

FIS
ANTI-DOPING RULES
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The World Anti-Doping Code

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FIS ANTI-DOPING RULES

INTRODUCTION

Preface

At the FIS Council Meeting held on 10th May 2003, the International Ski Federation (FIS) approved the World Anti-Doping *Code* (the "*Code*") and proposed its' ratification by the 44th International Ski Congress on 4th June, 2004 in Miami (USA). These Anti-Doping Rules are adopted by the Council on 16th November 2003 and implemented in conformance with the FIS responsibilities under the *Code*, and are in furtherance of FIS' continuing efforts to eradicate doping in the sport of skiing.

Where appropriate in these rules and procedures, the masculine shall include the feminine and the singular shall include the plural. As per article 1.3 of the FIS Statutes, the term "Ski" shall include all related equipment as for instance snowboard.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Athletes* accept these rules as a condition of participation. Anti-Doping Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the *Code* and implemented in these Anti-Doping Rules represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.

Fundamental Rationale for the Code and the FIS Anti-Doping Rules

Anti-doping programmes 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; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- 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.

Description of FIS Anti-Doping Activities

The International Ski Federation (FIS) has been one of the most active and innovative leading International Sport Federations in the tough and very complex fight against doping. FIS is strongly committed to the fight against doping, in order to offer to all Athletes and Participants in every discipline fair and safe competitions.

The FIS Medical Committee is responsible for advising the FIS Council on anti-doping education and preventative programmes, which includes:

- developing anti-doping education and preventative programmes which can be used by National Ski Associations;
- reviewing the WADA Prohibited List in relation to specific knowledge about the FIS disciplines;
- advising on sports-specific information in regard to characteristics of disciplines and types of performance-enhancing substances.

Responsibilities for other aspects of FIS Anti-Doping activities, such as the organisation of Testing, etc. are defined in the relevant Articles of these FIS Anti-Doping Rules.

Scope

These Anti-Doping Rules shall apply to FIS, each member *National Ski Association* of FIS, and each *Participant* in the activities of FIS or any of its *National Ski Associations* by virtue of the *Participant's* membership, accreditation, or participation in FIS, its *National Ski Associations*, or their activities or *Events*.

To be eligible for participation in FIS events, an *Athlete* must have a FIS licence issued by his or her *National Ski Association*. The FIS licence will only be issued to *Athletes* who have personally signed the FIS Athletes Declaration, in the actual form approved by the FIS Council. All forms from under-age applicants must be counter-signed by their legal guardians.

The National Ski Association must guarantee that all *Athletes* registered for a FIS Licence accept the Rules of the FIS, including these FIS Anti-Doping Rules that are compiled in accordance with the World Anti-Doping Code.

It is the responsibility of each *National Ski Association* to ensure that all national-level *Testing* on the *National Ski Association's Athletes* complies with the FIS Anti-Doping Rules. In some cases, the *National Ski Association* itself will be conducting the *Doping Control* described in the FIS Anti-Doping Rules. In other countries, many of the *Doping Control* responsibilities of the *National Ski Association* have been delegated or assigned by statute to a *National Anti-Doping Organization*. In those countries, references in the FIS Anti-Doping Rules to the *National Ski Association* shall apply, as applicable, to the *National Ski Association's National Anti-Doping Organization*.

The FIS Anti-Doping Rules shall apply to all *Doping Controls* over which FIS and its *National Ski Associations* have jurisdiction.

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 2.8 of these Anti-Doping Rules.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

The following constitute anti-doping rule violations:

2.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's* bodily *Specimen*.

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 bodily *Specimens*. 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 violation under Article 2.1.

2.1.2 Excepting those substances for which a quantitative reporting threshold is specifically identified in the *Prohibited List*, the detected 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.

2.1.3 As an exception to the general rule of Article 2.1, the *Prohibited List* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

2.2 Use or Attempted Use of a *Prohibited Substance* or a *Prohibited Method*.

2.2.1 The success or failure of the *Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping rule violation to be committed.

2.3 Refusing, or failing without compelling justification, to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules or otherwise evading *Sample* collection.

2.4 Violation of the requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information set forth in Article 5.5 (*Athlete* whereabouts requirements) and missed tests which are declared based on reasonable rules.

2.5 *Tampering*, or *Attempting* to tamper, with any part of *Doping Control*.

2.6 Possession of Prohibited Substances and Methods.

2.6.1 *Possession* by an *Athlete* at any time or place of a substance that is prohibited in *Out-of-Competition Testing* or a *Prohibited Method* unless the *Athlete* establishes that the *Possession* is pursuant to a therapeutic use exemption granted in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

2.6.2 *Possession* of a *Prohibited Substance* that is prohibited in *Out-of-Competition Testing* or a *Prohibited Method* by *Athlete Support Personnel* in connection with an *Athlete*, *Event* or training, unless the *Athlete Support Personnel* establishes that the *Possession* is pursuant to a therapeutic use exemption granted to an *Athlete* in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

2.7 Trafficking in any Prohibited Substance or Prohibited Method.

2.8 Administration or *Attempted* administration of a *Prohibited Substance* or *Prohibited Method* to any *Athlete*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* violation.

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof. FIS and its *National Ski Associations* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether FIS or its *National Ski Association* has established an anti-doping rule violation to the comfortable satisfaction of the hearing body 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 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.

