.3.

Substantial Assistance: For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter 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 or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or TUE committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

Technical Document: A document adopted and published by WADA from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

Technical Document for Testing and Investigations (TD_TI): The document adopted by NADO Italia implementing the *International Standard for Testing and Investigations*, published on NADO Italia's website (www.nadoitalia.it).

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

Therapeutic Use Exemption (TUE): A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to use a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard for Therapeutic Use Exemptions* are met.

Therapeutic Use Exemptions' Application Procedure (TUE_AP): The procedure adopted by NADO Italia for the TUEs' application, published on NADO Italia's website (www.nadoitalia.it).

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.

Defined Terms from the *International Standard for Testing and Investigations*

Doping Control Officer (or DCO): An official who has been trained and authorized by the *Sample Collection Authority* to carry out the responsibilities given to *DCOs* in the *International Standard for Testing and Investigations*.

Expert: The *Expert(s)* and/or *Expert Panel*, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or *Athlete Passport Management Unit*, are responsible for providing an evaluation of the *Passport*. The *Expert* must be external to the *Anti-Doping Organization*.

For the Haematological Module, the *Expert* panel should consist of at least three (3) *Experts* who have qualifications in one or more of the fields of clinical and *Laboratory* haematology, sports medicine or exercise physiology, as they apply to blood doping. For the Steroidal Module, the *Expert* panel should be composed of at least three (3) individuals with qualifications in the fields of *Laboratory* steroid analysis, steroid doping and metabolism and/or clinical endocrinology. For both modules, an *Expert* panel should consist of *Experts* with complementary knowledge such that all relevant fields are represented. The *Expert* panel may include a pool of at least three (3) appointed *Experts* and any additional ad hoc *Expert(s)* who may be required upon request of any of the appointed *Experts* or by the *Athlete Passport Management Unit* of the *Anti-Doping Organization*.

Sample Collection Authority: The organization that is responsible for the collection of *Samples* in compliance with the requirements of the *International Standard for Testing and Investigations*, whether (1) the *Testing Authority* itself; or (2) a *Delegated Third Party* to whom the authority to conduct *Testing* has been granted or sub-contracted. The *Testing Authority* always remains ultimately responsible under the *Code* for compliance with the requirements of the *International Standard for Testing and Investigations* relating to collection of *Samples*.

Sample Collection Session: All of the sequential activities that directly involve the *Athlete* from the point that initial contact is made until the *Athlete* leaves the *Doping Control Station* after having provided their *Sample(s)*.

Testing Authority: The *Anti-Doping Organization* that authorizes *Testing* on *Athletes* it has authority over. It may authorize a *Delegated Third Party* to conduct *Testing* pursuant to the authority of and in accordance with the rules of the *Anti-Doping Organization*. Such authorization shall be documented. The *Anti-Doping Organization* authorizing *Testing* remains the *Testing Authority* and ultimately responsible under the *Code* to ensure the *Delegated Third Party* conducting the *Testing* does so in compliance with the requirements of the *International Standard for Testing and Investigations*.

Unsuccessful Attempt Report: A detailed report of an unsuccessful attempt to collect a *Sample* from an *Athlete* in a *Registered Testing Pool* or *Testing* pool setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the *Athlete* (including details of any contact made with third parties), and any other relevant details about the attempt.

Whereabouts Filing: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* (or *Testing pool* if applicable) that sets out the *Athlete's* whereabouts during the following quarter, in accordance with ISTI Article 4.8.

Defined Terms from the *International Standard* for Laboratories

Adaptive Model: A mathematical model designed to identify unusual longitudinal results from *Athletes*. The model calculates the probability of a longitudinal profile of *Marker* values assuming that the *Athlete* has a normal physiological condition.

Athlete Passport Management Unit (APMU): A unit composed of a *Person* or *Persons* that is responsible for the timely management of *Athlete Biological Passports* in *ADAMS* on behalf of the Passport Custodian.

Confirmation Procedure (CP): An Analytical Testing Procedure that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific *Prohibited Substances*, *Metabolite(s)* of a *Prohibited Substance*, or *Marker(s)* of the *Use of a Prohibited Substance* or *Prohibited Method* in a *Sample*.

