# TENNIS
# ANTI-DOPING
# PROGRAMME 2026

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# 1 Introduction

## 1.1 Implementation of the 2021 Code

**1.1.1** The purpose of this 2026 Tennis Anti-Doping Programme (**Programme**) is to maintain the integrity of tennis and to protect the health and rights of Players.

**1.1.2** The ITF is a Signatory to the World Anti-Doping Code (**Code**). This Programme implements the mandatory provisions of the 2021 Code as part of the continuing efforts of the ITF, the ATP, the WTA, and the Grand Slam Board to keep doping out of tennis.

**1.1.3** The Code and the International Standards (each as amended from time to time) are integral parts of this Programme and will prevail over this Programme in case of conflict.

**1.1.4** This Programme must be interpreted in a manner that is consistent with the Code and the International Standards (each as amended from time to time). The Code and this Programme must be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of any Signatory or government. The comments annotating various provisions of the Code, the International Standards, or this Programme, are to be used to interpret the Programme.

**1.1.5** Subject to Article 1.1.4, this Programme is governed by English law. Subject always to the jurisdiction conferred on the Independent Tribunal in Article 8.1 and on the CAS in Article 13 to determine charges brought for violation of the TADP and certain related issues, any other claims or disputes (contractual or otherwise) relating to or arising out of the TADP between (on the one hand) Players, Player Support Personnel, and/or other Persons who are subject to the TADP and (on the other hand) the ITF, the ITIA, the ATP, the WTA, the Grand Slam tournaments and/or Delegated Third Parties, are subject to the exclusive jurisdiction of the English courts.

**1.1.6** Unless otherwise stated, (a) terms in this Programme beginning with capital letters are defined terms that have the meaning given to them in Appendix One to this Programme; and (b) references to Articles are to Articles of this Programme.

**1.1.7** The ITF has delegated all aspects of Doping Control and Education under this Programme to the ITIA, including (without limitation) test distribution planning, Testing, collection of whereabouts information, administration of TUEs, conduct of investigations, Results Management, and the pursuit of alleged Anti-Doping Rule Violations, including first instance hearings and appeals. The ITIA has full authority and autonomy to perform these delegated duties on behalf of the ITF, and will do so in compliance with this Programme, the Code, and the International Standards. The ITF will remain accountable to WADA for such compliance.

**1.1.8** The ITIA may further delegate any aspect(s) of Doping Control and/or Education to another Delegated Third Party/Parties. The ITIA will require the Delegated Third Party/Parties to perform such aspects in compliance with this Programme, the Code, and the International Standards. Any relevant reference to the ITIA in this Programme encompasses any such Delegated Third Party, where applicable and within the context of the aforementioned delegation.

## 1.2 Application

### This Programme applies to:

**1.2.1** the ITF and any of its board members, directors, officers, and employees who are involved in any aspect of Doping Control;

**1.2.2** the ITIA and any of its board members, directors, officers, and employees who are involved in any aspect of Doping Control;

**1.2.3** each of the ATP, WTA, and Grand Slam Board, and any of their respective board members, directors, officers, and employees who are involved in any aspect of Doping Control;

**1.2.4** Delegated Third Parties (and their employees) who are involved in any aspect of Doping Control on behalf of the ITF/the ITIA;

**1.2.5** each of the ITF's National Associations and any of their respective board members, directors, officers, and employees and Delegated Third Parties (and their employees) who are involved in any aspect of Doping Control on their behalf;

**1.2.6** the following Players, Player Support Personnel, and other

Persons:

**1.2.6.1** all Players and Player Support Personnel who are members of or registered with the ITF, or any National Association, or any member or affiliate organisation of any National Association;

**1.2.6.2** all Players entered in or participating in such capacity in Events, Competitions, and/or other activities organised, convened, authorised or recognised by the ITF or any National Association or any member or affiliate organisation of any National Association, wherever held, and all Player Support Personnel supporting such Players' participation;

**1.2.7** all Players who have an ATP or WTA ranking (including any 'protected' or 'special' ranking) in the 2026 calendar year; and

**1.2.7.1** any other Player, Player Support Person or other Person who, whether by virtue of an accreditation, a licence or other contractual arrangement, or otherwise, is subject to the authority of the ITF or the ATP or WTA, or any National Association or any member or affiliate organisation of any National Association, including:

**(a)** any tournament director, official, owner, operator, employee, agent, contractor or any similarly situated person and ITF, ATP and WTA staff providing services at any Covered Event and any other person who receives accreditation at a Covered Event at the request of one of the above; and

**(b)** any management representative, agent, family member, tournament guest, business associate or other affiliate or associate of any Player, or any other person who receives accreditation at a Covered Event at the request of the Player or any of the above persons.