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:

3.2.1 WADA-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for laboratory analysis. The *Athlete* may rebut this presumption by establishing that a departure from the *International Standard* occurred.

If the *Athlete* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred, then FIS or its *National Ski Association* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2 Departures from the *International Standard for Testing* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* establishes that departures from the *International Standard* occurred during *Testing* then FIS or its *National Ski Association* shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

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*. FIS will make the current *Prohibited List* available to each *National Ski Association* through its publication on the FIS Website www.fis-ski.com, and each *National Ski Association* shall ensure that the current *Prohibited List* is available to its members and constituents.

4.2 *Prohibited Substances and Prohibited Methods Identified on the Prohibited List*. 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 of the *Prohibited List* by WADA without requiring any further action by FIS. As described in Article 4.2 of the *Code*, FIS may upon the recommendation of its Medical Committee request that WADA expand the *Prohibited List* for the sport of Skiing, or certain FIS disciplines FIS may also upon the recommendation of its Medical Committee request that WADA include additional substances or methods, which have the potential for abuse in the sport of Skiing, in the monitoring programme described in Article 4.5 of the *Code*. As provided in the *Code*, WADA shall make the final decision on such requests by FIS.

4.3 Criteria for Including Substances and Methods on the *Prohibited List*. As provided in Article 4.4.3 of the *Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* shall be final and shall not be subject to challenge by an *Athlete* or *Other Person*.

4.4 Therapeutic Use.

4.4.1 *Athletes* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a Therapeutic Use Exemption ("TUE").

4.4.2 A TUE request may only be submitted to one organisation. It is not allowed to submit the same TUE request to a National Anti-Doping Agency and FIS. TUE's granted by FIS shall be reported to the *Athlete's National Ski Association* and to WADA.

4.4.3 FIS shall appoint a panel of physicians to consider requests for TUE's (the "TUE Panel"). Upon FIS receipt of a TUE request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate

such request in accordance with the *International Standard for Therapeutic Use Exemptions* and render a decision on such request, which shall be the final decision of FIS.

4.4.3.1 Standard TUE applications should be submitted to the National Anti-Doping Agency (NADO). A copy of the certificate granting a TUE shall be forwarded to FIS by the NADO.

4.4.3.2 Abbreviated TUE applications shall be sent to the NADO and FIS. They are valid as from submission of the completed application and a certificate is not required.

4.4.3.3 If there is no recognised National Anti-Doping Agency (NADO), applications for standard or abbreviated TUEs for *Athletes* participating in FIS international races shall be sent to FIS.

4.4.3.4 *Athletes* must, except in emergency situations, request a TUE no later than 21 days before the *Athlete's* participation at an *International Event*.

4.4.3.5 In case of doubt the FIS TUE Committee reserves the right to re-consider applications respectively certificates granted by the National Anti-Doping Agency (NADO).

4.4.4 WADA, at the request of an *Athlete* or on its own initiation, may review the granting or denial of any TUE to an *International Level Athlete* or a national level *Athlete* that is included in a *Registered Testing Pool*. If WADA determines that the granting or denial of a TUE did not comply with the *International Standard for Therapeutic Use Exemptions* in force at the time then WADA may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 13.

4.5 Monitoring Programme

WADA, in consultation with other *Signatories* and governments, shall establish a monitoring program regarding substances which are not on the *Prohibited List*, but which WADA wishes to monitor in order to detect patterns of misuse in sport. WADA shall publish, in advance of any *Testing*, the substances that will be monitored. Laboratories will report the instances of reported *Use* or detected presence of these substances to WADA quarterly on an aggregate basis by sport without identifying specific *Sample* numbers. WADA shall make available to International Federations and *National Anti-Doping Organizations*, on at least an annual basis, aggregate statistical information by sport regarding the additional substances. WADA shall implement measures to ensure that strict anonymity of individual *Athletes* is maintained with respect to such reports. The reported use or detected presence of the monitored substances shall not constitute a doping violation.

ARTICLE 5 TESTING

5.1 Authority to Test. All *Athletes* affiliated with a *National Ski Association* or participating in a FIS event shall be subject to *In-Competition Testing* by FIS, the *Athlete's National Ski Association*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* affiliated with a *National Ski Association* shall also be subject to *Out-of-Competition Testing* at any time or place, with or without advance notice, by FIS, WADA, the *Athlete's National Ski Association*, the *National Anti-Doping Organization* of any country where the Athlete is present, the IOC during the Olympic Games, and the IPC during Paralympic Games.

The period defined as *In-Competition Testing* commences from the Opening Ceremony or 24 hours before the first official training whichever is the earlier, and continues until the Closing Ceremony or 24 hours after the final competition whichever is the later irrespective of whether the *Athlete* is present at the competition site.

5.2 Responsibility for FIS Testing. The FIS Anti-Doping Expert respectively an Anti-Doping Agency appointed by FIS shall be responsible for overseeing all *Testing* conducted by FIS. *Testing* may be conducted on behalf of FIS by specialist Anti-Doping Agencies, *Sample Collection Agencies* and their qualified Doping Control Officers.

5.3 Testing Standards. *Testing* conducted by and on behalf of FIS and its *National Ski Associations* shall be in substantial conformity with the *International Standard for Testing* in force at the time of *Testing*.