Independent Witness: A *Person*, invited by the Testing Authority, the Laboratory or *WADA* to witness parts of the Analytical Testing process. The Independent Witness shall be independent of the *Athlete* and his/her representative(s), the Laboratory, the Sample Collection Authority, the Testing Authority / Results Management Authority or *WADA*, as applicable. The Independent Witness may be indemnified for his/her service.

Laboratory(ies): (A) *WADA*-accredited laboratory(ies) applying Test Methods and processes to provide evidentiary data for the detection and/or identification of *Prohibited Substances* or *Prohibited Methods* on the *Prohibited List* and, if applicable, quantification of a Threshold Substance in *Samples* of urine and other biological matrices in the context of *Doping Control* activities.

Laboratory Documentation Package: The material produced by the Laboratory to support an analytical result such as an *Adverse Analytical Finding* as set forth in the *WADA Technical Document* for Laboratory Documentation Packages (TD LDOC).

Limit of Quantification (LOQ): Analytical parameter of assay technical performance. Lowest concentration of an Analyte in a *Sample* that can be quantitatively determined with acceptable precision and accuracy (i.e. acceptable Measurement Uncertainty) under the stated test conditions

Threshold Substance: An exogenous or endogenous *Prohibited Substance*, *Metabolite* or *Marker* of a *Prohibited Substance* for which the identification and quantitative determination (e.g. concentration, ratio, score) in excess of a pre-determined *Decision Limit*, or, when applicable, the establishment of an exogenous origin, constitutes an *Adverse Analytical Finding*. Threshold Substances are identified as such in the *Technical Document* on Decision Limits (TD DL).

Defined Term from the *International Standard for Therapeutic Use Exemptions*

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

Defined Term from the *International Standard for Protection of Privacy and Personal Information*

Personal Information: Information, including without limitation Sensitive Personal Information, relating to an identified or identifiable *Participant* or relating to other *Person* whose information is Processed solely in the context of an *Anti-Doping Organization's Anti-Doping Activities*.

Defined Terms Specific to the *International Standard for Results Management*

Athlete Biological Passport Documentation Package: The material compiled by the Athlete Passport Management Unit to support an *Adverse Passport Finding* such as, but not limited to, analytical data, Expert Panel comments, evidence of confounding factors as well as other relevant supporting information.

Expert Panel: The Experts, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or Athlete Passport Management Unit, who are responsible for providing an evaluation of the Passport. For the Haematological Module, Experts should have knowledge in one or more of the fields of clinical haematology (diagnosis of blood pathological conditions), sports medicine or exercise physiology. For the Steroidal Module, the Experts should have knowledge in Laboratory analysis, steroid doping and/or endocrinology. For both modules, an Expert Panel should consist of Experts with complementary knowledge such that all relevant fields are represented. The Expert Panel may include a pool of at least three appointed Experts and any additional ad hoc Expert(s) who may be required upon request of any of the appointed Experts or by the Athlete Passport Management Unit of the *Anti-Doping Organization*.

Failure to Comply: A term used to describe anti-doping rule violations under *Code* Articles 2.3 and/or 2.5.

Filing Failure: A failure by the *Athlete* (or by a third party to whom the *Athlete* has delegated the task) to make an accurate and complete Whereabouts Filing that enables the *Athlete* to be located for *Testing* at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the *International Standard for Testing and Investigations* and Annex B.2 of the *International Standard for Results Management*.

Hearing Process: The process encompassing the timeframe between the referral of a matter to a hearing panel or tribunal until the issuance and notification of a decision by the hearing panel (whether at first instance or on appeal).

Missed Test: A failure by the *Athlete* to be available for *Testing* at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the *International Standard for Testing and Investigations* and Annex B.2 of the *International Standard for Results Management*.

Passport: A collation of all relevant data unique to an individual *Athlete* that may include longitudinal profiles of *Markers*, heterogeneous factors unique to that particular *Athlete* and other relevant information that may help in the evaluation of *Markers*.

Passport Custodian: The *Anti-Doping Organization* responsible for *Result Management* of the *Athlete's Passport* and for sharing any relevant information associated to that *Athlete's Passport* with other *Anti-Doping Organization(s)*.

Results Management Authority: The *Anti-Doping Organization* responsible for conducting *Results Management* in a given case.

Whereabouts Failure: A Filing Failure or a Missed Test.