**1.2.8** Each of the Persons covered by Article 1.2 is deemed, as a

condition of their participation in the activities described in that Article, to have agreed to be bound by this Programme, and to have submitted to the authority of the ITIA to enforce this Programme, including any Consequences for breach thereof, and to the jurisdiction of the hearing panels identified below to hear and determine cases and appeals brought under this Programme.

## 1.3 Core responsibilities under this Programme

**1.3.1** It is the personal responsibility of each Player to:

**1.3.1.1** be knowledgeable of and comply with this Programme at all times;

**1.3.1.2** be available for Sample collection at all times upon request, whether In-Competition or Out-of-Competition;

**1.3.1.3** take responsibility for what they Use;

**1.3.1.4** carry out research regarding any products or substance that they intend to Use to ensure that Using them will not constitute or result in an Anti-Doping Rule Violation. Such research must, at a minimum, include a reasonable internet search of:

**(a)** the name of the product or the substance;

**(b)** the ingredients/substances listed on the product or substance label (noting that this may vary depending on the country in which the product or substance is sourced or where it was manufactured); and

**(c)** any potentially relevant information revealed through research of points (a) and (b);

**1.3.1.5** inform medical personnel of their obligation not to Use Prohibited Substances or Prohibited Methods;

**1.3.1.6** ensure that any medical treatment they receive does not violate this Programme;

**1.3.1.7** disclose to the ITIA and their NADO any decision (whether by a Signatory or non-Signatory) finding that they infringed applicable anti-doping rules within the previous ten years;

**1.3.1.8** in accordance with Article 5.7.2, report to the ITIA Senior Director, Anti-Doping any knowledge or suspicion that any Person may have committed an Anti-Doping Rule Violation;

**1.3.1.9** cooperate fully with the ITIA and any other Anti-Doping Organisation conducting investigations into possible Anti-Doping Rule Violations;

**1.3.1.10** disclose the identity of their Player Support Personnel upon request to the ITIA, their NADO, and/or any other Anti-Doping Organisation with authority over the Player; and

**1.3.1.11** ensure that the ITIA is able to communicate with them efficiently and reliably in relation to matters arising under this Programme. To that end, each Player is deemed to be immediately contactable at the email address, postal address, and telephone number that they have specified on any Doping Control form that they complete, and it is the Player's responsibility to complete such contact details (to be referred to herein as the **'Player's Nominated Address'**) as necessary to ensure that they are immediately contactable at the Player's Nominated Address. Any notice required to be given to the Player under this Programme, if delivered by courier service to the Player's Nominated Address, will be deemed to have been received by the Player on the date of delivery to such address reflected in the confirmation of delivery provided by the courier service company. At its discretion, as an alternative to or in conjunction with such courier delivery, the ITIA may use any other method of secure and confidential communication available, including but not limited to email and/or electronic notification via the Tennis Anti-Doping Programme Portal; provided that if the Player denies receipt of such

notice, the burden will be on the ITIA to prove that the Player did receive it.

**1.3.2** It is the personal responsibility of each Player Support Person to:

**1.3.2.1** be knowledgeable of and comply with this Programme at all times;

**1.3.2.2** cooperate with Testing;

**1.3.2.3** use their influence on Player values and behaviour to foster anti-doping attitudes;

**1.3.2.4** disclose to the ITIA and to their NADO any decision (whether by a Signatory or non-Signatory) finding that they infringed applicable anti-doping rules within the previous ten years;

**1.3.2.5** in accordance with Article 5.7.2, report to the ITIA Senior Director, Anti-Doping any knowledge or suspicion that any Person may have committed an Anti-Doping Rule Violation;

**1.3.2.6** cooperate fully with the ITIA and any other Anti-Doping Organisation conducting investigations into possible Anti-Doping Rule Violations; and

**1.3.2.7** not Use or Possess any Prohibited Substance or Prohibited Method without valid justification. Breach of this prohibition will constitute a violation of Article 7.15.

**1.3.3** Other Persons subject to this Programme must:

**1.3.3.1** be knowledgeable of and comply with this Programme at all times;

**1.3.3.2** disclose to the ITIA and to their NADO any decision (whether by a Signatory or non-Signatory) finding that they infringed applicable anti-doping rules within the previous ten years;

**1.3.3.3** in accordance with Article 5.7.2, report to the ITIA

Senior Director, Anti-Doping any knowledge or suspicion that any Person may have committed an Anti-Doping Rule Violation; and

**1.3.3.4** cooperate fully with the ITIA and any other Anti-Doping Organisation conducting investigations into possible Anti-Doping Rule Violations.