5.3.1 Blood (or other non-urine) *Samples* may be used either to detect Prohibited Substances or Prohibited Methods or for screening procedure purposes only. If the blood is collected for screening only, it will have no other consequences for the Athlete other than to identify him/her for a urine test under these anti-doping rules. In these circumstances, FIS may decide at its own discretion which blood parameters are to be measured in the screening *Sample* and what levels of those parameters will be used to indicate that an Athlete should be selected for a urine test.

5.4 Coordination of Testing. FIS and *National Ski Associations* shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in *Testing*.

5.5 Athlete Whereabouts Requirements.

5.5.1 FIS shall identify a *Registered Testing Pool* of those *Athletes* who are required to provide up-to-date whereabouts information to FIS, details of which are defined in Section D of the Procedural Guidelines. FIS may revise its *Registered Testing Pool* from time to time as appropriate. Each *Athlete* in the *Registered Testing Pool* shall file quarterly reports through its National Ski Associations with FIS on forms provided by FIS or similar forms (such as those provided by the National Anti-Doping Organization) that contain the

necessary information which specify on a daily basis the locations and times where the *Athlete* will be residing, training and competing. *Athletes* shall update this information as necessary so that it is current at all times. The ultimate responsibility for providing whereabouts information rests with each *Athlete*, however, it shall be the responsibility of each *National Ski Association* to use its best efforts to assist FIS in obtaining whereabouts information as requested by FIS.

5.5.2 Any *Athlete* in the FIS *Registered Testing Pool* who is unavailable for *Testing* on three attempts during any rolling period of 18 consecutive months shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4. For each attempt, the Doping Control Officer shall visit all locations during the times specified by the *Athlete* for that date and shall stay two hours at each location. Notification shall be sent to the *Athlete* between each attempt which is to be counted as an unavailable test.

5.5.3 Any *Athlete* in the FIS *Registered Testing Pool* who fails to timely submit a required quarterly whereabouts report after receipt of two formal written warnings from FIS to his *National Ski Association* to do so in the preceding 18 months shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4.

5.5.4 Each *National Ski Association* shall also assist their *National Anti-Doping Organization* in establishing a national level *Registered Testing Pool* of top level national *Athletes* who are not already included in FIS's *Registered Testing Pool*. The *National Ski Association/National Anti-Doping Organization* may establish its own whereabouts reporting requirements and criteria for Article 2.4 violations applicable to those *Athletes*.

5.5.5 Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with WADA and other *Anti-Doping Organizations* having jurisdiction to test an *Athlete* on the strict condition that it be used only for *Doping Control* purposes.

5.6 Retirement and Return to Competition.

5.6.1 An *Athlete* who has been identified by FIS for inclusion in FIS *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to be available for *No Advance Notice Out-of-Competition Testing*, unless and until the *Athlete's National Ski Association* gives written notice to FIS that he or she has retired or until he or she no longer satisfies the criteria for inclusion in the FIS *Registered Testing Pool* and has been so informed by FIS.

5.6.2 An *Athlete* in the *Registered Testing Pool* at the time of *retirement* who has given notice of retirement to FIS and is subsequently re-registered by his National Ski Association is subject to these Anti-Doping Rules, including the obligation to be available

for *No Advance Notice Out-of-Competition Testing* at any time after re-registration during the period before actual return to competition. A period of three months is required between re-registration and actual return to competition.

5.6.3 *National Ski Associations/National Anti-Doping Organizations* may establish similar requirements for retirement and returning to competition for *Athletes* in the national *Registered Testing Pool*.

5.7 Selection of Athletes to be Tested.

5.7.1 At *International Events*, the FIS Anti-Doping Rules shall determine the number of finishing placement tests, random tests and target tests to be performed.

The following *Athletes* shall be tested at all competitions of the FIS World Championships and at other selected FIS World Cup and *International Events*.

5.7.1.1 (For sports competed on an individual basis). Each *Athlete* finishing in one of the top four placements in the *Competition*, plus at least one other *Athlete* selected at random.

At the FIS World Championships, the number of *Athletes* selected at random shall be two.

5.7.1.2 (For Relay Events or other competitions in which awards are given to teams). One *Athlete* selected at random from each of the top four finishing teams, plus at least one *Athlete* selected at random from a randomly-selected team outside the top four finishing teams.

At the FIS World Championships, the number of teams selected at random shall be two (one *Athlete* per team).

5.7.1.3 At the FIS Junior World Championships, the competitions at which testing takes place during the event may be agreed in consultation with FIS (e.g. Alpine, 1 speed and 1 technical event per gender; Cross-Country and Nordic Combined 1 distance and 1 sprint event; Ski Jumping 1 competition, Freestyle and Snowboarding, per event).

5.7.2 At *National Events*, each *National Ski Association* shall determine the number of *Athletes* selected for *Testing* in each *Competition* and the procedures for selecting the *Athletes* for *Testing*.

5.7.3 In addition to the selection procedures set forth in Articles 5.7.1 and 5.7.2 above, the FIS at *International Events*, and the *National Ski Association* at *National Events*, may also select *Athletes* or teams for *Target Testing* so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.

5.7.4 *Athletes* shall be selected for *Out-of-Competition Testing* by the FIS and by *National Ski Associations* through a process that substantially complies with the *International Standard for Testing* in force at the time of selection.

