IRONMAN®
ANTI-DOPING RULES

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INTRODUCTION

Preface

In 2005, the World Triathlon Corporation ("WTC"), d/b/a IRONMAN, accepted the World Anti-Doping Code (the "Code") for all IRONMAN Triathlon Competitions, whether operated by WTC or its licensees. As a private corporation conducting triathlon and other sporting competitions under a variety of brands (including but not limited to IRONMAN®, IRONMAN 70.3®, IRONKIDS®, Iron Girl®, and 5150™), WTC was the first private, non-federation sports company to formally adhere to the Code. These Anti-Doping Rules are adopted and implemented in conformance with WTC’s responsibilities as an Anti-Doping Organization under the Code, and are in furtherance of WTC’s continuing efforts to eradicate doping in the sport of triathlon. For purposes of the Code and these Anti-Doping Rules, WTC is recognized by WADA as a Signatory to the Code with all the rights and responsibilities of an International Federation as described in the Code, under the category of Organizations without National Federations.

These Anti-Doping Rules are sport rules governing the conditions under which sport is played. Aimed at enforcing anti-doping principles in a global and harmonized manner, they are distinct in nature from criminal and civil laws, and are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of these Anti-Doping Rules implementing the Code and the fact that these Anti-Doping Rules represent the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport.

The IRONMAN Anti-Doping Program applies directly to IRONMAN and IRONMAN 70.3 Triathlon Athletes, Athlete Support Personnel, and other Persons involved with elite level Competition (Comment: Article 10.12.1 (status during Ineligibility) and Article 15 (Application and Recognition) also apply to Athletes, Athlete Support Personnel and other Persons seeking to participate in other Competitions owned or organized by WTC.) WTC encourages all National Anti-Doping Organizations to prioritize Testing resources on those Athletes and Competitions which are considered to be at the highest risk for doping and to consider providing educational programs that can foster a strong anti-doping culture among the next generation of Athletes.

It is expected that these Anti-Doping Rules shall work in harmony with the Anti-Doping Rules of the International Triathlon Union and its national federations.
Fundamental Rationale for the Code and WTC’s Anti-Doping Rules

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport". It is the essence of Olympism, the pursuit of human excellence through the dedicated perfection of each person’s natural talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport, including:

• Ethics, fair play and honesty
• Health
• Excellence in performance
• Character and education
• Fun and joy
• Teamwork
• Dedication and commitment
• Respect for rules and laws
• Respect for self and other Participants
• Courage
• Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

Scope of these Anti-Doping Rules

These Anti-Doping Rules shall apply to WTC, d/b/a IRONMAN, each IRONMAN® and IRONMAN 70.3® Triathlon Competition whether operated by WTC or its licensees, and each Participant in any IRONMAN or IRONMAN 70.3 Triathlon Competitions. They also apply to the following Athletes, Athlete Support Personnel and other Persons, each of whom is deemed, as a condition of his/her membership, accreditation and/or participation in the sport or preparation of Athletes for participation in the sport, to have agreed to be bound by these Anti-Doping Rules, and to have submitted to the authority of WTC to enforce these Anti-Doping Rules and to the jurisdiction of the hearing panels specified in Article 8 and Article 13 to hear and determine cases and appeals brought under these Anti-Doping Rules:

a. all IRONMAN Professional Athlete Members until such time as they give Notice to WTC, in writing, of their retirement from competition in IRONMAN or IRONMAN 70.3 Triathlons;

b. all other Athletes accepting entry into the IRONMAN World Championship Triathlon and/or IRONMAN 70.3 World Championship Triathlon from the date of their acceptance of entry through a period of one year following the completion of the Competition or until such earlier time as they give Notice to WTC, in writing, of their retirement from competition in IRONMAN and/or IRONMAN 70.3 Triathlons;
c. all Athletes not otherwise described in paragraphs (a) and (b) above who enter into an IRONMAN® and/or IRONMAN 70.3® Triathlon Competition from the date of their entry through a period of three months following the completion of the Competition or until such earlier time as they may give Notice to WTC, in writing, of their retirement from competition in IRONMAN and/or IRONMAN 70.3 Triathlons;

d. all Athlete Support Personnel who: participate in any IRONMAN and/or IRONMAN 70.3 Triathlon Competition in any capacity, including without limitation, as a coach, trainer, manager, agent, official, medical or paramedical personnel, or parent; have been identified as an Athlete Support Personnel by an IRONMAN Professional Athlete Member in his or her registration forum; or have assisted any Athlete in preparing for an IRONMAN and/or IRONMAN 70.3 Triathlon Competition.

e. all Athletes, Athlete Support Personnel and other Persons for the purposes of the application of Article 15 or the application of Article 10.12.1 to other Competitions and Events owned or organized by WTC.

Within the overall pool of Athletes set out above who are bound by and required to comply with these Anti-Doping Rules, the following Athletes shall be considered to be International-Level Athletes for purposes of these Anti-Doping Rules: all Athletes in IRONMAN's Registered Testing Pool.
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 2.10 of these Anti-Doping Rules.

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 Anti-Doping 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 each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body. 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.

[Comment to Article 2.1.1: An anti-doping rule violation is committed under this Article without regard to an Athlete’s Fault. This rule has been referred to in various CAS decisions as “Strict Liability”. An Athlete’s Fault is taken into consideration in determining the Consequences of this anti-doping rule violation under Article 10. This principle has consistently been upheld by CAS.]

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 B Sample is split into two bottles and the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first bottle.
[Comment to Article 2.1.2: The Anti-Doping Organization with results management responsibility may, at its discretion, choose to have the B Sample analyzed even if the Athlete does not request the analysis of the B Sample.]

### 2.1.3 Excepting those substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any 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 or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.

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

[Comment to Article 2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the Comment to Article 3.2, unlike the proof required to establish an anti-doping rule violation under Article 2.1, Use or Attempted Use may also be established by other reliable means such as admissions by the Athlete, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the Athlete Biological Passport, or other analytical information which does not otherwise satisfy all the requirements to establish “Presence” of a Prohibited Substance under Article 2.1. For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where the Anti-Doping Organization provides a satisfactory explanation for the lack of confirmation in the other Sample.]

#### 2.2.1 It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body 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.

[Comment to Article 2.2.2: Demonstrating the "Attempted Use" of a Prohibited Substance or a Prohibited Method requires proof of intent on the Athlete’s part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the Strict Liability principle established for violations
of Article 2.1 and violations of Article 2.2 in respect of Use of a Prohibited Substance or Prohibited Method.

An Athlete’s “Use” of a Prohibited Substance constitutes an anti-doping rule violation unless such substance is not prohibited Out-of-Competition and the Athlete’s Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition is a violation of Article 2.1 regardless of when that substance might have been administered).]

2.3 Evading, Refusing or Failing to Submit to Sample Collection

Evading Sample collection, or without compelling justification refusing or failing to submit to Sample collection after notification as authorized in these Anti-Doping Rules or other applicable anti-doping rules.

[Comment to Article 2.3: For example, it would be an anti-doping rule violation of “evading Sample collection” if it were established that an Athlete was deliberately avoiding a Doping Control official to evade notification or Testing. A violation of “failing to submit to Sample collection” may be based on either intentional or negligent conduct of the Athlete, while “evading” or “refusing” Sample collection contemplates intentional conduct by the Athlete.]

2.4 Whereabouts Failures

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Testing and Investigations, 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

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, intentionally interfering or attempting to interfere with a Doping Control official, providing fraudulent information to an Anti-Doping Organization, or intimidating or attempting to intimidate a potential witness.

[Comment to Article 2.5: For example, this Article would prohibit altering identification numbers on a Doping Control form during Testing, breaking the B bottle at the time of B Sample analysis, or altering a Sample by the addition of a foreign substance. Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organizations.]
2.6 Possession of a Prohibited Substance or a Prohibited Method

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 4.4 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 4.4 or other acceptable justification.

[Comment to Articles 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or Possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician’s prescription, e.g., buying Insulin for a diabetic child.]

[Comment to Article 2.6.2: Acceptable justification would include, for example, a team doctor carrying Prohibited Substances for dealing with acute and emergency situations.]

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method

2.8 Administration or Attempted Administration 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

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.12.1 by another Person.

2.10 Prohibited Association

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

2.10.2 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 years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.3 Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

In order for this provision to apply, it is necessary that the Athlete or other Person has previously been advised in writing by an Anti-Doping Organization with jurisdiction over the Athlete or other Person, or by WADA, of the Athlete Support Person’s disqualifying status and the potential Consequence of prohibited association and that the Athlete or other Person can reasonably avoid the association. The Anti-Doping Organization shall also use reasonable efforts to advise the Athlete Support Person who is the subject of the Notice to the Athlete or other Person that the Athlete Support Person may, within 15 days, come forward to the Anti-Doping Organization to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her. (Notwithstanding Article 17, this Article applies even when the Athlete Support Person’s disqualifying conduct occurred prior to the effective date provided in Article 20.7.)

The burden shall be on the Athlete or other Person to establish that any association with Athlete Support Personnel described in Article 2.10.1 or 2.10.2 is not in a professional or sport-related capacity.

Anti-Doping Organizations that are aware of Athlete Support Personnel who meet the criteria described in Article 2.10.1, 2.10.2, or 2.10.3 shall submit that information to WADA.

[Comment to Article 2.10: Athletes and other Persons must not work with coaches, trainers, physicians or other Athlete Support Personnel who are Ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the Athlete Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation.]
ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

WTC shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether WTC 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 these Anti-Doping Rules place 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, the standard of proof shall be by a balance of probability.

[Comment to Article 3.1: This standard of proof required to be met by WTC is comparable to the standard which is applied in most countries to cases involving professional misconduct.]

3.2 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:

[Comment to Article 3.2: For example, WTC may establish an anti-doping rule violation under Article 2.2 based on the Athlete’s admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Article 2.2, or conclusions drawn from the profile of a series of the Athlete’s blood or urine Samples, such as data from the Athlete Biological Passport.]

3.2.1 Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. Any Athlete or other Person seeking to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first give Notice to WADA of the challenge and the basis of the challenge. CAS on its own initiative may also inform WADA of any such challenge. At WADA’s request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within ten days of WADA’s receipt of such Notice, and WADA’s receipt of the CAS file, WADA shall also have the right to intervene as a party, appear amicus curiae, or otherwise provide evidence in such proceeding.

3.2.2 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 an 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 an Adverse Analytical Finding, then WTC shall have the burden to establish that such departure did not cause such Adverse Analytical Finding.