## 1.4 Retirement

**1.4.1** Each Player will continue to be bound by and required to comply with this Programme, unless and until they give written notice of their retirement to:

**1.4.1.1** (in the case of Players who are International-Level Players) the ITF, the ITIA, and the ATP or WTA (as applicable); or

**1.4.1.2** (in the case of Players who are not International-Level Players) their National Association and their NADO.

In each case, the Player will be deemed to have retired (and to be no longer subject to the Programme) with effect from the date given in the written notice of retirement or the date the notice is received (whichever is later).

**1.4.2** Each Player Support Person and other Person who is not a Player will continue to be bound by and required to comply with this Programme unless and until they no longer carry out the activity (or are no longer bound by the arrangement) that brought them within Article 1.2 in the first place.

**1.4.3** Subject to Article 1.4.4, retired Players may not compete in any Covered Event or national-level event unless they have (i) given the ITF, the ITIA, and their NADO at least six months' written notice of their intent to return to competition, and (ii) made themselves available for Testing (including, if requested, by providing whereabouts information) for a period of six months before returning to competition. Any competitive results obtained in violation of this Article 1.4.3 will be Disqualified, unless the Player can establish that they could not have reasonably known that the event they were participating in was a Covered Event or national-level event.

**1.4.4** WADA, in consultation with the ITIA and the Player's NADO, may exempt a Player from the six-month written notice requirement where the strict application of that requirement would be unfair to the Player. WADA's decision to grant or not to grant such exemption may be appealed under Article 13.

**1.4.5** If a Player retires while subject to a period of Ineligibility, they must give written notice of such retirement to the ITF and the ITIA and (if the period of Ineligibility was not imposed under the Programme or a predecessor version) to the Anti-Doping Organisation that imposed the period of Ineligibility. The Player may not return to compete in a Covered Event or national-level event unless the Player has (i) given six months' prior written notice (or notice equivalent to the period of Ineligibility remaining as of the date the Player retired, if that period was longer than six months) to the ITF, the ITIA, and to their NADO of their intent to return to competition, and (ii) made themselves available for Testing (including, if requested, by providing whereabouts information) for that notice period.

**1.4.6** Where a Covered Event or national-level Event that will take place after the applicable period set out in Article 1.4.3 or 1.4.5 has expired or has an entry deadline that falls during such period, the Player may submit an application for entry in the Event in accordance with that deadline, notwithstanding that at the time of such application the applicable period has not yet expired.

**1.4.7** The ITF, the ITIA, relevant National Association, relevant NADO, Independent Tribunal, and CAS (as applicable), will continue to have jurisdiction under this Programme over a Player in respect of matters taking place prior to the Player's retirement, and over any other Person in respect of matters taking place prior to the application of Article 1.4.2.

**1.4.7.1** If such Player or other Person retires or ceases to be subject to the Programme while subject to a Results Management process, the ITIA or other Anti-Doping Organisation conducting that Results Management process retains authority to complete that process.

**1.4.7.2** If such Player or other Person retires or ceases to be subject to the Programme before any Results

Management process has begun, and the ITIA or other Anti-Doping Organisation would have had Results Management authority over them at the time that they committed an Anti-Doping Rule Violation, the ITIA or other Anti-Doping Organisation retains authority to conduct Results Management.

**1.4.8** During any Results Management process conducted in accordance with Article 1.4.7, the Player or other Person involved is required to cooperate fully with the ITIA and any other Anti-Doping Organisation conducting investigations into possible Anti-Doping Rule Violations committed prior to their retirement, and will be liable for any Tampering they commit during such Results Management process.

## 1.5 Effective Date

**1.5.1** This Programme comes into full force and effect on 1 January 2026 (the **'Effective Date'**), replacing the Tennis Anti-Doping Programme that was in force prior to the Effective Date.

**1.5.2** This Programme does not apply retroactively to matters arising prior to the Effective Date. However:

**1.5.2.1** Anti-Doping Rule Violations that took place prior to the Effective Date, whether under predecessor versions of the Programme and/or other relevant rules, count as prior violations for purposes of determining sanctions under Article 10 for further Anti-Doping Rule Violations committed after the Effective Date.

**1.5.2.2** Any case that is pending as of the Effective Date, and any case brought after the Effective Date based on an Anti-Doping Rule Violation that allegedly occurred prior to the Effective Date, will be governed by the substantive anti-doping rules in effect at the time the alleged Anti-Doping Rule Violation occurred, and not by the substantive anti-doping rules set out in this Programme (unless the hearing panel determines that the principle of *lex mitior* appropriately applies under the circumstances of the case), but the procedural

aspects of the case will be governed by this Programme. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.5 and the statute of limitations in Article 16 are procedural rules, not substantive rules, and should be applied retroactively (along with all of the other procedural rules in this Programme), save that the Article 16 statute of limitations will only apply if the previously applicable statute of limitation period (whether the original one or as extended by subsequent rules) has not already expired by the Effective Date.