5.8 Independent Observers

FIS authorizes and shall facilitate the *WADA Independent Observer* program at *International Events*. *National Ski Associations* and the Organising Committees for *National Ski Association Events* shall provide access to *Independent Observers* at *Events* as directed by FIS.

ARTICLE 6 ANALYSIS OF SAMPLES

Doping Control Samples collected under these Anti-Doping Rules shall be analysed in accordance with the following principles:

6.1 Use of Approved Laboratories. FIS, respectively *the Anti-Doping Agency on its behalf* shall send *Doping Control Samples* for analysis only to *WADA-accredited laboratories* or as otherwise approved by *WADA*. The choice of the *WADA-accredited laboratory* (or other method approved by *WADA*) used for the *Sample* analysis shall be determined exclusively by FIS, respectively its appointed *Anti-Doping Agency*.

6.2 Substances Subject to Detection. *Doping Control Samples* shall be analysed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by *WADA* pursuant to the Monitoring Programme described in Article 4.5 of the *Code*.

6.3 Research on Samples. No *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Prohibited List*, or as otherwise identified by *WADA* pursuant to its Monitoring Programme, without the *Athlete's* written consent.

6.4 Standards for Sample Analysis and Reporting. Laboratories shall analyse *Doping Control Samples* and report results in conformity with the *International Standard for Laboratory Analysis*.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests Initiated by FIS. Results management for *Tests* initiated by FIS (including *Tests* performed by *WADA* pursuant to agreement with FIS) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to FIS in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential.

7.1.2 Upon receipt of an *A Sample Adverse Analytical Finding*, the anti-doping administrator at the FIS Office shall conduct a review to determine whether: (a) an applicable therapeutic use exemption has been granted, or (b) there is any apparent departure from the

International Standards for Testing or Laboratory Analysis that undermines the validity of the *Adverse Analytical Finding*.

7.1.3 If the initial review under Article 7.1.2 does not reveal an applicable therapeutic use exemption or departure from the *International Standard for Testing or the International Standard for Laboratory Analysis* in force at the time of *Testing* or analysis that undermines the validity of the *Adverse Analytical Finding*, FIS shall promptly notify the *National Ski Association* of the *Athlete* and/or *Other person* of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated, or, in a case under Articles 7.1.8 or 7.1.9, a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation; (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 right of the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis if such analysis is requested; and (e) following the completion of the analysis of the *B Sample*, if such analysis is requested, 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 Laboratory Analysis*.

7.1.4 Arrangements shall be made by FIS for *Testing* the *B Sample* within three weeks of the notification described in Article 7.1.3. An *Athlete* may accept the *A Sample* analytical results by waiving the requirement for *B Sample* analysis. FIS may nonetheless elect to proceed with the *B Sample* analysis.

7.1.5 The *Athlete* and/or his representative shall be allowed to be present at the analysis of the *B Sample*. Also a representative of the *Athlete's National Ski Association* as well as a representative of FIS shall be allowed to be present.

7.1.6 If the *B Sample* proves negative, the entire test shall be considered negative and the *Athlete* through his *National Ski Association*, shall be so informed by FIS.

7.1.7 If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified, the findings shall be reported to the *Athlete*, his *National Ski Association*, FIS, and to WADA.

7.1.8 The anti-doping administrator at the FIS Office shall conduct any follow-up investigation as may be required by the *Prohibited List*. Upon completion of such follow-up investigation, FIS shall promptly notify the *Athlete* through his *National Ski Association* regarding the results of the follow-up investigation and whether or not FIS asserts that an anti-doping rule was violated.

7.1.9 For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, FIS shall conduct any necessary follow-up investigation and shall then promptly notify the *National Ski*

Association of the Athlete or Other Person of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.2 Results Management for Tests Initiated During Other International Events. Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a Major Event Organization, shall be managed, as far as sanctions beyond Disqualification from the Event or the results of the Event, by FIS.

7.3 Results Management for Tests initiated by National Ski Associations. Results management conducted by *National Ski Associations* shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Article 7.1. Results of all *Doping Controls* shall be reported to FIS within 14 days of the conclusion of the *National Ski Association's* results management process. Any apparent anti-doping rule violation by an *Athlete* who is a member of that *National Ski Association* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *National Ski Association* or national law according to the principles of the Code. Apparent anti-doping rule violations by *Athletes* who are members of another *National Ski Association* shall be referred to FIS to pass on to the *Athlete's National Ski Association* for hearing.

7.4 Provisional Suspensions. The FIS President and/or Secretary General, after consultation with the anti-doping administrator at the FIS Office, may Provisionally Suspend an *Athlete* prior to the opportunity for a full hearing based on an *Adverse Analytical Finding* from the *Athlete's A Sample* or *A and B Samples* and the review described in Article 7.1. If a *Provisional Suspension* is imposed, either the hearing in accordance with Article 8 shall be advanced to a date which avoids substantial prejudice to the *Athlete*, or the *Athlete* shall be given an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*. *National Ski Associations* may impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.3.

If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and a subsequent *B Sample* analysis does not confirm the *A Sample* analysis, then the *Athlete* shall not be subject to any further disciplinary action and any sanction previously imposed shall be rescinded. In circumstances where the *Athlete* or the *Athlete's* team has been removed from a *Competition* and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, if, without otherwise affecting the *Competition*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Competition*.