[Comment to Article 3.2.2: The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person does so, the burden shifts to WTC to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]

3.2.3 Departures from any other International Standard or other anti-doping rule or policy set forth in the Code or these Anti-Doping Rules which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such evidence or results. If the Athlete or other Person establishes a departure from another International Standard or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or other anti-doping rule violation, then WTC shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.

3.2.4 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.

3.2.5 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 WTC.
ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the Prohibited List

These Anti-Doping Rules incorporate the Prohibited List, which is published and revised by WADA as described in Article 4.1 of the Code.

[Comment to Article 4.1: The current Prohibited List is available on WADA's website at www.wada-ama.org.]

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and revisions shall go into effect under these Anti-Doping Rules three months after publication by WADA, without requiring any further action by WTC. 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.

4.2.2 Specified Substances

For purposes of the application of Article 10, all Prohibited Substances shall be Specified Substances except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.

[Comment to Article 4.2.2: The Specified Substances identified in Article 4.2.2 should not in any way be considered less important or less dangerous than other doping substances. Rather, they are simply substances which are more likely to have been consumed by an Athlete for a purpose other than the enhancement of sport performance.]

4.3 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, and the classification of a substance as prohibited at all times or In-Competition only, is final and shall not be subject to challenge by an Athlete or other Person 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.
4.4 Therapeutic Use Exemptions ("TUEs")

4.4.1 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.

4.4.2 All Athletes Using or intending to Use a Prohibited Substance or Prohibited Method must seek a TUE from their National Anti-Doping Organization or Regional Anti-Doping Organization as applicable in accordance with the policies of those organizations. Athletes in the IRONMAN Registered Testing Pool must obtain a TUE before using a Prohibited Substance or Prohibited Method as provided in the International Standard for Therapeutic Use Exemptions. If permitted by their National Anti-Doping Organizations or Regional Anti-Doping Organizations, all other Athletes may seek to obtain a TUE retroactively.

4.4.3 Any Athlete subject to WTC authority as provided in the scope of these Anti-Doping Rules who obtains a TUE from a National Anti-Doping Organization or Regional Anti-Doping Organization shall promptly provide WTC with a copy of the TUE and all documentation submitted in support of the TUE. WTC shall also have the right to request additional documentation and evaluation from the Athlete. WTC shall, within twenty-one days of WTC’s receipt of the TUE, documentation supporting the TUE, and any additional information requested by WTC, notify the Athlete that, based on the International Standard for Therapeutic Use Exemptions, it is either recognizing the TUE or refusing to recognize the TUE. If the TUE is not recognized, then WTC shall promptly provide the reasons for its decisions. If no notice is sent within such twenty-one-day period, then the TUE will be deemed to be approved by WTC. If WTC considers that the TUE does not meet the criteria set forth in the International Standard for Therapeutic Use Exemptions, then the Athlete or the National Anti-Doping Organization or Regional Anti-Doping Organization that originally granted the TUE shall have twenty-one days from Notice of the reasons for the decision to refer the matter to WADA for review. In such case, the TUE granted by the National Anti-Doping Organization or Regional Anti-Doping Organization shall not be valid for any IRONMAN® or IRONMAN® 70.3 Triathlon Competition until such time as WADA reverses WTC’s decision.

4.4.4 If the Athlete’s National Anti-Doping Organization or Regional Anti-Doping Organization does not have a TUE process, then the Athlete may apply directly to WTC for a TUE.
4.4.5 If WTC collects a Sample from an Athlete who is not an International-Level Athlete, that Athlete may be entitled to a retroactive TUE only as provided in the rules of his or her National Anti-Doping Organization or Regional Anti-Doping Organization, as applicable.

4.4.6 Expiration, Cancellation, Withdrawal or Reversal of a TUE

4.4.6.1 A TUE granted pursuant to these Anti-Doping Rules: (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) may be cancelled if the Athlete does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the TUE; (c) may be withdrawn by the TUE Committee 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.

4.4.6.2 In such event, the Athlete shall not be subject to any Consequences based on his/her 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, cancellation, withdrawal or reversal of the TUE. The review pursuant to Article 7.2 of any subsequent Adverse Analytical Finding 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.

4.4.7 Reviews and Appeals of TUE Decisions

4.4.7.1 WADA shall review any decision by WTC not to recognize a TUE granted by the National Anti-Doping Organization that is referred to WADA by the Athlete or the Athlete’s National Anti-Doping Organization. In addition, WADA shall review any decision by WTC to grant or recognize a TUE that is referred to WADA by the Athlete’s National Anti-Doping Organization. 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.
4.4.7.2 Any TUE decision by WTC (or by a National Anti-Doping Organization where it has considered the application on behalf of WTC) 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 the Athlete’s National Anti-Doping Organization exclusively to CAS, in accordance with Article 13.

[Comment to Article 4.4.7.2: In such cases, the decision being appealed is WTC’s or National Anti-Doping Organization’s TUE decision, not WADA’s decision not to review the TUE decision or (having reviewed it) not to reverse the TUE decision. However, the deadline to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given Notice of the appeal so that it may participate if it sees fit.]

4.4.7.3 A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the National Anti-Doping Organization and/or WTC exclusively to CAS, in accordance with Article 13.

4.4.7.4 A failure to take action within a reasonable time on a properly submitted application for grant or recognition of a TUE or for review of a TUE decision shall be considered a denial of the application.

ARTICLE 5 TESTING AND INVESTIGATIONS

5.1 Purpose of Testing and Investigations

WTC Testing and investigations shall only be undertaken for anti-doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations and the specific protocols of WTC supplementing that International Standard.

5.1.1 Testing shall be undertaken to obtain analytical evidence as to the Athlete’s compliance (or non-compliance) with the strict Code prohibition on the presence/Use of a Prohibited Substance or Prohibited Method. Test distribution planning, Testing, post-Testing activity and all related activities conducted by WTC shall be in conformity with the International Standard for Testing and Investigations. WTC shall determine the number of finishing placement tests, random tests and target tests to be performed, in accordance with the criteria established by the International Standard for Testing and Investigations. All provisions of the International Standard for Testing and Investigations shall apply automatically in respect of all such Testing.
5.1.2 Investigations shall be undertaken:

5.1.2.1 in relation to Atypical Findings, Atypical Passport Findings and Adverse Passport Findings, in accordance with Articles 7.4 and 7.5 respectively, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Article 2.1 and/or Article 2.2; and

5.1.2.2 in relation to other indications of potential anti-doping rule violations, in accordance with Articles 7.6 and 7.7, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Articles 2.2 to 2.10.

5.1.3 WTC may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing, and/or to form the basis of an investigation into possible anti-doping rule violation(s).

5.2 Authority to conduct Testing

5.2.1 Subject to the jurisdictional limitations for Event Testing set out in Article 5.3 of the Code, WTC shall have In-Competition and Out-of-Competition Testing authority over all of the Athletes specified in the Introduction to these Anti-Doping Rules (under the heading "Scope").

5.2.2 WTC 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.

[Comment to Article 5.2.2: Unless the Athlete has identified a 60-minute time-slot for Testing between the hours of 11pm and 6am, or has otherwise consented to Testing during that period, WTC will not test an Athlete during that period unless it has a serious and specific suspicion that the Athlete may be engaged in doping. A challenge to whether WTC had sufficient suspicion for Testing in that period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]

5.2.3 WADA shall have In-Competition and Out-of-Competition Testing authority as set out in Article 20.7.8 of the Code.

5.2.4 If WTC delegates or contracts any part of Testing to a National Anti-Doping Organization (directly or through a national federation), that National Anti-Doping Organization may collect additional Samples or direct the laboratory to perform additional types
of analysis at the National Anti-Doping Organization’s expense. If additional Samples are collected or additional types of analysis are performed, WTC shall be notified.

5.3 Event Testing

5.3.1 Except as provided in Article 5.3 of the Code, only a single organization should be responsible for initiating and directing Testing at Event Venues during an Event Period. At IRONMAN® or IRONMAN 70.3® Triathlon Competitions, the collection of Samples shall be initiated and directed by WTC or a party authorized by WTC.

5.3.2 If an Anti-Doping Organization which would otherwise have Testing authority but is not responsible for initiating and directing Testing at an Event desires to conduct Testing of Athletes at the Event Venues during the Event Period, the Anti-Doping Organization shall first confer with WTC to obtain permission to conduct and coordinate such Testing. If the Anti-Doping Organization is not satisfied with the response from WTC, the Anti-Doping Organization may ask WADA for permission to conduct Testing and to determine how to coordinate such Testing, in accordance with the procedures set out in the International Standard for Testing and Investigations. WADA shall not grant approval for such Testing before consulting with and informing WTC. WADA’s decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results management for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.

5.4 Test Distribution Planning

Consistent with the International Standard for Testing and Investigations, and in coordination with other Anti-Doping Organizations conducting Testing on the same Athletes, WTC shall develop and implement an effective, intelligent and proportionate test distribution plan that prioritizes appropriately between disciplines, categories of Athletes, types of Testing, types of Samples collected, and types of Sample analysis, all in compliance with the requirements of the International Standard for Testing and Investigations. WTC shall provide WADA upon request with a copy of its current test distribution plan.

5.5 Coordination of Testing

Where reasonably feasible, Testing shall be coordinated through ADAMS or another system approved by WADA in order to maximize the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.
5.6 **Athlete Whereabouts Information**

5.6.1 WTC maintains a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations, and shall make available through *ADAMS* and its website, a list which identifies those *Athletes* included in its *Registered Testing Pool*. WTC shall coordinate with *National Anti-Doping Organizations* the identification of such *Athletes* and the collection of their whereabouts information. WTC shall review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. *Athletes* shall be notified before they are included in a *Registered Testing Pool* and when they are removed from that pool. Each *Athlete* in the *Registered Testing Pool* shall do the following, in each case in accordance with Annex I to the International Standard for Testing and Investigations: (a) advise WTC or its whereabouts custodian 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 him/herself available for *Testing* at such whereabouts.

5.6.2 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 the International Standard for Testing and Investigations) where the conditions set forth in the International Standard for Testing and Investigations for declaring a filing failure or missed test are met.

5.6.3 An *Athlete* in the IRONMAN® *Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations unless and until (a) the *Athlete* gives written *Notice* to WTC that he/she has retired or (b) WTC has informed him or her that he/she no longer satisfies the criteria for inclusion in the IRONMAN *Registered Testing Pool*.