**1.5.2.3** Any Article 2.4 Whereabouts Failure (whether a Filing Failure or a Missed Test) that took place prior to the Effective Date may be relied upon as one of the requisite elements of an Article 2.4 Anti-Doping Rule Violation under this Programme.

**1.5.2.4** Where a final decision finding that an Anti-Doping Rule Violation has been committed and imposing a period of Ineligibility is rendered prior to the Effective Date, but the Player or other Person is still serving the period of Ineligibility as of the Effective Date, the Player or other Person may apply to the ITIA before the period of Ineligibility has expired to reduce the period of Ineligibility in light of a *lex mitior* in this Programme. The ITIA's decision on that application may be appealed pursuant to Article 13.2.

**1.5.2.5** For purposes of assessing the period of Ineligibility for a second violation under Article 10.9.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility that would have been imposed for that first violation had this Programme been applicable at that time will be used in Article 10.9.1.2 to help determine the period of Ineligibility for the second violation under Article 10.9.1.

## 1.6 Amendments

**1.6.1** The Tennis Integrity Supervisory Board may amend this Programme from time to time. Such amendments will come into effect on the date specified by the Tennis Integrity Supervisory Board.

**1.6.2** Amendments to the Code, the Prohibited List, and any International Standard will come into effect automatically in the manner set out in the Code, and such amendments will be binding upon all Persons who are subject to this Programme without further formality.

**1.6.3** Changes to the Prohibited List and Technical Documents relating to substances or methods on the Prohibited List will not be applied retroactively unless they specifically so provide. However, when a substance or method is removed from the Prohibited List, a Player or other Person currently serving a period of Ineligibility on account of an Anti-Doping Rule Violation based on the former Prohibited Substance or Prohibited Method may apply to the ITIA to consider a reduction in the period of Ineligibility in light of the removal of the substance or method from the Prohibited List.

## 2 Anti-Doping Rule Violations

Doping is defined as the occurrence of one or more of the following (each, an **Anti-Doping Rule Violation**):

**2.1 The presence of a Prohibited Substance or any of its Metabolites or Markers in a Player's Sample, unless the Player establishes that such presence is consistent with a TUE granted in accordance with Article 4.4.**

**2.1.1** It is each Player's personal duty to ensure that no Prohibited Substance enters their body. Players are responsible for any Prohibited Substance or any of its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary to demonstrate intent, Fault, Negligence, or knowing Use on the Player's part in order to establish an Article 2.1 Anti- Doping Rule Violation; nor is the Player's lack of intent, Fault, Negligence or knowledge a defence to an assertion that an Article 2.1 Anti-Doping Rule Violation has been committed.

**2.1.2** Sufficient proof of an Anti-Doping Rule Violation under Article 2.1 is established by any of the following: (a) the presence of a

Prohibited Substance or its Metabolites or Markers in the Player's A Sample where the Player waives analysis of the B Sample and the B Sample is not analysed; or (b) where analysis of the Player's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Player's A Sample; or (c) where the Player's A or B Sample is split into two parts, the presence of a Prohibited Substance or its Metabolites or Markers in the first part of the split Sample and the Player waives analysis of the confirmation part of the split Sample or analysis of the confirmation part of the split Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first part of the split Sample.

**2.1.3** Excepting those substances for which a Decision Limit is specifically identified in the Prohibited List or a Technical Document, the presence of any reported quantity of a Prohibited Substance or its Metabolites or Markers in a Player's Sample constitutes an Anti-Doping Rule Violation under Article 2.1, unless the Player establishes that such presence is consistent with a TUE granted in accordance with Article 4.4.

**2.1.4** As an exception to the general rule of Article 2.1, the Prohibited List, International Standards or Technical Documents may establish special criteria for reporting or the evaluation of certain Prohibited Substances.

## 2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method, unless the Player establishes that such Use or Attempted Use is consistent with a TUE granted in accordance with Article 4.4.

**2.2.1** It is each Player's personal duty to ensure that no Prohibited Substance enters their body and that no Prohibited Method is Used. Accordingly, it is not necessary to demonstrate intent, Fault, Negligence, or knowing Use on the Player's part in order to establish an Anti-Doping Rule Violation for Use of a Prohibited Substance or a Prohibited Method under Article 2.2; nor is the Player's lack of intent, Fault, Negligence or knowledge a defence to a charge that an Anti-Doping Rule Violation of Use has been committed under Article 2.2.