ARTICLE 8 RIGHT TO A FAIR HEARING

Each *Anti-Doping Organization* with responsibility for results management shall provide a hearing process for any *Person* who is asserted to have committed an anti-doping rule violation. Such hearing process shall address

whether an anti-doping violation was committed and, if so, the appropriate *Consequences*.

8.1 Hearings arising out of FIS Testing or Tests at International Events.

8.1.1 The FIS Council shall appoint a panel of its' members consisting of a Chair and other experts with experience in anti-doping ("FIS Doping Panel"). The Chair shall preferably be a legal expert. Each panel member shall be otherwise independent of his *National Ski Association* and shall serve a term of two years (Congress period).

8.1.2 When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with FIS *Testing* or *Testing* at an *International Event* then the case shall be assigned to the FIS Doping Panel for adjudication.

8.1.3 The Chair of the FIS Doping Panel shall appoint at least three members of the FIS Doping Panel to hear and adjudicate each case (which may include the Chair), of which at least one appointed member shall be a legal expert. The Chair may appoint a medical and/or legal expert from outside the FIS Doping Panel as additional member(s) of the panel hearing and adjudicating each case. The appointed members shall have had no prior involvement with the case and shall not have the same nationality as the *Athlete* or *Other Person* alleged to have violated these Anti-Doping Rules.

8.1.4 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7 according to the Hearing Process described in Article FIS.E of the FIS Procedural Guidelines. Hearings held in connection with *Events* may be conducted on an expedited basis.

8.1.5 The *National Ski Association* of the *Athlete* or *Other Person* alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.

8.1.6 FIS shall keep WADA fully apprised as to the status of pending cases and the result of all hearings.

8.1.7 An *Athlete* or *Other Person* may forego a hearing by acknowledging the Anti-Doping Rule violation and accepting *Consequences* consistent with Articles 9 and 10 as proposed by FIS.

8.1.8 Decisions of the FIS Doping Panel may be appealed to the Court of Arbitration for Sport as provided in Article 13.

8.2 Hearings Arising Out of National Testing.

8.2.1 When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been

violated in connection with *Testing* other than in connection with *FIS Testing* or *Testing* at an *International Event*, the *Athlete* or *Other Person* involved shall be brought before a disciplinary panel of the *Athlete* or *Other Person's National Ski Association* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what *Consequences* should be imposed.

8.2.2 Hearings pursuant to this Article 8.2 shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with *Events* may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, FIS may elect to bring the case directly before the FIS Doping Panel at the responsibility and at the expense of the *National Ski Association*.

8.2.3 *National Ski Associations* shall keep FIS and WADA fully apprised as to the status of pending cases and the results of all hearings.

8.2.4 FIS and WADA shall have the right to attend hearings as an observer.

8.2.5 The *Athlete* or *Other Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *National Ski Association*.

8.2.6 Decisions by *National Ski Associations*, whether as the result of a hearing or the *Athlete* or *Other Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.

8.2.7 Hearing decisions by the *National Ski Association* shall not be subject to further administrative review at the national level except as provided in Article 13 or required by applicable national law.

8.3 Principles for a Fair Hearing. All hearings pursuant to either Article 8.1 or 8.2 shall respect the following principles:

- a timely hearing;
- fair and impartial hearing body;
- the right to be represented by counsel at the *Person's* own expense;
- the right to be fairly and timely informed of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's

discretion to accept testimony by telephone or written submission);

- the *Person's* right to have an interpreter at the hearing, and
- a timely, written, reasoned decision.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these Anti-Doping Rules in connection with an *In-Competition* test automatically leads to *Disqualification* of the individual result obtained in that *Competition* with all resulting consequences, including forfeiture of any medals, points and prizes.

All National Ski Associations shall agree with its Athletes to provide for the legal authority to reclaim prize-money as set out above. This agreement shall include a provision whereby once a doping offence has been determined, the Athlete immediately returns to the National Ski Association all prize-money won following the date of the doping offence, for re-distribution to the newly eligible Athletes through FIS.

ARTICLE 10 SANCTIONS ON INDIVIDUALS

10.1 *Disqualification of Results in Event During which an Anti-Doping Rule Violation Occurs.* An *Anti-Doping Rule* violation occurring during or in connection with an *Event* may 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.

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 *Imposition of Ineligibility for Prohibited Substances and Prohibited Methods.* Except for the specified substances identified in Article 10.3, the period of *Ineligibility* imposed for a violation of Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use or Attempted Use of Prohibited Substance or Prohibited Method*) and Article 2.6 (*Possession of Prohibited Substances and Methods*) shall be:

First violation: Two (2) years' *Ineligibility*.

Second violation: Lifetime *Ineligibility*.

However, the *Athlete* or Other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5.

10.3 Specified Substances. The *Prohibited List* may identify specified substances which are particularly susceptible to unintentional anti-doping rules violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an *Athlete* can establish that the *Use* of such a specified substance was not intended to enhance sport performance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a warning and reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, one (1) year's *Ineligibility*.

Second violation: Two (2) years' *Ineligibility*.

Third violation: Lifetime *Ineligibility*.

However, the *Athlete* or *Other Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Article 10.5.

10.4 *Ineligibility for Other Anti-Doping Rule Violations.* The period of *Ineligibility* for other violations of these Anti-Doping Rules shall be:

10.4.1 For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering with Doping Control*), the *Ineligibility* periods set forth in Article 10.2 shall apply.