5.6.4 Whereabouts information relating to an *Athlete* shall be shared (through *ADAMS*) with *WADA* and other *Anti-Doping Organizations* having authority to test that *Athlete*, shall be maintained in strict confidence at all times, shall be used exclusively for the purposes set out in Article 5.6 of the *Code*, and shall be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.
5.7 Retired Athletes Returning to Competition

5.7.1 An Athlete who gives Notice of retirement to WTC as provided at page 4, “Scope of These Anti-Doping Rules,” may not resume competing in IRONMAN® or IRONMAN 70.3® Triathlon Events until he/she has given WTC written Notice of his/her intent to resume competing and has made him/herself available for Testing for a period of six months before returning to Competition, including (if requested) complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations. WADA, in consultation with WTC and the Athlete’s National Anti-Doping Organization, may grant an exemption to the six-month written Notice rule where the strict application of that rule would be manifestly unfair to an Athlete. This decision may be appealed under Article 13. Any competitive results obtained in violation of this Article 5.7.1 shall be Disqualified.

5.7.2 If an Athlete retires from sport while subject to a period of Ineligibility, the Athlete shall not resume competing in International Events or National Events until the Athlete has given 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 months) to WTC and to his/her National Anti-Doping Organization of his/her intent to resume competing and has made him/herself available for Testing for that Notice period, including (if requested) complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations.

5.8 Independent Observer Program

WTC and the organizing committees for WTC’s IRONMAN® and IRONMAN 70.3® Triathlon Events, as well as the organizing committees for National Events, shall authorize and facilitate the Independent Observer Program at such Events.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited and Approved Laboratories

For purposes of Article 2.1, Samples shall be analyzed only in laboratories accredited or otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis shall be determined exclusively by WTC.
6.2 **Purpose of Analysis of Samples**

6.2.1 *Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* 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 WTC in profiling relevant parameters in an *Athlete*'s urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purpose. *Samples* may be collected and stored for future analysis.

[Comment to Article 6.1: Violations of Article 2.1 may be established only by Sample analysis performed by a laboratory accredited or otherwise approved by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

6.2.2 WTC shall ask laboratories to analyze *Samples* in conformity with Article 6.4 of the *Code* and Article 4.7 of the International Standard for Testing and Investigations.

6.3 **Research on Samples**

No *Sample* may be used for research without the *Athlete*'s written consent. *Samples* used for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

6.4 **Standards for Sample Analysis and Reporting**

Laboratories shall analyze *Samples* and report results in conformity with the International Standard for Laboratories. To ensure effective *Testing*, the Technical Document referenced at Article 5.4.1 of the *Code* will establish risk assessment-based *Sample* analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze *Samples* in conformity with those menus, except as follows:

6.4.1 WTC may request that laboratories analyze its *Samples* using more extensive menus than those described in the Technical Document.

6.4.2 WTC may request that laboratories analyze its *Samples* using less extensive menus than those described in the Technical Document only if it has satisfied WADA that, because of the particular circumstances of its sport, as set out in its test distribution plan, less extensive analysis would be appropriate.
6.4.3 As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze Samples for Prohibited Substances or Prohibited Methods not included on the Sample analysis menu described in the Technical Document or specified by the Testing authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

[Comment to Article 6.4: The objective of this Article is to extend the principle of “intelligent Testing” to the Sample analysis menu so as to most effectively and efficiently detect doping. It is recognized that the resources available to fight doping are limited and that increasing the Sample analysis menu may, in some sports and countries, reduce the number of Samples which can be analyzed.]

6.4 Further Analysis of Samples

Any Sample may be stored and subsequently subjected to further analysis for the purposes set out in Article 6.2: (a) by WADA at any time; and/or (b) by WTC at any time before both the A and B Sample analytical results (or A Sample result where B Sample analysis has been waived or will not be performed) have been communicated by WTC to the Athlete as the asserted basis for an Article 2.1 anti-doping rule violation. Such further analysis of Samples shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

ARTICLE 7 RESULTS MANAGEMENT

WTC shall have exclusive results management authority for any anti-doping rule violation asserted under these Anti-Doping Rules.

7.1 Results Management for Tests Initiated by WTC

Results management for tests initiated by WTC and/or its IRONMAN® or IRONMAN 70.3® Triathlon Event licensees (including tests performed by WADA pursuant to agreement with WTC) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to WTC in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted confidentially and in conformity with ADAMS. ADAMS is consistent with data privacy statutes and norms applicable to WADA and other organizations using it.

7.1.2 Upon receipt of an A Sample Adverse Analytical Finding, WTC shall conduct a review to determine whether: (a) the Adverse Analytical Finding is consistent with a TUE that has been or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the

7.1.3 If the initial review of an Adverse Analytical Finding under Article 7.1.2 does not reveal an applicable TUE or entitlement to a TUE, as provided in the International Standard for Therapeutic Use Exemptions, or departure that caused the Adverse Analytical Finding, WTC shall promptly and simultaneously give Notice to the Athlete and the Anti-Doping Organizations identified in Article 14.2. Notice shall include the information described in Article 14.1.3, as well as: (a) the Adverse Analytical Finding; (b) the anti-doping rule violated; (c) the Athlete’s right to promptly request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived; (d) the scheduled date, time, and place for the B Sample analysis (which shall be scheduled within the time period specified in the International Standard for Laboratories) if the Athlete or WTC choose to request an analysis of the B Sample; (e) the opportunity for the Athlete and/or the Athlete’s representative to attend the B Sample opening and analysis within the time period specified in the International Standard for Laboratories if such analysis is requested; (f) the Athlete’s right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratories; and (g) any Provisional Suspension imposed. If WTC decides not to bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the Athlete, and the Anti-Doping Organizations identified in Article 14.1.2.

7.1.4 Where requested by the Athlete or WTC, arrangements shall be made for Testing the B Sample within the time period specified in the International Standard for Laboratories. An Athlete may accept the A Sample analytical results by waiving the requirement for B Sample analysis. WTC may nonetheless elect to proceed with the B Sample analysis.

7.1.5 The Athlete and/or his or her representative shall be allowed to be present at the analysis of the B Sample, which shall take place within the time period specified in the International Standard for Laboratories. Also, a representative of WTC and/or the Athlete’s national federation shall be allowed to be present.

7.1.6 If the B Sample proves negative, then, unless WTC takes the case forward as an anti-doping rule violation under Article 2.2, the entire test shall be considered negative and the Athlete, WTC, and the Anti-Doping Organizations identified in Article 14.1.2 shall be so informed.

7.1.7 If a Prohibited Substance or the Use of a Prohibited Method is identified (i.e., if the A Sample analysis confirms the B Sample analysis), or the B Sample analysis is not requested or is waived, the Athlete shall be given Notice of: (a) the anti-doping rule violation asserted; (b) the
basis of that assertion, (c) the additional information set forth in Article 14.1.3; (d) the Consequences that will be imposed; (e) the Athlete’s right to request a hearing within ten days of the Notice; and (f) that, if the Athlete does not request a hearing within the time limit indicated at subsection (e) of this Article, the Consequences will be imposed immediately. Such Notice shall be simultaneously given to the Anti-Doping Organizations identified in Article 14.1.2.

Notice to an Athlete or other Person, for all purposes of these Anti-Doping Rules, shall be effective when delivered by overnight courier to the Athlete’s or other Person’s most recent mailing address on file with WTC. If WTC is not able to deliver the Notice at such address, then WTC shall contact the Athlete’s or other Person’s national federation and send Notice by overnight courier to the Athlete’s or other Person’s most recent address on file with the national federation if that is a different address than the most recent address on file with WTC. Actual Notice may be accomplished by any other means, including electronic mail, which shall be deemed effective if WTC receives a return communication from the email address provided by the Athlete or other Person to WTC or his or her national federation indicating the Notice was received, or if WTC communicates with the Athlete or other Person by other means and the Athlete or other Person acknowledges receipt of the Notice. If delivery cannot be achieved at the most recent mailing address on file with WTC and the national federation, then Notice shall be effective three (3) business days after delivery of the Notice to the Athlete’s or other Person’s national federation.

7.2 Review of Atypical Findings

7.2.1 As provided in the International Standard for Laboratories, in some circumstances laboratories are directed to report the presence of Prohibited Substances, which may also be produced endogenously, as Atypical Findings, i.e., as findings that are subject to further investigation.

7.2.2 Upon receipt of an Atypical Finding, WTC shall conduct a review to determine whether: (a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Atypical Finding.

7.2.3 If the review of an Atypical Finding under Article 7.2.2 reveals an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, the entire test shall be considered negative for purposes of Article 2.1 and the Athlete, the
Athlete’s National Anti-Doping Organization and WADA shall so be informed. This conclusion shall also be reported through ADAMS.

7.2.4 If that review does not reveal an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, WTC shall conduct the required investigation or cause it to be conducted. After the investigation is completed, either the Atypical Finding will be brought forward as an Adverse Analytical Finding, in accordance with Article 7.1.7 or 7.5 and the Athlete and Anti-Doping Organizations identified in Article 14.1.2 shall be notified or the decision that it will not be brought forward as an Adverse Analytical Finding will be reported through ADAMS.

7.2.5 WTC will not provide Notice of an Atypical Finding until it has completed its investigation and has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exists:

7.2.5.1 If WTC determines the B Sample should be analyzed prior to the conclusion of its investigation, it may conduct the B Sample analysis after giving Notice to the Athlete, with such Notice to include a description of the Atypical Finding and the information described in Article 7.1.3(d) to (f).

7.2.5.2 If WTC is asked (a) by a Code Signatory Major Event Organization or International Federation shortly before one of its International Events, or (b) by a sport organization 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 Organization, International Federation or sport organization has a pending Atypical Finding, WTC shall so advise the Major Event Organization, International Federation or sports organization after first providing Notice of the Atypical Finding to the Athlete.

7.3 Review of Atypical Passport Findings and Adverse Passport Findings

WTC may provide Athlete Biological Passport information to and receive Athlete Biological Passport information from other Anti-Doping Organizations that are Signatories to the Code.

Review of Atypical Passport Findings and Adverse Passport Findings shall take place as provided in the International Standard for Testing and Investigations and International Standard for Laboratories. At such time as WTC is satisfied that an anti-doping rule violation has occurred, it shall promptly give Notice to
the Athlete and the Anti-Doping Organizations identified in Article 14.1.2, as provided in Article 7.1.7, as applicable.

7.4 Review of Whereabouts Failures

WTC shall review potential filing failures and missed tests, as defined in the International Standard for Testing and Investigations, in respect of Athletes who file their whereabouts information with WTC, in accordance with Annex I to the International Standard for Testing and Investigations. At such time as WTC is satisfied that an Article 2.4 anti-doping rule violation has occurred, it shall promptly give Notice to the Athlete and the Anti-Doping Organizations identified in Article 14.1.2, as provided in Article 7.1.7, as applicable.