CONTROLLI ANTIDOPING EMERGENZA COVID-19

Informazioni e Procedure

per i DCO/BCO incaricati della raccolta dei campioni biologici

Premessa

I DCO/BCO individuati per la raccolta del campione biologico devono aver ricevuto una formazione specifica sulle presenti procedure, garantendo di aver acquisito idonea esperienza sull'impiego delle misure da adottare nel periodo di emergenza da COVID-19, in aggiunta alle disposizioni comunque già in essere ai sensi dello Standard per i controlli e le investigazioni.

Fermo restando che in questa fase di revisione e di ripresa graduale, coloro che non si sentissero pronti a prendere parte ad un controllo antidoping devono manifestarlo per essere esentati, i DCO/BCO per la raccolta del campione biologico sono selezionati tenendo conto delle categorie di rischio e della popolazione vulnerabile, come individuate di seguito, al fine di evitare il coinvolgimento di personale compreso in tali categorie.

Sarà osservata la riduzione al minimo indispensabile del numero dei DCO/BCO addetti a un controllo antidoping, tenendo conto della necessità di monitorare in modo appropriato gli atleti selezionati per il controllo. I DCO/BCO incaricati di controlli antidoping saranno almeno settimanalmente sottoposti a test antigenico rapido o molecolare per COVID-19.

Se un DCO/BCO contraesse infezione da COVID-19, gli atleti che sono stati testati dallo stesso entro gli ultimi 14 giorni devono essere informati, così come il laboratorio antidoping. Le identità dei DCO/BCO non devono essere rivelate. Il DCO/BCO deve rispettare le indicazioni delle autorità sanitarie governative in materia. Gli atleti sottoposti a test che successivamente manifestano sintomi da COVID-19 sono tenuti a informare la ADO, affinché siano informati i DCO/BCO che hanno eseguito il controllo, nonché il laboratorio antidoping (solo tramite codice identificativo del campione).

Categorie di rischio

Gruppo di rischio 1: personale impiegato a lavorare attivamente in ambito sanitario presso presidi o ospedali COVID-19 o con pazienti positivi a COVID-19.

Gruppo di rischio 2: personale che ha preso parte a controlli sugli atleti risultati positivi COVID-19 fino a un termine di 14 giorni dopo la sessione di controllo.

Gruppo di rischio 3: personale che vive con una persona compresa in uno dei gruppi di rischio sopra indicati o con una persona di una popolazione vulnerabile (come di seguito specificata) o che presenta sintomi o di recente è tornato da un Paese ad alto rischio o da una zona che ha avuto un alto numero di contagi sul territorio nazionale, oppure che non soddisfa i requisiti di acquisizione di idonea formazione o i criteri della normativa nazionale.

Popolazioni vulnerabili

Popolazione vulnerabile 1: personale con più di 60 anni.

Per questa categoria sarà necessaria una dichiarazione dell'interessato (allegato 1) di uno stato di salute compatibile con le mansioni inerenti all'esecuzione di un controllo antidoping, che attesti l'assenza di condizioni patologiche di fondo come ipertensione, diabete, malattie cardiovascolari, malattie respiratorie croniche e cancro e/o la presenza di deficienze immunitarie congenite e/o acquisite.

Popolazione vulnerabile 2: personale con diagnosi di diabete, malattie cardiovascolari, malattie respiratorie croniche, cancro o altre patologie croniche che potrebbero creare maggiore suscettibilità al virus causa di COVID-19.

Popolazione vulnerabile 3: personale con deficienze immunitarie congenite e/o acquisite.

Per le finalità di cui sopra, il DCO/BCO deve compilare la dichiarazione di cui all'All.1, in cui attesti entro 12 ore precedenti una missione:

- di essere in buona salute;
- di non aver avuto diagnosi accertata di infezione da Covid-19;
- di non avere e di non aver avuto nelle ultime settimane sintomi riferibili all'infezione da Covid-19, tra i quali temperatura corporea > 37,5 °C, tosse, mal di gola, astenia, dispnea, mialgie, diarrea, anosmia, ageusia;
- di non essere stato in contatto nelle ultime settimane con persone in quarantena o in autoisolamento;
- di non aver avuto, per quanto a propria conoscenza, contatti a rischio nelle ultime settimane con persone affette da coronavirus ovvero in attesa di essere testate per Covid-19 a causa dello sviluppo di sintomi riferibili all'infezione o in attesa di ricevere un risultato del test per Covid-19;
- di non aver fatto viaggi all'estero negli ultimi 14 giorni;
- di essere di età superiore ai 60 anni;
- di non essere affetto da patologie croniche non ben compensate (come, a mero titolo di esempio, ipertensione ed altre malattie cardiovascolari, diabete, malattie respiratorie croniche e patologie neoplastiche) e/o da disturbi da immunodeficienza congenita e/o acquisita.