10.4.2 For violations of Article 2.7 (*Trafficking*) or Article 2.8 (administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility*. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than specified Substances referenced in Article 10.3, shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, violations of such Articles which also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

10.4.3 For violations of Article 2.4 (Whereabouts Violations or Missed Tests), the period of *Ineligibility* shall be:

First violation: Three (3) months to one (1) year *Ineligibility*.

Second and subsequent violations: Two (2) years' *Ineligibility*.

10.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances.

10.5.1 If the *Athlete* establishes in an individual case involving an anti-doping rule violation under Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*) or *Use* of a *Prohibited Substance* or *Prohibited Method* under Article 2.2 that he

or she bears *No Fault or Negligence* for the violation, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.2, 10.3 and 10.6.

10.5.2 This Article 10.5.2 applies only to anti-doping rule violations involving Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), *Use of a Prohibited Substance* or *Prohibited Method* under Article 2.2, failing to submit to *Sample* collection under Article 2.3, or administration of a *Prohibited Substance* or *Prohibited Method* under Article 2.8. If an *Athlete* establishes in an individual case involving such violations that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the minimum period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

10.5.3 The FIS Doping Panel may also reduce the period of *Ineligibility* in an individual case where the *Athlete* has provided substantial assistance to *FIS* which results in *FIS* discovering or establishing an anti-doping rule violation by another *Person* involving *Possession* under Article 2.6.2 (*Possession by Athlete Support Personnel*), Article 2.7 (*Trafficking*), or Article 2.8 (administration to an *Athlete*). The reduced period of *Ineligibility* may not, however, be less than one-half of the minimum 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 8 years.

10.6 Rules for Certain Potential Multiple Violations

10.6.1 For purposes of imposing sanctions under Article 10.2, 10.3 and 10.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if the *FIS* (or its *National Ski Association*) can establish that the *Athlete* or Other *Person* committed the second anti-doping rule violation after the *Athlete* or Other *Person* received notice, or after *FIS* (or its *National Ski Association*) made a reasonable attempt to give notice, of the first anti-doping rule violation; if the *FIS* (or its *National Ski*

Association) cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.6.2 Where an *Athlete*, based on the same *Doping Control*, is found to have committed an anti-doping rule violation involving both a specified substance under Article 10.3 and another *Prohibited Substance* or *Prohibited Method*, the *Athlete* shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the *Prohibited Substance* or *Prohibited Method* that carries the most severe sanction.

10.6.3 Where an *Athlete* is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 10.3 (specified substances) and the other involving a *Prohibited Substance* or *Prohibited Method* governed by the sanctions set forth in Article 10.2 or a violation governed by the sanctions in Article 10.4.1, the period of *Ineligibility* imposed for the second offence shall be at a minimum two years' *Ineligibility* and at a maximum three years' *Ineligibility*. Any *Athlete* found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 10.3 and any other anti-doping rule violation under Article 10.2 or 10.4.1 shall receive a sanction of lifetime *Ineligibility*.

10.7 Disqualification of Results in Competitions Subsequent to Sample Collection. In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other doping 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.

10.8 Commencement of Ineligibility Period. The period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served. Where required by fairness, such as delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete*, *FIS* as the *Anti-Doping Organization* imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection.

10.9 Status During Ineligibility. No *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *Event* or activity (other than authorized anti-doping education or rehabilitation programmes) authorized or organized by *FIS* or any *National*

Ski Association. In addition, for any anti-doping rule violation not involving specified substances described in Article 10.3, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by FIS and its *National Ski Associations*. A *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport events in a sport other than sports subject to the jurisdictions of FIS and its *National Ski Associations*, but only so long as the local sport event is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*.

10.10 Reinstatement Testing. As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by FIS, the applicable *National Ski Association*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must provide current and accurate whereabouts information as provided in Article 5.5. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified FIS and the applicable *National Ski Association* and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in Article 5.6 or the period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, a minimum of 2 tests must be conducted on the *Athlete* with at least three months between each test. The *National Ski Association* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to FIS. In addition, immediately prior to the end of the suspension period, an *Athlete* must undergo *Testing* by FIS for the *Prohibited Substances* and *Methods* for *Out-of-Competition Testing*. Once the period of an *Athlete's* suspension has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Ski Association* will then be necessary.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 If a member of a team is found to have committed a violation of these Anti-Doping Rules during a Competition, the team shall be *Disqualified* from the Competition with all resulting consequences, including forfeiture of any medals, points and prizes.

11.1.1 An Anti-Doping rule violation by a member of a team occurring in connection with an Event during which a Team Competition is held (FIS World Ski Championships, etc.), but not during such Team Competition, may lead to Disqualification of the results of the team in application of Article 10.1 / 10.1.1.

ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL SKI ASSOCIATIONS

12.1 The FIS Council has the authority to withhold some or all funding or other non-financial support to *National Ski Associations* that are not in compliance with these Anti-Doping Rules.

12.2 *National Ski Associations* shall be obligated to reimburse FIS for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or *Other Person* affiliated with that *National Ski Association*.]