7.5 Review of Other Anti-Doping Rule Violations Not Covered by Articles 7.1–7.4

WTC shall conduct any follow-up investigation required into a possible anti-doping rule violation not covered by Articles 7.1-7.4. At such time as WTC is satisfied that an anti-doping rule violation has occurred, it shall promptly give Notice to the Athlete or other Person and the Anti-Doping Organizations identified in Article 14.1.2, as provided in Article 7.1.7, as applicable.

7.6 Identification of Prior Anti-Doping Rule Violations

Before giving an Athlete or other Person Notice of an asserted anti-doping rule violation as provided above, WTC shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists.

7.7 Provisional Suspensions

7.7.1 Mandatory Provisional Suspension:

7.7.1.1 If analysis of an A Sample has resulted in an Adverse Analytical Finding for a Prohibited Substance that is not a Specified Substance, or for a Prohibited Method, and a review in accordance with Article 7.1 does not reveal an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, a Provisional Suspension shall be imposed upon or promptly after the notification described in Article 7.1.3.

7.7.2 Optional Provisional Suspension: In the case of any other anti-doping rule violations not covered by Article 7.7.1, WTC may impose a Provisional Suspension on the Athlete or other Person against whom the anti-doping rule violation is asserted at any time after the review and notification described in Article 7.1 and prior to the final hearing as described in Article 8.
7.7.3 Where a Provisional Suspension is imposed pursuant to Article 7.7.1 or Article 7.7.2, the Athlete or other Person shall be given either: (a) an opportunity for a Provisional Hearing either before or on a timely basis after imposition of the Provisional Suspension; or (b) an opportunity for an expedited final hearing in accordance with Article 8 on a timely basis after imposition of the Provisional Suspension. Furthermore, the Athlete or other Person has a right to appeal from the Provisional Suspension in accordance with Article 13.2 (save as set out in Article 7.7.3.1).

7.7.3.1 The Provisional Suspension may be lifted if the Athlete demonstrates to the hearing panel that the violation is likely to have involved a Contaminated Product. A hearing panel's decision not to lift a mandatory Provisional Suspension on account of the Athlete’s assertion regarding a Contaminated Product shall not be appealable.

7.7.3.2 The Provisional Suspension shall be imposed (or shall not be lifted) unless the Athlete or other Person establishes that: (a) the assertion of an anti-doping rule violation has no reasonable prospect of being upheld, e.g., because of a patent flaw in the case against the Athlete or other Person; or (b) the Athlete or other Person has a strong case that he/she bears No Fault or Negligence for the anti-doping rule violation(s) asserted, so that any period of Ineligibility that might otherwise be imposed for such a violation is likely to be completely eliminated by application of Article 10.4; or (c) some other facts exist that make it clearly unfair, in all of the circumstances, to impose a Provisional Suspension prior to a final hearing in accordance with Article 8. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the Provisional Suspension would prevent the Athlete or other Person participating in a particular Competition or Event shall not qualify as exceptional circumstances for these purposes.

7.7.4 If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and subsequent analysis of the B Sample does not confirm the A Sample analysis, then the Athlete shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1. In circumstances where the Athlete (or the Athlete's team) has been removed from a Competition based on a violation of 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 Competition, the Athlete or team may continue to take part in the Competition. In addition, the
Athlete or team may thereafter take part in other Competitions in the same Event.

7.7.5 In all cases where an Athlete or other Person has been notified of an anti-doping rule violation but a Provisional Suspension has not been imposed on him or her, the Athlete or other Person shall be offered the opportunity to accept a Provisional Suspension voluntarily pending the resolution of the matter.

[Comment to Article 7.7: Athletes and other Persons shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed. See Articles 10.11.3.1 and 10.11.3.2.]

7.8 Resolution Without a Hearing

7.8.1 An Athlete or other Person against whom an anti-doping rule violation is asserted may admit that violation at any time, waive a hearing, and accept the Consequences that are mandated by these Anti-Doping Rules or (where some discretion as to Consequences exists under these Anti-Doping Rules) that have been offered by WTC.

7.8.2 Alternatively, if the Athlete or other Person against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the Notice sent by WTC asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the Consequences that are mandated by these Anti-Doping Rules or (where some discretion as to Consequences exists under these Anti-Doping Rules) that have been offered by WTC.

7.8.3 In cases where Article 7.8.1 or Article 7.8.2 applies, a hearing before a hearing panel shall not be required and the Athlete or other Person shall have no right of appeal. Instead WTC shall promptly issue a written decision confirming the commission of the anti-doping rule violation and the Consequences imposed as a result, and setting out the full reasons for any period of Ineligibility imposed, including (if applicable) a justification for why the maximum potential period of Ineligibility was not imposed. WTC shall send copies of that decision to other Anti-Doping Organizations with a right to appeal under Article 13.2.3, and shall Publicly Disclose that decision in accordance with Article 14.3.2.

7.9 Notification of Results Management Decisions

In all cases where WTC has asserted the commission of an anti-doping rule violation, withdrawn the assertion of an anti-doping rule violation, imposed a Provisional Suspension, or agreed with an Athlete or other Person on the imposition of Consequences without a hearing, WTC shall give notice thereof
in accordance with Article 14.2.1 to other Anti-Doping Organizations with a right to appeal under Article 13.2.3.

7.10 Retirement from Sport

If an Athlete or other Person retires while WTC is conducting the results management process, WTC retains jurisdiction to complete its results management process. If an Athlete or other Person retires before any results management process has begun, and WTC 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, WTC has authority to conduct results management in respect of that anti-doping rule violation.

[Comment to Article 7.10: Conduct by an Athlete or other Person before the Athlete or other Person was subject to the jurisdiction of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Athlete or other Person membership in a sports organization.]

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Any Athlete or other Person who is asserted to have committed an anti-doping rule violation shall have a right to a hearing as provided in the WTC Hearing Protocol attached as Annex A to these rules.

8.2 Single Hearing Before CAS

Cases asserting anti-doping rule violations may be heard directly at CAS, with no requirement for a prior hearing, with the consent of the Athlete, WTC, WADA, and any other Anti-Doping Organization that would have had a right to appeal a first instance hearing decision to CAS.

[Comment to Article 8.2: Where all of the parties identified in this Article are satisfied that their interests will be adequately protected in a single hearing, there is no need to incur the extra expense of two hearings. An Anti-Doping Organization that wants to participate in the CAS hearing as a party or as an observer may condition its approval of a single hearing on being granted that right.]

8.3 Waiver of Hearing.

The right to a hearing may be waived either expressly or by the Athlete’s or other Person’s failure to challenge WTC’s assertion that an anti-doping rule violation has occurred within the specific time period provided in these Anti-Doping Rules.

8.4 Notice of Decisions.

The reasoned hearing decision, or in cases where the hearing has been waived, a reasoned decision explaining the action taken, shall be provided by
WTC to the *Athlete* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3 as provided in Article 14.2.1.

**ARTICLE 9 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.

*Comment to Article 9: For Team Sports, any awards received by individual players will be Disqualified. However, Disqualification of the team will be as provided in Article 11. In sports which are not Team Sports but where awards are given to teams, Disqualification or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the International Federation.*

**ARTICLE 10 SANCTIONS ON INDIVIDUALS**

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

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 10.1.1.

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*.

*Comment to Article 10.1: Whereas Article 9 Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the 100 meter backstroke), this Article may lead to Disqualification of all results in all races during the Event (e.g., the FINA World Championships).*

**10.1.1 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.

**10.2 Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method**
The period of *Ineligibility* for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6:

10.2.1 The period of *Ineligibility* shall be four years where:

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

10.2.1.2 The anti-doping rule violation involves a *Specified Substance* and WTC can establish that the anti-doping rule violation was intentional.

10.2.2 If Article 10.2.1 does not apply, the period of *Ineligibility* shall be two years.

10.2.3 As used in Articles 10.2 and 10.3, the term “intentional” is meant to identify those *Athletes* who cheat. The term therefore requires that the *Athlete* or other *Person* engaged in conduct which he or she 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.

10.3 *Ineligibility* for Other Anti-Doping Rule Violations

The period of *Ineligibility* for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Articles 10.5 or 10.6 are applicable:

10.3.1 For violations of Article 2.3 or Article 2.5, the period of *Ineligibility* shall be four years unless, in the case of failing to submit to *Sample* collection, the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional (as defined in Article 10.2.3), in which case the period of *Ineligibility* shall be two years.

10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of one year,
depending on the Athlete’s degree of Fault. The flexibility between two years and one 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.

10.3.3 For violations of Article 2.7 or 2.8, the period of Ineligibility shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Minor 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. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

[Comment to Article 10.3.3: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to Ineligibility for accreditation, membership and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.]

10.3.4 For violations of Article 2.9, the period of Ineligibility imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.

10.3.5 For violations of Article 2.10, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete or other Person’s degree of Fault and other circumstances of the case.

[Comment to Article 10.3.5: Where the “other Person” referenced in Article 2.10 is an entity and not an individual, that entity may be disciplined as provided in Article 12.]

10.4 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.

[Comment to Article 10.4: This Article and Article 10.5.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example where an Athlete could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, No Fault or Negligence
would not apply in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Article 2.1.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a Prohibited Substance by the Athlete’s personal physician or trainer without disclosure to the Athlete (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Athlete’s food or drink by a spouse, coach or other Person within the Athlete’s circle of associates (Athletes are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Article 10.5 based on No Significant Fault or Negligence.]

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

10.5.1 Reduction of Sanctions for Specified Substances or Contaminated Products for Violations of Article 2.1, 2.2 or 2.6.

10.5.1.1 Specified Substances

Where the anti-doping rule violation involves a Specified Substance, 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 years of Ineligibility, depending on the Athlete’s or other Person’s degree of Fault.

10.5.1.2 Contaminated Products

In cases where the Athlete or other Person can establish No Significant Fault or Negligence and that the detected Prohibited Substance 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 years Ineligibility, depending on the Athlete’s or other Person’s degree of Fault.

[Comment to Article 10.5.1.2: In assessing that Athlete’s degree of Fault, it would, for example, be favorable for the Athlete if the Athlete had declared the product which was subsequently determined to be contaminated on his or her Doping Control form.]

10.5.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.5.1

If an Athlete or other Person establishes in an individual case where Article 10.5.1 is not applicable that he or she bears No Significant Fault
or Negligence, then, subject to further reduction or elimination as provided in Article 10.6, 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 years.

[Comment to Article 10.5.2: Article 10.5.2 may be applied to any anti-doping rule violation except those Articles where intent is an element of the anti-doping rule violation (e.g., Article 2.5, 2.7, 2.8 or 2.9) or an element of a particular sanction (e.g., Article 10.2.1) or a range of Ineligibility is already provided in an Article based on the Athlete or other Person’s degree of Fault.]