L'autocertificazione, debitamente compilata e sottoscritta prima della missione, deve essere trasmessa al Referente della Segreteria Nazionale Antidoping antidoping@fmsi.it e al Coordinatore Nazionale dei DCO/BCO FMSI, Dr. Francesco Leonelli - leonellifrancesco@gmail.com

Viaggi e trasporti

Al fine di ridurre il rischio di contagio, sarà valutato dalla FMSI il mezzo di trasporto più idoneo per il personale addetto al controllo per raggiungere il luogo della missione. Sarà ridotto al minimo l'uso del trasporto pubblico da parte dei DCO/BCO.

Procedure per la sessione di prelievo in aggiunta alle modalità operative standard in conformità con lo Standard per i controlli e le investigazioni

Materiale in dotazione del DCO/BCO individuato per la raccolta del campione biologico

Il DCO/BCO in occasione di ogni sessione di prelievo, oltre al materiale di raccolta campioni regolare e standard, deve assicurarsi di disporre di quanto di seguito specificato:

- a) *COVID-19 Informazioni per l'Atleta sul riavvio dei controlli*;
- b) *COVID-19 Questionario e Informativa privacy per l'Atleta*;
- c) Termometro digitale no contact;
- d) Camice monouso;
- e) Copriscarpe monouso;
- f) Guanti monouso in materiale plastico sintetico senza talco;
- g) Disinfettante per le mani;
- h) Salviette disinfettanti e/o disinfettante spray e/o tovaglie monouso;
- i) Mascherine chirurgiche;
- j) Mascherine FFP2;
- k) Visiera di protezione;
- l) Penne nuove e inutilizzate;
- m) Sacchetti per rifiuti.

In aggiunta, prima di ogni missione, deve:

- a) sottoscrivere l'autocertificazione di stato di buona salute, in premessa (allegato 1). Se dovessero intervenire sintomi da COVID-19, anche subito prima del controllo antidoping, deve immediatamente autosospendersi dal controllo stesso e comunicarlo tempestivamente al Coordinatore Nazionale dei DCO/BCO FMSI, Dr. Francesco Leonelli;
- b) rivedere il *"Manuale per le misure di sicurezza"* (allegato 2);
- c) prima di ogni missione, per qualsiasi dubbio o chiarimento si rendessero necessari, contattare telefonicamente il Coordinatore Nazionale dei DCO/BCO FMSI, Dr. Francesco Leonelli, che si interfacerà personalmente con NADO Italia.

1. Arrivo alla sede del controllo antidoping

- a) Appena arrivato sul luogo del controllo antidoping, il DCO/BCO deve indossare un camice monouso, mascherina FFP2, guanti monouso in materiale plastico sintetico senza talco previa disinfezione delle mani, copriscarpe monouso e visiera di protezione.
- b) Tutti i dispositivi monouso di protezione devono essere smaltiti al termine della sessione di prelievo antidoping ad eccezione della visiera che dovrà essere, tuttavia, opportunamente disinfettata, mentre i guanti monouso devono essere sostituiti ad ogni singolo prelievo.

2. Fase di pre-notifica

- a) Mantenere il distanziamento fisico, presentarsi mostrando il dispositivo di NADO Italia per il controllo antidoping e il documento *"COVID-19 Informazioni per l'atleta sul riavvio dei controlli"*; se ci si trova presso l'abitazione dell'atleta, rimanere in questa fase fuori dall'abitazione;