12.3 FIS may elect to take additional disciplinary action against National Ski Associations with respect to recognition, organisation of events, the eligibility of its officials and athletes to participate in International Events and fines based on the following:

12.3.1 Four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by *Athletes* or *Other Persons* affiliated with a *National Ski Association* within a 12-month period in testing conducted by FIS or Anti-Doping Organizations other than the *National Ski Association* or its *National Anti-Doping Organization*. In such event the FIS may in its discretion elect to: (a) withdrawal of some or all FIS membership rights, including participation in all FIS calendar competitions, voting rights at the FIS Congress, ban all officials from that *National Ski Association* for participation in any FIS activities for a period of up to two years and/or (b) cancellation of the organisation of future FIS events in the disciplines concerned and/or (c) withdrawal of some or all FIS funding to the National Ski Association. (For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)

12.3.1.1 If four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed in addition to the violations described in Article 12.3.1 by *Athletes* or *Other Persons* affiliated with a *National Ski Association* within a 12-month period in testing conducted by FIS or Anti-Doping Organizations other than the *National Ski Association* or its *National Anti-Doping Organization*, then the FIS may suspend that *National Ski Association's* membership for a period of up to 4 years.

12.3.2 More than one *Athlete* or *Other Person* from a *National Ski Association* commits an *Anti-Doping Rule* violation during an *International Event*. In such event FIS may fine that *National Ski Association* in an amount up to CHF. 50'000

12.3.3 A *National Ski Association* has failed to make diligent efforts to keep FIS informed about an *Athlete's* whereabouts after receiving a request for that information from FIS. In such an event, FIS may fine the National Ski Association in an amount up to CHF. 1'000 per *Athlete* in addition to all of FIS costs incurred in

unsuccessful missions for *Testing* that *National Ski Association's Athletes*.

12.3.4 The FIS financial support for the participant share relating to any Athlete who has committed an Anti-Doping Rule violation will not be credited to the National Ski Association (National Ski Association financial support is calculated based on an Athlete's participation at the previous FIS Alpine or Nordic World Ski Championships).

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal. All decisions made under the FIS Anti-Doping Rules may be appealed as set forth below in Article 13.2 through 13.4. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in Article 8.2.7 must be exhausted.

13.2 Appeals from Decisions Regarding *Anti-Doping Rule Violations, Consequences, and Provisional Suspensions*. A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that the *FIS* or its *National Ski Association* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*, and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 7.4 may be appealed exclusively as provided in this Article 13.2. Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Athlete* or *Other Person* upon whom the *Provisional Suspension* is imposed.

13.2.1 In cases arising from decisions made by *FIS* based on violations of the FIS Anti-Doping Rules, or in cases from competition in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

13.2.2 In national-level cases involving *Athletes* or *Other Persons* that do not have a right to appeal under Article 13.2.1, each *National Ski Association* shall have in place an appeal procedure that respects the following principles: a timely hearing, a fair and impartial hearing body; the right to be represented by a counsel at the person's expense; and a timely, written, reasoned decision. The National Ski Association may alternatively elect to give its national level athletes the right to appeal directly to CAS. FIS' rights of appeal with respect to these cases are set forth in Article 13.2.3 below.

13.2.3 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) FIS and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed; (d) 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 (e) WADA. In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *National Ski Association's* rules but, at a minimum, shall include: (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) FIS; and (d) WADA. For cases under Article 13.2.2, WADA and FIS shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

13.3 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption. Decisions by WADA reversing the grant or denial of a TUE exemption may be appealed exclusively to CAS by the *Athlete*, FIS, or *National Anti-Doping Organization* or other body designated by a *National Ski Association* which granted or denied the exemption. Decisions to deny therapeutic use exemptions, and which are not reversed by WADA, may be appealed by *International-Level Athletes* to CAS and by other *Athletes* to the national level reviewing body described in Article 13.2.2. If the national level reviewing body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by WADA.

13.4 Appeal from Decisions Pursuant to Article 12. Decisions by FIS pursuant to Article 12 may be appealed exclusively to CAS by the *National Ski Association*.

13.5 Time for Filing Appeals. The time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;

b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

ARTICLE 14 NATIONAL SKI ASSOCIATIONS INCORPORATION OF FIS RULES, REPORTING AND RECOGNITION

14.1 Incorporation of FIS Anti-Doping Rules. All *National Ski Associations* shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each *National Ski Associations* Rules. Each *National Ski Association* shall

specifically provide that all *Athletes, Athlete Support Personnel* and *Other Persons* under the jurisdiction of the *National Ski Association* shall be bound by the FIS Anti-Doping Rules.

14.2 Statistical Reporting. *National Ski Associations* shall report to FIS at the end of every year (June 30th) results of all *Doping Controls* within their jurisdiction sorted by *Athlete* and identifying each date on which the *Athlete* was tested, the entity conducting the test, and whether the test was *In-Competition* or *Out-of-Competition*. FIS may periodically publish *Testing* data received from *National Ski Associations* as well as comparable data from *Testing* under FIS jurisdiction.

14.3 Doping Control Information Clearing House. When a *National Ski Association* has received an *Adverse Analytical Finding* on one of its *Athletes* it shall report the following information to FIS and WADA within fourteen (14) days of the process described in Article 7.1.2 and 7.1.3: the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The *National Ski Association* shall also regularly update FIS and WADA on the status and findings of any review or proceedings conducted pursuant to Article 7 (*Results Management*), Article 8 (*Right to a Fair Hearing*) or Article 13 (*Appeals*), and comparable information shall be provided to FIS and WADA within 14 days of the notification described in Article 7.1.9, with respect to other violations of these Anti-Doping Rules. In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*), FIS and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither FIS nor WADA shall disclose this information beyond those persons within their organisations with a need to know until the *National Ski Association* has made public disclosure or has failed to make public disclosure as required in Article 14.4 below.