10.6 Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons Other than Fault

10.6.1 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

10.6.1.1 WTC may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case in which it has results management authority 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 WTC. After a final appellate decision under Article 13 or the expiration of time to appeal, WTC may only suspend a part of the otherwise applicable period of Ineligibility with the approval of WADA. 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. 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 years. 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 the period of Ineligibility was based, WTC shall reinstate the original period of Ineligibility. If WTC decides to reinstate a suspended period of Ineligibility or decides not to reinstate a suspended period of Ineligibility, that decision may be appealed by any Person entitled to appeal under Article 13.

10.6.1.2 To further encourage Athletes and other Persons to provide Substantial Assistance to Anti-Doping Organizations, at the request of WTC or at the request of the Athlete or other Person who has (or has been asserted to have) committed an anti-doping rule violation, WADA may agree at any stage of the results management process, including after a final appellate decision under 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, and/or no return of prize money or payment of fines or costs. WADA’s approval shall be subject to reinstatement of sanction, as otherwise provided in this Article. Notwithstanding Article 13, WADA’s decisions in the context of this Article may not be appealed by any other Anti-Doping Organization.

10.6.1.3 If WTC 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 Article 13.2.3 as provided in Article 14.2. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize WTC to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

[Comment to Article 10.6.1: The cooperation of Athletes, Athlete Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport. This is the only circumstance under the Code where the suspension of an otherwise applicable period of Ineligibility is authorized.]

10.6.2 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 7) 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.

[Comment to Article 10.6.2: This Article is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Athlete or other Person believes he or she is about to be caught. The amount by which Ineligibility is reduced should be based on the likelihood that the Athlete or other Person would have been caught had he/she not come forward voluntarily.]

10.6.3 Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or Article 10.3.1

An Athlete or other Person potentially subject to a four-year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing Sample Collection or Tampering with Sample Collection), by promptly admitting the asserted anti-doping rule violation after being confronted by WTC, and also upon the approval and at the discretion of both WADA and WTC, may receive a reduction in the period of Ineligibility down to a minimum of two years, depending on the seriousness of the violation and the Athlete or other Person’s degree of Fault.

10.6.4 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 10.4, 10.5 or 10.6, before applying any reduction or suspension under Article 10.6, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.4, and 10.5. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.6, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

[Comment to Article 10.6.4: The appropriate sanction is determined in a sequence of four steps. First, the hearing panel determines which of the basic sanctions (Articles 10.2, 10.3, 10.4, or 10.5) apply to the particular anti-doping rule violation. Second, if the basic sanction provides for a range of sanctions, the hearing panel must determine the applicable sanction within that range according to the Athlete or other Person’s degree of Fault. In a third step, the hearing panel establishes whether there is a basis for elimination, suspension, or reduction of the sanction (Article 10.6). Finally, the hearing panel decides on the commencement of the...]

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period of Ineligibility under Article 10.11. Several examples of how Article 10 is to be applied are found in Appendix 2.)

10.7 Multiple Violations

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

(a) six months;

(b) one-half of the period of Ineligibility imposed for the first anti-doping rule violation without taking into account any reduction under Article 10.6; or

(c) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of Ineligibility established above may then be further reduced by the application of Article 10.6.

10.7.2 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 10.4 or 10.5, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight years to lifetime Ineligibility.

10.7.3 An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence shall not be considered a prior violation for purposes of this Article.

10.7.4 Additional Anti-Doping Rules for Certain Potential Multiple Violations

10.7.4.1 For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if WTC can establish that the Athlete or other Person committed the second anti-doping rule violation after the Athlete or other Person received Notice pursuant to Article 7, or after WTC made reasonable efforts to give Notice of the first anti-doping rule violation. If WTC 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.

10.7.4.2 If, after the imposition of a sanction for a first anti-doping rule violation, WTC discovers facts involving an anti-
doping rule violation by the Athlete or other Person which occurred prior to notification regarding the first violation, then WTC shall impose an additional sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.8

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

For purposes of Article 10.7, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

10.8 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 9, 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.

[Comment to Article 10.8: Nothing in these Anti-Doping Rules precludes clean Athletes or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such Person.]

10.9 Allocation of CAS Cost Awards and Forfeited Prize Money

The priority for repayment of CAS cost awards and forfeited prize money shall be first, payment of costs awarded by CAS, with the balance to WTC to be applied against the costs of its Anti-Doping Program.

10.10 Financial Consequences

Where an Athlete or other Person commits an anti-doping rule violation, WTC may, in its discretion and subject to the principle of proportionality, elect to recover from the Athlete or other Person costs associated with the anti-doping rule violation, regardless of the period of Ineligibility imposed.

The imposition of a financial sanction or WTC's recovery of costs shall not be considered a basis for reducing the Ineligibility or other sanction which would otherwise be applicable under these Anti-Doping Rules or the Code.
10.11 Commencement of Ineligibility Period

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.

10.11.1 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 not attributable to the Athlete or other Person, WTC 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.

[Comment to Article 10.11.1: In cases of anti-doping rule violations other than under Article 2.1, the time required for an Anti-Doping Organization to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the Athlete or other Person has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used.]

10.11.2 Timely Admission

Where the Athlete or other Person promptly (which, in all events, for an Athlete means before the Athlete competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by WTC, 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 period of Ineligibility going forward from the date the Athlete or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This Article shall not apply where the period of Ineligibility has already been reduced under Article 10.6.3.

10.11.3 Credit for Provisional Suspension or Period of Ineligibility Served

10.11.3.1 If a Provisional Suspension is imposed and 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 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.

10.11.3.2 If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing from WTC 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 14.1.

[Comment to Article 10.11.3.2: An Athlete’s voluntary acceptance of a Provisional Suspension is not an admission by the Athlete and shall not be used in any way as to draw an adverse inference against the Athlete.]

10.11.3.3 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 his or her team.

10.11.3.4 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.

[Comment to Article 10.11: Article 10.11 makes clear that delays not attributable to the Athlete, timely admission by the Athlete and Provisional Suspension are the only justifications for starting the period of Ineligibility earlier than the date of the final hearing decision.]

10.12 Status During Ineligibility

10.12.1 Prohibition Against Participation During Ineligibility

No Athlete or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by WTC, another Signatory, another Signatory’s member organization, or a club or other member organization of a Signatory’s member organization, or in
Competition 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 years may, after completing four years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the jurisdiction of a Signatory or member of a 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 Minors.

An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing.

[Comment to Article 10.12.1: This includes all Events and Competitions owned or organized by WTC, not limited to IRONMAN® and/or IRONMAN 70.3® Triathlon Competitions. For example, subject to Article 10.12.2 below, an Ineligible Athlete cannot participate in a training camp, exhibition or practice organized by his or her national federation or a club which is a member of that national federation or which is funded by a governmental agency. Further, an Ineligible Athlete may not compete in a non-Signatory professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory International Event organization or a non-Signatory national-level event organization without triggering the Consequences set forth in Article 10.12.3. The term “activity” also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organization described in this Article. Ineligibility imposed in one sport shall also be recognized by other sports (see Article 15.1, Mutual Recognition).]

10.12.2 Return to Training

As an exception to Article 10.12.1, an Athlete may return to train with a team or to use the facilities of a club or other member organization of WTC’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.

[Comment to Article 10.12.2: In many Team Sports and some individual sports (e.g., ski jumping and gymnastics), an Athlete cannot effectively train on his/her own so as to be ready to compete at the end of the Athlete’s period of Ineligibility. During the training period described in this Article, an Ineligible Athlete may not compete or engage in any activity described in Article 10.12.1 other than training.]

10.12.3 Violation of the Prohibition of Participation During Ineligibility
Where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.12.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length up to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new 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 the Anti-Doping Organization whose results management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Article 13.

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

10.12.4 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.4 or 10.5, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by WTC.

10.13 Automatic Publication of Sanction

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

[Comment to Article 10: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete’s career is short, a standard period of Ineligibility has a much more significant effect on the Athlete than in sports where careers are traditionally much longer. A primary argument in favor of harmonization is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting organizations to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between International Federations and National Anti-Doping Organizations.]
ARTICLE 11 CONSEQUENCES TO RELAY TEAMS

11.1 An anti-doping rule violation committed by a member of a relay team in connection with an In-Competition test automatically leads to Disqualification of the result obtained by the relay team in that Competition, with all resulting Consequences for the team and its members, including forfeiture of any medals, points and prizes.

ARTICLE 12 [Intentionally omitted]

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 13.2 through 13.6 or as otherwise provided in these Anti-Doping Rules, the Code or the International Standards. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in these rules must be exhausted, provided that such review respects the principles set forth in Article 13.2.2 below (except as provided in Article 13.1.3).

13.1.1 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.

13.1.2 CAS Shall Not Defer to the Findings Being Appealed

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

[Comment to Article 13.1.2: CAS proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.]

13.1.3 WADA Not Required to Exhaust Internal Remedies

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

13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Recognition of Decisions and Jurisdiction
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 5.7.1; a decision by WADA assigning results management under Article 7.1 of the Code; a decision by WTC 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 under Article 7.7; a decision to impose a Provisional Suspension as a result of a Provisional Hearing; WTC’s failure to comply with Article 7.9; a decision that WTC lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision to suspend, or not suspend, a period of Ineligibility or to reinstate, or not reinstate, a suspended period of Ineligibility under Article 10.6.1; a decision under Article 10.12.3; and a decision by WTC not to recognize another Anti-Doping Organization’s decision under Article 15, may be appealed exclusively as provided in Articles 13.2 – 13.7.

13.2.1 Appeals Involving International-Level Athletes, International Events or results management conducted by WTC

In cases where WTC conducts results management, the decision may be appealed exclusively to CAS.

[Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

13.2.2 [Intentionally omitted]

13.2.3 Persons Entitled to Appeal

In cases under Article 13.2.1, 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) WTC; (d) the National Anti-Doping Organization of the Person’s country of residence or countries where the Person is a national or license holder; (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.

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.
Notwithstanding any other provision herein, the only Person who may appeal from a Provisional Suspension is the Athlete or other Person upon whom the Provisional Suspension is imposed.

13.2.4 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 13 must file a cross appeal or subsequent appeal at the latest with the party’s answer.

[Comment to Article 13.2.4: This provision is necessary because since 2011, CAS rules no longer permit an Athlete the right to cross appeal when an Anti-Doping Organization appeals a decision after the Athlete’s time for appeal has expired. This provision permits a full hearing for all parties.]

13.3 Failure to Render a Timely Decision

Where, in a particular case, WTC 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 WTC 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 WTC.

[Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and results management process, it is not feasible to establish a fixed time period for WTC to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with WTC and give it an opportunity to explain why it has not yet rendered a decision.]