- b) se l'atleta si trova nella propria abitazione, rimanendo fuori e prima della formale notifica, chiedere all'Atleta *se presenta sintomi da COVID-19 o gli/le è stato diagnosticato COVID-19* e se sono presenti nell'abitazione persone con sintomi da COVID-19 o alle quali è stato diagnosticato COVID-19. In particolare, si suggeriscono le seguenti domande: *“Lei o qualcuno vicino a lei o che vive con lei, sta manifestando sintomi da COVID-19 (ad es. mal di gola, tosse o febbre)? Lei o qualcuno vicino a lei o che vive con lei ha COVID-19? Lei si trova in autoisolamento per i motivi suelencati oppure per condizioni mediche preesistenti quali diabete, patologie cardio-vascolari o respiratorie, disturbi da immunodeficienza?”*:
- **se la risposta è “NO”**, procedere alla notifica del controllo antidoping, fuori dall'abitazione, e informare l'atleta che la compilazione del Verbale di prelievo antidoping è effettuata all'interno del luogo in cui si svolge il controllo; nella presente situazione, procedere alla Sezione 4 di seguito;
 - **se la risposta è “SI”**, **il controllo non è eseguito per il rischio di infezione da COVID-19.**

In caso di risposta NO, l'atleta - protetto da mascherina chirurgica correttamente indossata secondo le modalità di cui all'allegato 2 (in caso ne fosse privo essa dovrà essere messa a disposizione dal DCO/BCO) - deve confermare per iscritto quanto dichiarato attraverso la sottoscrizione del *“COVID-19 Questionario e Informativa privacy per l'atleta”*, fornito dal Medico stesso unitamente a una penna nuova che dovrà essere smaltita al termine del controllo. A tale riguardo l'atleta potrà anche utilizzare una penna di sua proprietà e potrà altresì indossare guanti monouso, resi disponibili dal Medico, secondo le modalità di cui al medesimo allegato 2. Una copia del questionario è lasciata all'atleta e una copia sottoscritta è consegnata al DCO/BCO. Ove l'atleta rifiutasse di indossare mascherina chirurgica e guanti, il DCO/BCO deve darne indicazione nel campo “note” del verbale di prelievo, inviato successivamente da parte del DCO/BCO stesso a NADO Italia per le opportune verifiche.

In caso di risposta affermativa al questionario, il DCO/BCO deve ricordare infine all'atleta l'obbligo introdotto dal D.P.C.M. 26 aprile 2020 di restare a casa in presenza di febbre superiore a 37,5°C e sintomatologia respiratoria e di avvertire il proprio medico;

- c) informare l'atleta che una dichiarazione non accurata o non corretta può configurarsi come violazione della normativa antidoping (ad es. manomissione o tentata manomissione) con conseguente periodo di squalifica fino a 4 (quattro) anni. Chiedere all'atleta di confermare che ha compreso e informarlo che il questionario sarà inviato a NADO Italia per le conseguenti verifiche, che potranno comportare la necessità di acquisizione di ulteriori informazioni;
- d) l'atleta ammesso al controllo *out-of-competition* dovrà quindi essere sottoposto, prima del prelievo, alla misurazione della temperatura corporea con termometro digitale *no contact*, che dovrà essere preceduta da almeno 30 minuti di riposo - sotto stretta osservazione da parte del DCO/BCO addetto al controllo - se il controllo avviene al termine di una sessione di attività fisica. In caso di temperatura > 37.5°C si raccomanda di ricontrollare la temperatura e, nel caso venga confermato l'aumento di temperatura o siano presenti eventuali sintomi sospetti, non si procede al controllo.

3. Fase della raccolta del campione

Eseguiti gli adempimenti preliminari ed eseguita la notifica, il DCO/BCO deve:

- a) accedere al luogo ritenuto idoneo per eseguire la raccolta del campione biologico, osservare durante la sessione di raccolta dei campioni un efficace distanziamento tra il DCO/BCO addetto al controllo, atleti ed eventuali soggetti autorizzati a presenziare, a mente

dell'*International Standard for Testing and Investigations (ISTI)* - WADA, nei ragionevoli limiti determinati in relazione alla natura del prelievo, garantendo nel contempo l'integrità del processo;