**2.2.2** It is necessary to demonstrate intent on the Player's part in order to establish an Anti-Doping Rule Violation of Attempted

Use.

**2.2.3** The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. For an Article 2.2 Anti-Doping Rule Violation to be committed, it is sufficient that the Player Used or Attempted to Use the Prohibited Substance or Prohibited Method.

**2.2.4** Out-of-Competition Use of a Prohibited Substance that is only prohibited In-Competition is not an Article 2.2 Anti-Doping Rule Violation. However, if that substance (or any of its Metabolites or Markers) is still present in a Sample collected In-Competition, that is an Article 2.1 Anti-Doping Rule Violation.

**2.3 A Player evading Sample collection; or refusing or failing to submit to Sample collection without compelling justification after notification by a duly authorised Person.**

**2.4 Whereabouts Failures by a Player.**

Any combination of three Missed Tests and/or Filing Failures within a 12-month period by a Player in a Registered Testing Pool.

**2.5 Tampering or Attempted Tampering with any part of Doping Control by a Player or other Person.**

**2.6 Possession of a Prohibited Substance or a Prohibited Method by a Player or a Player Support Person.**

**2.6.1** Possession by a Player In-Competition of any Prohibited Substance or Prohibited Method, or Possession by a Player Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition, unless the Player establishes that such Possession is consistent with a TUE granted in accordance with Article 4.4 or other acceptable justification.

**2.6.2** Possession by a Player Support Person In-Competition of any Prohibited Substance or Prohibited Method, or Possession by a Player Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition in connection with a Player, Competition or training, unless the Player Support Person establishes that such Possession is consistent with a TUE granted to the Player

in accordance with Article 4.4 or other acceptable justification.

**2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by a Player or other Person.**

**2.8 Administration or Attempted Administration by a Player or other Person either to (a) any Player In-Competition of any Prohibited Substance or Prohibited Method, or (b) any Player Out-of-Competition of any Prohibited Substance or Prohibited Method that is prohibited Out-of-Competition.**

**2.9 Complicity or Attempted complicity by a Player or other Person.**

Assisting, encouraging, aiding, abetting, conspiring to commit, covering up, or any other type of intentional complicity or Attempted complicity involving an Anti-Doping Rule Violation, an Attempted Anti-Doping Rule Violation, or a violation of Article 10.14.1 by another Person.

**2.10 Prohibited association by a Player or other Person.**

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

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

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

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

**2.10.2** To prove an Article 2.10 Anti-Doping Rule Violation, the ITIA or other Anti-Doping Organisation must establish that the Player or other Person knew of the Player Support Person's disqualifying status.

**2.10.3** If the Player or other Person establishes either:

**2.10.3.1** that their association with a Player Support Person described in Article 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity; or

**2.10.3.2** that such association could not have been reasonably avoided;

that will be a complete defence to the charge that the Player or other Person has committed an Article 2.10 Anti-Doping Rule Violation.

**2.10.4** If the ITIA or other Anti-Doping Organisation becomes aware of any Player Support Person who meets the criteria described in Articles 2.10.1.1, 2.10.1.2 or 2.10.1.3, it will submit that information to WADA.

## 2.11 Acts by a Player or other Person to discourage or retaliate against reporting to authorities.

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

**2.11.1.1** Any act that threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good faith reporting of information that relates to an alleged Anti-Doping Rule Violation or alleged non-compliance with this Programme or the Code to WADA, the ITIA, another Anti-Doping Organisation, law enforcement, a regulatory or professional disciplinary body, a hearing body, or a Person conducting an investigation for WADA, the ITIA, or another Anti-Doping Organisation.

**2.11.1.2** Retaliation against a Person who has provided evidence or information in good faith that relates to an alleged Anti-Doping Rule Violation or alleged

non- compliance with this Programme or the Code to WADA, the ITIA, another Anti-Doping Organisation, law enforcement, a regulatory or professional disciplinary body, a hearing body, or a Person conducting an investigation for WADA, the ITIA, or another Anti-Doping Organisation.

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

# 3 Proof of doping

## 3.1 Burdens and standards of proof

**3.1.1** The ITIA will have the burden of establishing that an Anti-Doping Rule Violation has occurred. The standard of proof will be whether the ITIA has established the commission of the Anti-Doping Rule Violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation that 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.