13.4 Appeals Relating to TUEs

TUE decisions may be appealed exclusively as provided in Article 4.4.

13.5 Notification of Appeal Decisions

Any Anti-Doping Organization that is a party to an appeal shall promptly provide the appeal decision to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.2.

13.6 Time for Filing Appeals

13.6.1 Appeals to CAS
The time to file an appeal to CAS shall be twenty-one 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 days from Notice of the decision, such party/ies shall have the right to request a copy of the case file from the body that issued the decision;

b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one 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 days after the last day on which any other party in the case could have appealed; or

b) Twenty-one days after WADA’s receipt of the complete file relating to the decision.

13.6.2 Appeals Under Article 13.2.2 [Intentionally omitted]

ARTICLE 14 CONFIDENTIALITY AND REPORTING

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

14.1.1 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 7 and 14 of these Anti-Doping Rules.

14.1.2 Notice of Anti-Doping Rule Violations to other Anti-Doping Organizations

Notice of the assertion of an anti-doping rule violation shall be given to the International Triathlon Union, the applicable National Anti-Doping Organization, WADA, and in the case of IRONMAN® Professional Athlete Members, to their designated national federation, under Articles 7 and 14 of these Anti-Doping Rules, simultaneously with the Notice to the Athlete or other Person.

14.1.3 Content of an Anti-Doping Rule Violation Notice
Notification of an anti-doping rule violation under Article 2.1 shall include: the Athlete'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 Testing and Investigations.

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

14.1.4 Status Reports

Except with respect to investigations which have not resulted in Notice of an anti-doping rule violation pursuant to Article 14.1.1, the Anti-Doping Organizations given Notice pursuant to Article 14.1.2 shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those Persons with a need to know until WTC (if it is a WTC decision), has made Public Disclosure or has failed to make Public Disclosure as required in Article 14.3.

14.2 Notice of Anti-Doping Rule Violation Decisions and Request for Files

14.2.1 Anti-doping rule violation decisions rendered pursuant to Article 7.11, 8.2, 10.4, 10.5, 10.6, 10.12.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the greatest possible Consequences were not imposed. Where the decision is not in English or French, WTC shall provide a short English or French summary of the decision and the supporting reasons.

14.2.2 An Anti-Doping Organization having a right, under Article 13.2.3, to appeal a decision received pursuant to Article 14.2.1 may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

14.3 Public Disclosure

14.3.1 The identity of any Athlete or other Person who is asserted by WTC to have committed an anti-doping rule violation may be Publicly Disclosed by WTC only after Notice has been provided in accordance with Articles 7.1.7, 7.2.4, 7.3, 7.4, and 7.5.
14.3.2 No later than twenty days after it has been determined in a final appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, WTC must Publicly Report the disposition of the 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. WTC must also Publicly Report within twenty days the results of final appeal decisions concerning anti-doping rule violations, including the information described above. WTC shall also send Notice directly to Union Cycliste Internationale, the Fédération Internationale de Natation, the International Association of Athletics Federations, and the Athlete or other Person’s national federation if it has not been previously given Notice.

14.3.3 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 decision may be Publicly Disclosed only with the consent of the Athlete or other Person who is the subject of the decision. WTC shall use reasonable efforts to obtain such consent. If consent is obtained, WTC shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

14.3.4 Publication shall be accomplished at a minimum by placing the required information on IRONMAN’s website or publishing it through other means and leaving the information up for the longer of one month or the duration of any period of Ineligibility.

14.3.5 WTC, or any of its officials, shall not 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 the Athlete or other Person against whom an anti-doping rule violation is asserted, or their representatives.

14.3.6 The mandatory Public Reporting required in Article 14.3.2 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. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting

WTC shall publish at least annually a general statistical report of its Doping Control activities, with a copy provided to WADA. WTC may also publish reports showing the name of any Athletes tested and the date of each Testing.
14.5 Doping Control Information Clearinghouse

To facilitate coordinated test distribution planning and to avoid unnecessary duplication in Testing by the various Anti-Doping Organizations, WTC shall report all In-Competition and Out-of-Competition tests on such Athletes to the WADA clearinghouse, using ADAMS, as soon as possible after such tests have been conducted. This information will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete's National Anti-Doping Organization and any other Anti-Doping Organizations with Testing authority over the Athlete.

14.6 Data Privacy

14.6.1 WTC may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct their anti-doping activities under the Code, the International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information) and these Anti-Doping Rules.

14.6.2 Any Participant who submits information including personal data to any Person in accordance with these Anti-Doping Rules shall be deemed to have agreed, pursuant to applicable data protection laws and otherwise, that such information may be collected, processed, disclosed and used by such Person for the purposes of the implementation of these Anti-Doping Rules, in accordance with the International Standard for the Protection of Privacy and Personal Information and otherwise as required to implement these Anti-Doping Rules.

14.7 Sharing of Information in Connection with an Investigation

WTC may share confidential information with any other Code Signatory Anti-Doping Organization in connection with an investigation being conducted by WTC or that other Anti-Doping Organization.

ARTICLE 15 APPLICATION AND RECOGNITION OF DECISIONS

15.1 Subject to the right to appeal provided in Article 13, Testing, hearing results, or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory’s authority shall be applicable worldwide and shall be recognized and respected by WTC.

15.1.1 When WTC receives notice of a Provisional Suspension imposed by another Signatory, the Athlete or other Person shall not be eligible to participate in Competitions and Events owned or organized by WTC during the period of that Provisional Suspension unless the Athlete or other Person obtains a decision from that Signatory which
makes clear that the Signatory’s Provisional Suspension is not intended to be recognized by WTC.

[Comments to Article 15.1: (a) The extent of recognition of TUE decisions of other Anti-Doping Organizations shall be determined by Article 4.4 and the International Standard for Therapeutic Use Exemptions; (b) Mutual recognition applies to all Events and Competitions owned or organized by WTC, not limited to IRONMAN® and/or IRONMAN 70.3® Triathlon Competitions.]

15.2 WTC shall recognize the measures taken by other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

[Comment to Article 15.2: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, WTC shall apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in his or her body but the period of Ineligibility applied is shorter than the period provided for in these Anti-Doping Rules, then WTC shall recognize the finding of an anti-doping rule violation and may conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in these Anti-Doping Rules should be imposed.]

15.3 Subject to the right to appeal provided in Article 13, any decision of WTC regarding a violation of these Anti-Doping Rules shall be recognized by all Code Signatories and their member organizations, which shall take all necessary action to render such decision effective.

ARTICLE 16 [Intentionally omitted]

ARTICLE 17 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 as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

ARTICLE 18 WTC COMPLIANCE REPORTS TO WADA

WTC will report to WADA on WTC’s compliance with the Code in accordance with Article 23.5.2 of the Code.

ARTICLE 19 EDUCATION

WTC shall plan, implement, evaluate and monitor information, education and prevention programs for doping-free sport on at least the issues listed at Article
18.2 of the Code, and shall support active participation by Athletes and Athlete Support Personnel in such programs.

ARTICLE 20  AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

20.1 These Anti-Doping Rules may be amended from time to time by WTC.

20.2 These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

20.3 The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

20.4 The Code and the International Standards shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.

20.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The Introduction shall be considered an integral part of these Anti-Doping Rules.

20.6 The comments annotating various provisions of the Code and these Anti-Doping Rules shall be used to interpret these Anti-Doping Rules.

20.7 These Anti-Doping Rules have come into full force and effect on 1 January 2015 (the “Effective Date”). They shall not apply retroactively to matters pending before the Effective Date; provided, however, that:

20.7.1 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 10 for violations taking place after the Effective Date.

20.7.2 The retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.7.5 and the statute of limitations set forth in Article 17 are procedural rules and should be applied retroactively; provided, however, that Article 17 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date. Otherwise, with respect to 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, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the panel hearing the case
determines the principle of “lex mitior” appropriately applies under the circumstances of the case.

20.7.3 Any Article 2.4 whereabouts failure (whether a Filing Failure or a Missed Test, as those terms are defined in the International Standard for Testing and Investigations) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the International Standard for Testing and Investigation, but it shall be deemed to have expired 12 months after it occurred.

20.7.4 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 the 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 these Anti-Doping Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered may be appealed pursuant to Article 13.2. These Anti-Doping Rules 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.

20.7.5 For purposes of assessing the period of Ineligibility for a second violation under Article 10.7.1, 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 these Anti-Doping Rules been applicable, shall be applied.

ARTICLE 21 \hspace{1cm} INTERPRETATION OF THE CODE

21.1 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.

21.2 The comments annotating various provisions of the Code shall be used to interpret the Code.

21.3 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.

21.4 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.
21.5 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 Article 10 for subsequent post-Code violations.

21.6 The Purpose, Scope and Organization of the World Anti-Doping Program and the Code and Appendix 1, Definitions, and Appendix 2, Examples of the Application of Article 10, shall be considered integral parts of the Code.

ARTICLE 22  ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS

22.1 Roles and Responsibilities of Athletes

22.1.1 To be knowledgeable of and comply with these Anti-Doping Rules.

22.1.2 To be available for Sample collection at all times.

[Comment to Article 22.1.2: With due regard to an Athlete’s human rights and privacy, legitimate anti-doping considerations sometimes require Sample collection late at night or early in the morning. For example, it is known that some Athletes use low doses of EPO during these hours so that it will be undetectable in the morning.]

22.1.3 To take responsibility, in the context of anti-doping, for what they ingest and Use.

22.1.4 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 these Anti-Doping Rules.

22.1.5 To disclose to their National Anti-Doping Organization and to WTC any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten years.

22.1.6 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

22.1.7 Failure by any Athlete to cooperate in full with Anti-Doping Organizations investigating anti-doping rule violations may result in a charge of misconduct under WTC's disciplinary rules.
22.2 Roles and Responsibilities of Athlete Support Personnel

22.2.1 To be knowledgeable of and comply with these Anti-Doping Rules.

22.2.2 To cooperate with the Athlete Testing program.

22.2.3 To use his or her influence on Athlete values and behavior to foster anti-doping attitudes.

22.2.4 To disclose to his or her National Anti-Doping Organization and to WTC any decision by a non-Signatory finding that he or she committed an anti-doping rule violation within the previous ten years.

22.2.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

22.2.6 Failure by any Athlete Support Personnel to cooperate in full with Anti-Doping Organizations investigating anti-doping rule violations may result in a charge of misconduct under WTC’s disciplinary rules.

22.2.7 Athlete Support Personnel shall not Use or Possess any Prohibited Substance or Prohibited Method without valid justification.
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 and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

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

**Anti-Doping Organization:** 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, WADA, International Federations, and National Anti-Doping Organizations.