- b) se il controllo avviene nell'abitazione dell'atleta, chiedere all'atleta se è possibile igienizzare la superficie riservata alle operazioni connesse alla sessione di prelievo; in alternativa, utilizzare una tovaglietta monouso. Il campione biologico raccolto sarà versato negli appositi contenitori sul piano precedentemente igienizzato con salviette o spray disinfettanti ovvero protetto da una tovaglietta monouso;
- c) posizionare e organizzare sulla superficie pulita il materiale per la raccolta del campione biologico. Il materiale rimanente, che non deve essere utilizzato, va lasciato riposto per evitare potenziale contaminazione;
- d) chiedere all'atleta di pulirsi le mani, utilizzando il disinfettante per le mani oppure lavando le mani con il sapone;
- e) rivedere e completare la notifica chiedendo all'atleta di prenderne atto e di sottoscriverla;
- f) informare l'atleta di mantenere il più possibile il distanziamento fisico e ricordare all'atleta tutte le misure di prevenzione e sicurezza;
- g) durante la raccolta del campione biologico, proseguire con le procedure standard, ricordando sempre le seguenti istruzioni:
 - a. continuare a osservare il distanziamento;
 - b. quando l'atleta è pronto a fornire il proprio campione di urina, deve togliere i guanti, se li avesse precedentemente indossati, seguendo le procedure di rimozione di cui all'allegato B, e gettarli nel sacchetto dei rifiuti, sciacquarsi le mani solo con acqua e produrre il campione;
 - c. dopo la produzione del campione di urina, far utilizzare all'atleta un disinfettante per le mani e procedere con la fase di processazione e sigillatura del campione stesso.

4. Completamento della sessione di raccolta del campione

- a) prima di uscire, pulire con salviette o spray disinfettanti la superficie utilizzata per la raccolta del campione biologico; parimenti, al termine di ogni prelievo di urine, disinfettare il refrattometro;
- b) assicurarsi che tutti gli oggetti scartati (contenitori per la raccolta dei campioni, le salviette disinfettanti, i guanti, le mascherine monouso, i copriscarpe, la penna utilizzata dall'atleta, se fornita dal DCO/BCO) siano riposti nel sacchetto dei rifiuti;
- c) trasmettere a NADO Italia, entro 48 ore dall'effettuazione del controllo antidoping, tutta la documentazione della sessione di prelievo, compreso il *"COVID-19 Questionario e Informativa privacy per l'atleta"* e il *"COVID-19 Informazioni per l'atleta sul riavvio dei controlli"*, debitamente sottoscritti.

5. Accompagnatori

Dovranno essere provvisti di una mascherina chirurgica da indossare durante tutta la sessione di prelievo.

PROMEMORIA

1. Il DCO/BCO autorizzato per la raccolta del campione biologico deve pulirsi le mani nelle seguenti fasi:

- a) prima della notifica all'atleta, quando inizia la sessione di controllo;
- b) dopo aver usato la toilette;
- c) dopo aver soffiato il naso, tossito o starnutito;
- d) prima dell'utilizzo e dopo la rimozione delle mascherine di protezione monouso;
- e) prima e dopo l'uso dei guanti;
- f) al termine del processo di raccolta del campione biologico.

2. Il DCO/BCO autorizzato per la raccolta del campione biologico e gli atleti devono:

- a) ricordare di evitare di toccarsi il viso;
- b) evitare di stringersi la mano all'inizio o alla fine del processo di raccolta del campione;
- c) usare penne distinte quando si compilano i moduli durante la raccolta del campione;
- d) evitare di toccare tutte le superfici e/o gli oggetti non necessari durante la raccolta del campione.

3. Il DCO/BCO autorizzato per la raccolta del campione biologico deve disinfettare le superfici di lavoro utilizzando salviette o spray disinfettanti nelle seguenti fasi:

- a) prima di iniziare il processo di raccolta dei campioni;
- b) tra un controllo e l'altro (se più di un atleta viene sottoposto a controllo antidoping);
- c) alla fine della sessione di raccolta dei campioni.

Modello di dichiarazione da parte del DCO/BCO

Il sottoscritto _____

DCO/BCO FMSI nr. _____

attesta:

- ☐ di essere in buona salute
- ☐ di non aver avuto diagnosi accertata di infezione da Covid-19;
- ☐ di non avere e di non aver avuto nelle ultime settimane sintomi riferibili all'infezione da Covid-19, tra i quali temperatura corporea > 37,5 °C, tosse, mal di gola, astenia, dispnea, mialgie, diarrea, anosmia, ageusia;
- ☐ di non essere stato in contatto nelle ultime settimane con persone in quarantena o in autoisolamento;
- ☐ di non aver avuto, per quanto a propria conoscenza, contatti a rischio nelle ultime settimane con persone affette da coronavirus ovvero in attesa di essere testate per Covid-19 a causa dello sviluppo di sintomi riferibili all'infezione o in attesa di ricevere un risultato del test per Covid-19;
- ☐ di non aver fatto viaggi all'estero negli ultimi 14 giorni;
- ☐ di essere di età superiore ai 60 anni;
- ☐ di non essere affetto da patologie croniche non ben compensate (come, a mero titolo di esempio, ipertensione ed altre malattie cardiovascolari, diabete, malattie respiratorie croniche e patologie neoplastiche) e/o da disturbi da immunodeficienza congenita e/o acquisita.