**3.1.2** Where this Programme places the burden of proof on the Player or other Person alleged to have committed an Anti- Doping Rule Violation to rebut a presumption or establish specified facts or circumstances, then except as provided as in Articles 3.2.4 and 3.2.5 the standard of proof will be by a balance of probability.

*[**Comment to Article 3.1**: In a case arising under Article 10.14.7, the ITIA will have the burden of establishing that the Player or other Person has violated the prohibition against participation during Ineligibility or Provisional Suspension to the same 'comfortable satisfaction' standard as is set out at Article 3.1.1].*

## 3.2 Methods of establishing facts and presumptions

The following rules of proof apply in doping cases:

**3.2.1** Facts related to Anti-Doping Rule Violations may be established by any reliable means, including admissions.

**3.2.2** Analytical methods or Decision Limits that have been approved by WADA after consultation within the relevant scientific

community or that have been the subject of peer review will be presumed to be scientifically valid. Any Player or other Person seeking to challenge whether the conditions for such presumption have been met or to rebut the presumption must (as a condition precedent to any such challenge) first notify WADA and explain the basis for their position. The hearing panel, on its own initiative, may also inform WADA of any such challenge or attempt to rebut the presumption. Within ten days of WADA's receipt of such notice and the case file related to such challenge, WADA will also have the right to intervene as a party, appear as amicus curiae, or otherwise provide evidence in such proceeding. In cases before CAS, at WADA's request, the CAS panel will appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

**3.2.3** Compliance with an International Standard (as opposed to an alternative standard, practice or procedure) will be sufficient to conclude that the procedures addressed by the International Standard were performed properly.

**3.2.4** WADA-accredited laboratories and other laboratories approved by WADA are presumed to have conducted Sample analysis and custodial procedures in compliance with the ISL. The Player or other Person asserted to have committed an Anti-Doping Rule Violation may rebut this presumption by establishing that a departure from the ISL occurred that could reasonably have caused the Adverse Analytical Finding (or the factual basis for any other Anti-Doping Rule Violation asserted). Where the presumption is rebutted, the ITIA will have the burden of establishing that such departure did not cause the Adverse Analytical Finding (or the factual basis for such other Anti-Doping Rule Violation).

**3.2.5** Departures from any other International Standard, or other anti-doping rule or policy set out in the Code or this Programme will not invalidate analytical results or other evidence of an Anti-Doping Rule Violation, and will not constitute a defence to an Anti-Doping Rule Violation; but if the Player or other Person establishes a departure from one of the specific International Standards listed below, and further establishes that that departure could reasonably have caused an Adverse Analytical Finding or Adverse Passport Finding or a Whereabouts Failure based on which an Anti-Doping Rule Violation is asserted, the ITIA will have the burden of establishing that such departure did

not cause the Adverse Analytical Finding or the Whereabouts Failure:

**3.2.5.1** A departure from the ISTI relating to Sample collection or Sample handling that could reasonably have caused the Adverse Analytical Finding based on which the Anti-Doping Rule Violation is asserted, in which case the ITIA will have the burden to establish that such departure did not cause the Adverse Analytical Finding.

**3.2.5.2** A departure from the ISRM or ISTI relating to an Adverse Passport Finding that could reasonably have caused the Adverse Passport Finding based on which an Anti-Doping Rule Violation is asserted, in which case the ITIA will have the burden to establish that such departure did not cause the Adverse Passport Finding.

**3.2.5.3** A departure from the ISRM relating to the requirement to provide notice to the Player of the B Sample opening that could reasonably have caused the Adverse Analytical Finding based on which the Anti-Doping Rule Violation is asserted, in which case the ITIA will have the burden to establish that such departure did not cause the Adverse Analytical Finding.

**3.2.5.4** A departure from the ISRM relating to Player notification that could reasonably have caused a Whereabouts Failure based on which the Anti-Doping Rule Violation is asserted, in which case the ITIA will have the burden to establish that such departure did not cause the Whereabouts Failure.

**3.2.6** The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction that is not the subject of a pending appeal will be irrebuttable evidence against the Player or other Person to whom the decision pertained of those facts, unless that Player or other Person establishes that the decision violated principles of natural justice.

**3.2.7** The hearing panel in a hearing on an Anti-Doping Rule Violation

may draw an inference adverse to the Player or other Person who is asserted to have committed an Anti-Doping Rule Violation based on the Player's or other Person's refusal (a) to respond to a Demand or other questions put to them as part of an investigation; or (b) 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 put by the hearing panel or the ITIA.

*[**Comment to Article 3.2.7**: The hearing panel may also draw an adverse inference in cases involving Players or other Persons who have violated the prohibition against participation during Ineligibility or Provisional Suspension (Article 10.14.7)].*

# 4 The Prohibited List

## 4.1 Incorporation of the Prohibited List

**4.1.1** This Programme incorporates the Prohibited List, which is published and revised by WADA as described in Code Article 4.1.