14.4 Public Disclosure. Neither FIS nor its *National Ski Association* shall publicly identify *Athletes* whose *Samples* have resulted in *Adverse Analytical Findings*, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged or the *Athlete* has been *Provisionally Suspended*. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days.

14.5 Recognition of Decisions by FIS and National Ski Associations. Any decision of FIS or a *National Ski Association* regarding a violation of these Anti-Doping Rules shall be recognized by all *National Ski Associations*, which shall take all necessary action to render such results effective.

ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

Subject to the right to appeal provided in Article 13, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* to the *Code* which are consistent with the *Code* and are within the *Signatory's* authority, shall be recognised and respected by FIS and its *National Ski Associations*. FIS and its *National Ski Associations* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

ARTICLE 16 STATUTE OF LIMITATIONS

No action may be commenced under these Anti-Doping Rules against an *Athlete* or *Other Person* for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight years from the date the violation occurred.

ARTICLE 17 FIS COMPLIANCE REPORTS TO WADA

The FIS will report to *WADA* on the FIS compliance with the *Code* every second year and shall explain reasons for any non-compliance.

ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

18.1 These Anti-Doping Rules may be amended from time to time by the *FIS* Council.

18.2 Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes of other bodies.

18.3 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.

18.4 The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.

18.5 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 comments annotating various provisions of the *Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.

18.6 Notice to an *Athlete* or *Other Person* will be accomplished by delivery of the notice to the *National Ski Association* that is responsible for providing the *Athlete* or *Other Person* and if required, his representative, with any notice.

18.7 These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules came into effect.

APPENDIX 1 - DEFINITIONS

Adverse Analytical Finding. A report from a laboratory or other approved *Testing* entity that identifies in a *Specimen* 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*.

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. For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level if designated by the *Person's National Anti-Doping Organization*. 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*.

Athlete Support Personnel. Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working with or treating *Athletes* 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*.

Code. The World Anti-Doping Code.

Competition. A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-meter dash. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rules Violations. 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 for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; [and (c) Provisional Suspension means the *Athlete* or Other *Person* is barred temporarily from participating in any *Competition*

prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).]

Disqualification. See *Consequences of Anti-Doping Rules Violations* above.

Doping Control. The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

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

In-Competition. For purposes of differentiating between *In-Competition* and *Out-of-Competition* Testing, unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, an *In-Competition* test is a test where an *Athlete* is selected for testing in connection with a specific *Competition*.

The period defined as In-Competition Testing commences from the Opening Ceremony or 24 hours before the first official training whichever is the earlier, and continues until the Closing Ceremony or 24 hours after the final competition whichever is the later irrespective of whether the *Athlete* is present at the competition site.

Independent Observer Programme. A team of observers, under the supervision of WADA, who observe the *Doping Control* process at certain *Events* and report on observations. If WADA is testing *In-Competition* at an *Event*, the observers shall be supervised by an independent organization.

Ineligibility. See *Consequences of Anti-Doping Rules Violations* above.

International Event. An *Event* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

Furthermore the FIS Anti-Doping Rules also define an International Event as the FIS World Championships, FIS Junior World Championships, FIS World Cup events (and other international FIS calendar events as determined by FIS).

International-Level Athlete. *Athletes* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

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.

Major Event Organizations. This term refers to 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 parameters that indicates the *Use of a Prohibited Substance or Prohibited Method*.

Metabolite. Any substance produced by a bio transformation process.

Minor. A natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

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, all 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* involving international or national-level *Athletes* that is not an *International Event*.

National Ski Association. A national entity which is a member of FIS as the entity governing the FIS sport in that nation.

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 Advance Notice. A *Doping Control* which takes place with no advance warning to the *Athlete* and where the *Athlete* is continuously chaperoned from the moment of notification through *Sample* provision.

No Fault or Negligence. The *Athlete'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*.

No Significant Fault or Negligence. The *Athlete'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.

Out-of-Competition. Any *Doping Control* which is not *In-Competition*.

Participant. Any Athlete or Athlete Support Personnel.

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 over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the person does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the person knew about the presence of the *Prohibited Substance/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* no longer intends to have *Possession* and has renounced the *Person's* previous *Possession*.

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 so described on the *Prohibited List*.

Provisional Hearing. For purposes of Article 7.5, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

[Provisional Suspension. See *Consequences* above.]

Publicly Disclose or Publicly Report. To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 14.

Registered Testing Pool. The pool of top level *Athletes* established separately by each International Federation and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or Organization's test distribution plan.

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

Signatories. Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and WADA.

Tampering. Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

Target Testing. Selection of *Athletes* for *Testing* where specific *Athletes* or groups of *Athletes* are selected on a non-random basis for *Testing* at a specified time.

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. To sell, give, administer, transport, send, deliver or distribute a *Prohibited Substance* or *Prohibited Method* to an *Athlete* either directly or through one or more third parties, but excluding the sale or distribution (by medical personnel or by *Persons* other than an *Athlete's Support Personnel*) of a *Prohibited Substance* for genuine and legal therapeutic purposes.

Use. The application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

WADA. The World Anti-Doping Agency.