In fede,

[data e firma]

Le informazioni di cui sopra saranno trattate in conformità al Regolamento UE n.2016/679 (regolamento generale sulla protezione dei dati personali) per le finalità di prevenzione da Covid-19 di cui all'informativa resa ai sensi dell'art.13 del predetto Regolamento.

Guida informativa per le misure di protezione e sicurezza

(tratto da "Guidance for Testing during COVID-19 Pandemic", WADA, November 2020)

1. GUANTI

- Igienizzare le mani immediatamente prima di indossare i guanti e dopo averli rimossi; è importante che le mani siano pulite e asciutte prima di indossare i guanti.
- Sostituire i guanti ed eseguire l'igienizzazione delle mani durante la raccolta dei campioni se i guanti si rompono o sono visibilmente sporchi di sangue o fluidi corporei a seguito di un'attività.
- Non indossare mai lo stesso paio di guanti per più di una singola raccolta di campioni.
- Rimuovere con cura i guanti per prevenire la contaminazione delle mani, seguendo le istruzioni fornite nello schema seguente assicurandosi che non vi sia contatto diretto con l'esterno del guanto.



Promemoria aggiuntivo

- **NON** rimuovere un guanto e poi staccare l'altro guanto prendendolo dalla punta delle dita
- **NON** riutilizzare i guanti usa e getta una volta che sono stati rimossi
- **SOSTITUIRE** i guanti se lacerati o sporchi
- **SMALTIRE** in modo appropriato i guanti usati
- **LAVARSI** le mani prima di indossare i guanti e dopo averli rimossi e smaltiti

2. MASCHERINE DI PROTEZIONE MONOUSO

- a) Le mascherine monouso devono essere utilizzate una sola volta.
- b) Le mascherine monouso devono essere indossate ricorrendo a lavaggio delle mani con sfregamento delle mani a base di alcool o acqua e sapone.
- c) Le mascherine monouso devono essere rimosse insieme agli altri oggetti da gettare via, utilizzati in occasione della sessione di raccolta del campione (il DCO/BCO incaricato della raccolta del campione deve uscire con tutti i rifiuti della sessione di prelievo riposti in un apposito sacchetto dei rifiuti).
- d) Quando si usano mascherine monouso, seguire le seguenti istruzioni:
 - i. prima di indossare una mascherina, pulire le mani con sfregamento a base di alcool o acqua e sapone;
 - ii. coprire bocca e naso con la mascherina e assicurarsi che non ci siano spazi vuoti tra il viso e la mascherina;
 - iii. evitare di toccare la mascherina mentre la si utilizza; se si tocca, lavarsi le mani con salviette a base di alcool o sapone e acqua;
 - iv. sostituire la mascherina con una nuova non appena sia umida e non riutilizzarla;
 - v. per rimuovere la mascherina: rimuoverla da dietro (non toccare la parte anteriore della mascherina); eliminarla immediatamente in un contenitore chiuso; pulirsi le mani con sfregamento a base di alcol o acqua e sapone.



3. Lavaggio delle mani

- a) Pulire le mani strofinandole con una soluzione disinfettante, come mezzo preferito per la routine igienica e per motivi di antisepsi, se le mani non sono visibilmente sporche. È più veloce, più efficace e meglio tollerato dalle mani rispetto al lavaggio con acqua e sapone. Ciò dovrebbe richiedere 20-30 secondi e viene definita tecnica di "sfregamento della mano".
- b) Lavare le mani con acqua e sapone quando le mani sono visibilmente sporche o visibilmente contaminate da fluidi corporei o dopo aver usato la toilette. Questo dovrebbe richiedere 40-60 secondi ed è indicato come la tecnica del "lavaggio della mano".

HOW TO HANDRUB?



HOW TO HANDWASH?