**4.1.2** A copy of the Prohibited List is set out at Appendix Three to this Programme. Unless provided otherwise in the Prohibited List or a revision thereto, the Prohibited List and revisions thereto will come into effect automatically under this Programme three months after their publication by WADA on its website, without the need for any further action by the ITF or the ITIA.

**4.1.3** All Players and other Persons are bound by the Prohibited List and any revisions thereto from the date they come into effect, without further formality. It is the responsibility of all Players and other Persons to be familiar with the most up-to-date version of the Prohibited List and all revisions thereto.

**4.1.4** Without prejudice to the last sentence of Article 4.1.3, the ITF or the ITIA will take reasonable steps to publicise any amendments made by WADA to the Prohibited List, and to distribute the Prohibited List to National Associations. Each National Association must in turn take reasonable steps to distribute the Prohibited List to its members and constituents.

## 4.2 Prohibited Substances and Prohibited Methods identified on the Prohibited List

**4.2.1** Prohibited Substances and Prohibited Methods:

**4.2.1.1** The Prohibited List identifies those substances and methods that are prohibited at all times (i.e. both In- Competition and Out-of-Competition) and those substances and methods that are prohibited In-Competition only.

**4.2.1.2** Prohibited Substances and Prohibited Methods may be included in the Prohibited List by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.

**4.2.1.3** As described in Code Article 4.2.1, WADA may expand the Prohibited List for the sport of tennis.

**4.2.1.4** WADA may also include additional substances or methods that have the potential for abuse in the sport of tennis, in the monitoring program described in Code Article 4.5.

**4.2.1.5** Players and other Persons are reminded that:

**(a)** Many Prohibited Substances may appear (either as listed ingredients or otherwise, e.g., as unlisted contaminants) within supplements and/or medications that may be available with or without a physician's prescription. Since Players are strictly liable for any Prohibited Substances present in Samples collected from them (see Article 2.1.1), they are responsible for ensuring that Prohibited Substances do not enter or come to be present in their bodies by any means and that Prohibited Methods are not Used.

**(b)** There are often synonyms for substances that are mentioned by name on the Prohibited List, but not all of those synonyms are necessarily included on the Prohibited List. In addition, the Prohibited List is not a 'closed list' of Prohibited Substances but instead also encompasses

substances that are not mentioned by name on the Prohibited List but instead are incorporated onto the Prohibited List by category and/or by reference to 'substances with a similar chemical structure or similar biological effect(s)'. As a result, the fact that a particular substance does not appear by name on the Prohibited List does not mean that the substance is not a Prohibited Substance. It is the Player's responsibility to determine the status of the substance, e.g., by contacting IDTM (via the contact details set out in the inside front cover of the Programme).

**4.2.2** Specified Substances or Specified Methods:

For purposes of this Programme, all Prohibited Substances will be deemed to be **'Specified Substances'** except as identified on the Prohibited List. A Prohibited Method will not be considered to be a **'Specified Method'** unless it is specifically identified as a Specific Method on the Prohibited List.

**4.2.3** Substances of Abuse:

Certain Prohibited Substances are specifically classified on the Prohibited List as **'Substances of Abuse'** because they are frequently abused in society outside of the context of sport.

## 4.3 WADA's determination of the Prohibited List

WADA's determination of the Prohibited Substances and Prohibited Methods that are (or will be) included on the Prohibited List, the classification of substances into categories on the Prohibited List, the classification of a substance as prohibited at all times or In-Competition only, and the classification of a substance or method as a Specified Substance, Specified Method, or Substance of Abuse, is final and not subject to any challenge by a Player or other Person, including (without limitation) any challenge based on an argument that the substance or method is not a masking agent or does not have the potential to enhance performance, represent a health risk, or violate the spirit of sport.

## 4.4 Therapeutic Use Exemptions

**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 will not be considered an Anti-Doping Rule Violation if it is consistent with the provisions of a TUE granted to the Player in accordance with the ISTUE.

**4.4.2** TUE applications:

**4.4.2.1** Players who are International-Level Players must apply to the ITIA for a TUE.

**4.4.2.2** Unless otherwise specified by the ITIA, Players who are not International-Level Players must apply to their NADO for a TUE. If the NADO denies the application, the Player may appeal exclusively to the national-level appeal body described in Article 13.2.2.