**Athlete:** Any Person who competes in sport at the international level (as defined by each International Federation), or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of “Athlete.” In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; or not require advance TUEs. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any Athlete over whom an Anti-Doping Organization has authority who competes below the international or national level, then the Consequences set forth in the Code (except Article 14.3.2) must be applied. For purposes of Article 2.8 and Article 2.9 and for
purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

[Comment: This definition makes it clear that all International- and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international- and national-level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations, respectively. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping program beyond International- or National-Level Athletes to competitors at lower levels of Competition or to individuals who engage in fitness activities but do not compete at all. Thus, a National Anti-Doping Organization could, for example, elect to test recreational-level competitors but not require advance TUEs. But an anti-doping rule violation involving an Adverse Analytical Finding or Tampering results in all of the Consequences provided for in the Code (with the exception of Article 14.3.2). The decision on whether Consequences apply to recreational-level Athletes who engage in fitness activities but never compete is left to the National Anti-Doping Organization. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not analyze Samples for the full menu of Prohibited Substances. Competitors at all levels of Competition should receive the benefit of anti-doping information and education.]

**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**: Each individual IRONMAN® and IRONMAN 70.3® Triathlon shall be considered both a *Competition* and an *Event*.

**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 Article 10.12.1; (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 or Public Reporting** means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11 of the *Code*.

**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.

**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 including all steps and processes in between such as provision of whereabouts information, Sample collection and handling, laboratory analysis, TUEs, results management and hearings.

**Event**: Each individual IRONMAN and IRONMAN 70.3 Triathlon shall be considered a separate *Event*. For example, the IRONMAN World Championship triathlon is a single *Event*.

**Event Venues**: Those venues so designated by WTC.

**Event Period**: The period beginning 24 hours before the start of an *Event* and ending 24 hours after the end of 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 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 Minor, 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 his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.5.1 or 10.5.2.

[Comment: The criteria for assessing an Athlete’s degree of Fault is the same under all Articles where Fault is to be considered. However, under Article 10.5.2, no reduction of sanction is appropriate unless, when the degree of Fault is assessed, the conclusion is that No Significant Fault or Negligence on the part of the Athlete or other Person was involved.]

Financial Consequences: see Consequences of Anti-Doping Rule Violations, above.

In-Competition: “In-Competition” means the period commencing twelve hours 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.

[Comment: An International Federation or ruling body for an Event may establish an “In-Competition” period that is different than the Event Period.]

Independent Observer Program: A team of observers, under the supervision of WADA, who observe and provide guidance on the Doping Control process at certain Events and report on their observations.

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

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

International Event: Any IRONMAN® or IRONMAN 70.3® Triathlon Event operated or licensed by WTC or where the International Olympic Committee, another International Federation, the International Paralympic Committee, 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: All Athletes in the IRONMAN Registered Testing Pool.

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.

**Metabolite:** Any substance produced by a biotransformation process.

**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, the management of test results, and the conduct of hearings 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:** Athletes who compete in sport at the national level, as defined by each National Anti-Doping Organization, consistent with the International Standard for Testing and Investigations.

**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.

**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 Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

**No Significant Fault or Negligence:** The Athlete or other Person's establishing that his or her 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 Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

[Comment: For Cannabinoids, an Athlete may establish No Significant Fault or Negligence by clearly demonstrating that the context of the Use was unrelated to sport performance.]
Notice: 1) Notice from WTC to an Athlete or other Person shall be in writing and shall include the information described in Article 14.1.3 and Article 7.1.3; 2) Notice by WTC to WADA or other Anti-Doping Organizations shall be in writing and may be transmitted by courier, mail, facsimile, email, or other method of delivery; and 3) Notice by an Athlete or other Person to WTC shall be in the form of a written document and shall occur when WTC receives that document.

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.

[Comment: Under this definition, steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the steroids were in the cabinet and that the Athlete intended to exercise control over the steroids. The act of purchasing a Prohibited Substance alone constitutes Possession, even where, for example, the product does not arrive, is received by someone else, or is sent to a third party address.]

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.

**Professional Athlete Member**: An Athlete who has met the qualifying criteria and been approved, by the International Triathlon Union national federation or the IRONMAN® Committee, to compete exclusively in this category which is eligible to receive prize money.

**Provisional Hearing**: For purposes of Article 7.9, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with Notice and an opportunity to be heard in either written or oral form.

[Comment: A Provisional Hearing is only a preliminary proceeding which may not involve a full review of the facts of the case. Following a Provisional Hearing, the Athlete remains entitled to a subsequent full hearing on the merits of the case. By contrast, an “expedited hearing,” as that term is used in Article 7.9, is a full hearing on the merits conducted on an expedited time schedule.]

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

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

**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**: 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 5.6 of the Code and the International Standard for Testing and Investigations. The list of Athletes included in IRONMAN’s Registered Testing Pool shall be published on its website.

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

[Comment: 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 signing the *Code* and agreeing to comply with the *Code*, as provided in Article 23 of the *Code*.

**Specified Substance:** See Article 4.2.2.

**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.

**Substantial Assistance:** For purposes of Article 10.6.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case 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 which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

**Tampering:** Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.

**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*.

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

**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 jurisdiction 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.

**TUE:** Therapeutic Use Exemption, as described in Article 4.4.
**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.

[Comment: Defined terms shall include their plural and possessive forms, as well as those terms used as other parts of speech].
A.1 Matters Subject to Arbitration

1.1 In fulfillment of its responsibilities as a signatory to the World Anti-Doping Code (the “Code”), World Triathlon Corporation (“WTC”) has adopted the rules, policies and procedures set forth in the IRONMAN® Anti-Doping Program (the “Program”), which is inclusive of the IRONMAN® Anti-Doping Rules. Any asserted anti-doping rule violation (“ADRV”) or other dispute arising out of the Program or an asserted violation of the anti-doping rules set forth in that Program shall be resolved through the Results Management Process described in the Program and these Arbitration Rules.

1.2 Arbitration pursuant to these Rules shall be the exclusive forum for any appeal or complaint by any Athlete, Athlete Support Personnel, and other Persons (hereafter referred to as the “Applicant”) to (i) appeal or contest WTC’s assertion of an ADRV or any other WTC decision under the Program, or (ii) any dispute that WTC and the Chief Arbitrator determine is one over which WTC has jurisdiction and standing and the Chief Arbitrator has agreed to appoint an Arbitrator. Any dispute concerning the issuance of a therapeutic use exemption shall be referred to the World Anti-Doping Agency pursuant to the Program.

1.3 Requests for Arbitration other than discussed in 1.2(i) must be filed within 10 calendar days after any breach, complaint or dispute under the Program could have reasonably come to the attention of the Applicant, otherwise the right shall be considered waived.

A.2 MGSS

McLaren Global Sport Solutions Inc. (“MGSS”) shall administer these Arbitration Rules.

A.3 MGSS List of Arbitrators

MGSS will establish, maintain and publish a list of Arbitrators selected by MGSS to hear ADRV appeals or other complaints or disputes arising under the Program. MGSS may, at its discretion, modify and republish its Arbitrator list from time to time. MGSS shall include on its Arbitrator list individuals who are or have been Court of Arbitration for Sport (“CAS”) arbitrators and who, in the opinion of MGSS, possess recognized competence with regard to sport and alternative dispute resolution procedures, including expertise in ADRV matters. The list shall include representation from different regions of the world.
Richard McLaren, or his designee, will serve as Chief Arbitrator and will perform the functions set forth in these rules.

A.4 Notice of Appeal, Request for Arbitration, and Response to Request for Arbitration

Arbitration proceedings seeking to appeal *WTC’s* assertion of an *ADRV* in accordance with Article 14.1.3 or other asserted violation of the *Program* shall be initiated by the *Applicant* serving a written Notice of Appeal on *WTC* within ten days of *Applicant’s* receipt of notice of the asserted violation, stating that *Applicant* wishes to appeal *WTC’s* decision through the arbitration process described in these Rules. *WTC* will then provide the *Applicant* with the **IRONMAN® Anti-Doping Program Applicant Request for Arbitration** form which must be completed by the *Applicant* and filed with MGSS (with a copy to *WTC*), along with the required $300 filing fee, within ten days of *Applicant’s* receipt of the *Applicant Request for Arbitration* form. Failure by the *Applicant* to submit either the Notice of Appeal or the Request for Arbitration form and required filing fee within ten days will result in forfeiture of the *Applicant’s* right to appeal or otherwise challenge *WTC’s* decision.

A.5 Changes to Request for Arbitration or Response to Request for Arbitration

If any party desires to raise any new or different claim or defense, it shall provide a copy of that claim or defense to the other party and to MGSS. After the Arbitrator(s) is appointed, no new or different claim or defense may be submitted except by mutual agreement of the parties or as ordered by the Arbitrator(s).

A.6 Appointment of Arbitrator(s)

6.1 Following receipt of *Applicant’s* Request for Arbitration, the Chief Arbitrator will appoint a single Arbitrator from the MGSS list to hear the case. That single Arbitrator may be the Chief Arbitrator. The proceeding shall be heard by the single Arbitrator unless, within five days after receiving notice of the appointment of the single Arbitrator, either party elects in writing to have the matter heard by a panel of three Arbitrators from the MGSS list. That election shall include the nomination of a second Arbitrator from the MGSS list.

6.2 Within five days of receipt of the nomination of the second Arbitrator, the other party to the proceeding shall nominate a third Arbitrator. Each nomination of an Arbitrator shall be sent to MGSS with a copy to the other party. In the event three Arbitrators are appointed, the Arbitrator appointed by the Chief Arbitrator will become the chair of the Arbitration panel.

6.3 Subject to the Arbitrator acceptance and challenge process set forth in Rule A.13, the three Arbitrators so nominated will conduct the Arbitration proceeding. All decisions of the Arbitrators shall be by majority vote.
A.7  Method, Place and Date of Arbitration

The Arbitration hearing may take place by telephone, videoconference, or in person, as agreed to by the parties or as directed by the Arbitrator(s). All other proceedings shall take place by telephone. If the Arbitration is to take place in person, the location of the Arbitration shall be Denver, Colorado, USA, unless the Arbitrator(s), for good cause shown, rules otherwise. The Arbitration shall take place at a time within 90 days of completion of the appointment of the Arbitrator(s) unless that time is extended by agreement of the parties or upon a showing of exceptional circumstances by a party and so ordered by the Arbitrator(s). The hearing process shall be expedited when necessary to determine the Applicant’s eligibility before the Applicant is scheduled to participate in any of the following events: IRONMAN® and IRONMAN 70.3® World Championship triathlons and Regional Championship Competitions.

A.8  Prehearing Procedures

During a prehearing conference, the Arbitrator and the parties shall discuss: any necessary clarification of the parties’ claims and defenses; whether provisional relief is requested; whether the hearing will be in-person or by telephone or video conference; whether evidence may be presented by affidavit and any other evidentiary issues raised by the parties; scheduling the date for and expected duration of the hearing; a schedule for any briefing that may be requested and a schedule for the exchange of documents and identification of witnesses in advance of the hearing; and any other matters raised by the parties or the Arbitrator(s). No discovery shall be permitted except as expressly provided by the Program.

No discovery shall be permitted; however, the Arbitrator(s) may direct the exchange or production of documents where the Arbitrator(s) decides that the information would assist the Arbitrator(s) in deciding the case. The Arbitrator(s) shall also have the power to issue subpoenas for the production of documents and the presence of witnesses, which shall be enforceable through the courts.

A.9  The Hearing

9.1 Each party shall have a right to the assistance of counsel, at its own expense, in connection with all aspects of the proceedings, including the hearing. Any Applicant needing an interpreter shall provide an independent and qualified interpreter at the Applicant’s own expense. Any dispute over the interpreter’s qualification shall be decided by the Arbitrator(s). The interpreter shall be paid directly by the requesting party.

9.2 The hearing shall respect the principles set forth in Article 8 of the World Anti-Doping Code and shall be conducted in the format determined by the Arbitrator(s), in consultation with the Chief Arbitrator, taking into account the urgency, potential cost to the parties, and the particulars of the dispute with regard to the production of evidence. The Arbitrator(s) shall have the power to establish procedures so long as the parties are treated equally and fairly and given a reasonable opportunity to present their cases or respond to the case of another
party, including the right to call and question witnesses. All decisions by the Arbitrator(s) with respect to format and procedure are final.

9.3 The substantive rules set forth in the Program and the World Anti-Doping Code shall be applicable throughout the proceeding.

9.4 Burdens and methods of proof, presumptions and inferences shall be as provided in the Program and the World Anti-Doping Code.

9.5 The Arbitrator(s) shall rule on the admissibility of evidence. Adherence to the formal rules of evidence shall not be necessary. If, at the prehearing conference, it is decided that evidence by affidavit may be admitted, the Arbitrator(s) shall give such weight to that evidence as the Arbitrator(s) deems appropriate in the circumstances.

9.6 Witnesses shall provide testimony under oath.

9.7 Any party requesting a stenographic record or recording of the hearing shall make that request to MGSS at least 15 days in advance of the hearing. MGSS will arrange for a stenographic record or recording as requested and shall provide copies to all parties. If WTC requests a stenographic record or recording, then it shall bear the cost. If the Applicant requests a stenographic record or recording, then the cost shall be split equally between the parties.

9.8 The hearing may proceed in the absence of a party who, after due notice, fails to appear or be represented at the hearing. As provided in Article 3.2.5 of the World Anti-Doping Code, an adverse inference may be drawn against an Athlete or other Person who fails to appear at the hearing to give evidence after having been requested to do so by either WTC or the Arbitrator(s).

A.10 Post-Hearing Matters

10.1 The Arbitrator(s) may grant any remedy or relief the Arbitrator(s) deems just and equitable and within the scope of the Program and the World Anti-Doping Code.

10.2 Each case shall be determined on its own facts and the Arbitrator(s) shall not be bound by previous decisions.

10.3 The Arbitrator(s)’ award, including the reasoning for decisions, shall be in writing and shall be delivered to the parties within 30 days of the close of the hearing. At the discretion of the Arbitrator(s), the Arbitrator(s) may communicate the award to the parties in advance of the Arbitrator(s)’ providing the written rationale for the award. The Arbitrator(s) has the power to correct clerical mistakes and miscalculations of time limits subsequent to the distribution of the award.

10.4 If all three Arbitrators have different decisions, the award shall be rendered by the chair of the panel alone.
10.5 In addition to a final award, the Arbitrator(s) may make other decisions, including interim interlocutory or partial rulings, orders and awards.

10.6 The hearing may be reopened for good cause upon the application of a party or at the Arbitrator(s)’ initiative at any time before the Arbitrator(s)’ award has been delivered.

10.7 Should the Arbitrator(s) err in determining sanction length or the start date of the sanction, the Arbitrator(s) may correct the award if a request for this relief has been made within seven (7) days of delivery of the award.

A.11 Appeal to CAS

Pursuant to Article 13 of the Program and the World Anti-Doping Code, any party may appeal the Arbitrator(s)’ award to CAS within 21 days of the communication of the award. WADA may appeal within the time provided in Article 13.2.3 of the World Anti-Doping Code. An appeal to CAS shall be the exclusive forum for challenging the award. Decisions of CAS shall be final and binding on all parties and shall not be subject to any further review or appeal except as permitted by the Swiss Federal Judicial Organization Act or the Swiss Statute on Private International Law.

A.12 Confidentiality

Arbitration under these Rules is confidential and is not open to the public. From the inception of the arbitration until an award is issued or the arbitration is otherwise completed, neither the parties, the Arbitrator(s), nor MGSS shall disclose any confidential information relating to the Arbitration to any person not involved in the Arbitration, except as provided for in the Program or the World Anti-Doping Code.

A.13 Additional Provisions Regarding Arbitrators

13.1 Any Arbitrator nominated to a case shall immediately disclose to the parties, the Chief Arbitrator, and MGSS any conflict or potential conflict of interest and any circumstance that could create a reasonable apprehension of bias in respect to his or her appointment. Upon objection of a party to the continued service of an Arbitrator, the Chief Arbitrator shall rule on the objection. The Chief Arbitrator’s decision shall be conclusive. If there is a challenge to the Chief Arbitrator serving as an Arbitrator, a challenge shall be decided by CAS.

13.2 If an Arbitrator nominated by a party declines to accept the nomination or if it is determined by the Chief Arbitrator that the Arbitrator should not serve because of a conflict, then that party shall have an additional five days to nominate another Arbitrator. If at any time prior to the commencement of the hearing an Arbitrator is no longer able to serve, then if it is the Arbitrator appointed by the Chief Arbitrator, the Chief Arbitrator shall appoint a replacement. If it is an Arbitrator nominated by a party, then the party shall have five days to nominate a replacement. After the hearing has commenced, vacancies shall not be filled unless the parties agree or the Chief Arbitrator determines otherwise.
13.3 Upon their appointment to the MGSS list, the Arbitrators shall sign a declaration undertaking to exercise their functions personally, with impartiality and in conformity with the provisions of the Program. All Arbitrators, whether or not nominated by a party, are expected to be neutral.

13.4 No party or anyone acting on behalf of a party shall communicate ex parte concerning the Arbitration with any potential Arbitrator candidate or any serving Arbitrator.

13.5 Arbitrators shall be compensated at an hourly rate of $325, as set by MGSS. Arbitrator fees and expenses for a single Arbitrator shall be paid by WTC. If WTC elects to proceed with a panel of three Arbitrators, then WTC shall pay the fees and expenses of all Arbitrators. If the Applicant elects to proceed with a panel of three Arbitrators, the fees and expenses of all three Arbitrators shall be split equally between the parties.

13.6 Any fees charged by the Arbitrator(s) on account of the postponement of the hearing shall be charged to the party requesting the postponement.

13.7 Payments to the Arbitrator(s) shall be made by MGSS, not directly by the parties. MGSS will in turn bill the parties.

13.8 Neither MGSS nor any Arbitrator in a proceeding under the Program shall be a necessary party in judicial proceedings relating to the Arbitration. Arbitrators and senior officers of MGSS are not compellable witnesses in any court or administrative proceeding. No party may attempt to subpoena or demand the production of any notes, records or documents prepared by the Arbitrator, the Chief Arbitrator, or MGSS senior officers and staff in the course of any Arbitration under these Rules.

13.9 Neither MGSS nor any Arbitrator shall be liable to any party for any act or omission in connection with any Arbitration conducted under these Arbitration Rules. As a condition of participation in WTC-owned, operated, or licensed events, each Applicant hereby releases MGSS, its Chief Arbitrator, the WTC and each director, officer, member, employee, agent or representative of any of the foregoing, jointly and severally, individually and in their official capacity, of and from any and all claims, demands, damages and causes of action whatsoever, in law or equity, arising out of or in connection with, any decision, act or omission arising under these Rules or the Program except fraud or willful acts or omissions.

A.14 Miscellaneous Rules

14.1 All Arbitration proceedings shall be conducted in English.

14.2 Notice. Notice to an Applicant, for all purposes of these Rules, shall be deemed received when delivered by overnight courier to the Applicant’s most recent mailing address on file with WTC. If WTC is not able to deliver the notice at such address, then WTC shall contact the Applicant’s national federation and send notice by overnight courier to the Applicant’s most recent address on file with the national federation if that is a different address than the most recent address on file.
with WTC. Actual notice may be accomplished by any other means, including electronic mail, and shall be deemed effective if WTC receives a return communication from the email address provided by the Applicant to WTC or his or her national federation indicating the notice was received, or if WTC communicates with the Applicant by other means and the Applicant acknowledges receipt of the notice. If delivery cannot be achieved at the most recent mailing address on file with WTC and the national federation, then notice shall be effective three business days after delivery of the notice to the Applicant’s national federation.

14.3 All papers may be filed directly with the Arbitrator(s), with copies to the opposing party and MGSS. Papers may be served by email or courier service.

14.4 The Arbitrator(s) shall have the power to rule on the Arbitrator(s)’ authority and jurisdiction, including objections concerning the existence, scope or validity of an arbitration agreement. A party must object to the application of the Arbitration Rules or the jurisdiction of the Arbitrator in the Applicant’s Request for Arbitration; otherwise, the objection shall be waived.

14.5 The Arbitrator(s), at the Arbitrator(s)’ sole discretion, after consultation with the Chief Arbitrator, may elect to engage an expert to assist the Arbitrator on particular technical issues arising in a case. The cost of such expert shall be borne equally by the parties.

14.6 MGSS may make accommodations under these Rules where the Applicant is under the age of 18.

14.7 The Arbitrator(s) shall be free to consult with the Chief Arbitrator on any matter pertaining to the Arbitration.

A.15 Governing Law
The laws of the State of Florida, U.S.A. shall be the governing law for arbitrations under these Rules.

A.16 Amendments
These IRONMAN® Arbitration Rules may be amended from time to time by WTC. Unless otherwise indicated, all amendments shall be effective no earlier than thirty (30) days after publication on the IRONMAN website (www.IRONMAN.com). It is each Athlete’s responsibility to regularly check IRONMAN’s anti-doping website to ensure that they are consulting the most up to date version of this and other anti-doping related policies.