**4.4.3** TUE recognition:

**4.4.3.1** If a Player has a TUE granted by their NADO pursuant to Code Article 4.4 that they wish to have recognised by the ITIA for the purposes of the Programme, the Player must apply to the TUE Committee for recognition of the TUE, in accordance with the procedure set out in ISTUE Article 7. The request must be accompanied by all of the information specified in ISTUE Article 7, and the TUE Committee may require that further information be provided as necessary.

**4.4.3.2** If the TUE Committee agrees that the TUE granted to the Player by their NADO meets the criteria set out in the ISTUE, the ITIA will recognise it. If the TUE Committee considers that the TUE does not meet those criteria and so refuses to recognise it, the ITIA will notify the Player and their NADO promptly, with reasons. The Player and/or the NADO will have 21 days from such notification to refer the matter to WADA for review.

**4.4.3.3** If the matter is referred to WADA for review, the TUE granted by the NADO remains valid for

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

**4.4.4** TUE application process:

**4.4.4.1** As a general rule, Players must obtain a TUE prior to the presence, Use or Attempted Use, Possession, or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method.

**4.4.4.2** If the Player does not already have a TUE granted by their NADO for the substance or method in question, the Player must apply directly to the TUE Committee for a TUE as soon as the need arises, in accordance with the procedure set out in ISTUE Article 6. The request must be accompanied by all of the information specified in ISTUE Article 6, and the TUE Committee may require that further information be provided as necessary.

**4.4.4.3** An application to the TUE Committee for the grant or recognition of a TUE must be made as soon as possible and in any event at least 30 days before the Player's next Event, subject to Article 4.4.5 (retroactive TUEs).

**4.4.4.4** The TUE Committee will promptly evaluate and decide upon the application in accordance with the relevant provisions of the ISTUE and any specific ITIA protocols posted on the ITIA website, and usually (i.e. unless exceptional circumstances

apply) within no more than 21 days of receipt of a complete application. Where the application is made in a reasonable time prior to an Event, the TUE Committee must use its best endeavours to issue its decision before the start of the Event.

**4.4.4.5** The decision of the TUE Committee will be the final decision of the ITIA, and may be appealed in accordance with Article 4.4.7. All TUE Committee decisions will be notified in writing to the Player by the ITIA and made available by the ITIA to other Anti- Doping Organisations and WADA via ADAMS in accordance with ISTUE Article 5.

**4.4.4.6** If the TUE Committee denies the Player's application, the decision must include an explanation of the reason(s) for the denial.

**4.4.4.7** If the TUE Committee grants the Player's application:

**(a)** The ITIA will notify the Player and (via ADAMS) their NADO.

**(b)** The decision must specify the dosage(s), frequency, route, and duration of Administration of the Prohibited Substance or Prohibited Method in question that the TUE Committee is permitting, reflecting the clinical circumstances, as well as any conditions imposed in connection with the TUE.

**(c)** The TUE will be effective as of the date it is granted (save where a retroactive TUE is granted, in which case the TUE Committee will specify the applicable effective date in its decision) and will have the duration specified by the TUE Committee. The TUE may also be granted subject to such conditions or restrictions as the TUE Committee sees fit.

**4.4.4.8** If the NADO considers that the TUE granted by the

ITIA does not meet the criteria set out in the ISTUE, it has 21 days from such notification to refer the matter to WADA for review. If the NADO refers the matter to WADA for review, the TUE granted by the ITIA remains valid for International Events and Out-of-Competition Testing (but is not valid for national-level Competition) pending WADA's decision. If the NADO does not refer the matter to WADA for review, the TUE granted by the ITIA becomes valid for national-level Competition as well when the 21-day review deadline expires.

**4.4.4.9** A Player may not assume that their application for a TUE (or for renewal or recognition of a TUE) will be granted. Unless and until a Player receives notice in writing of a decision granting or recognising a TUE, the Player Uses the Prohibited Substance or Prohibited Method in issue entirely at their own risk.

**4.4.4.10** A Player who wishes to continue to Use the Prohibited Substance or Prohibited Method in question beyond the period for which the TUE has been granted must make a new application for a further TUE.

**4.4.4.11** Players are warned that TUEs granted by the ITIA may not be automatically recognised by Major Event Organisations (e.g., the IOC, for the Olympic Games). In case of doubt, Players should contact the ITIA Senior Director, Anti-Doping for advice.

**4.4.4.12** Subject to the foregoing provisions of this Article 4.4, a Player may not apply to more than one Anti-Doping Organisation for a TUE.

**4.4.4.13** The submission of false or misleadingly incomplete information in support of a TUE application (including but not limited to the failure to advise of the unsuccessful outcome of a prior application to another Anti-Doping Organisation for such a TUE) will constitute an Article 2.5 Anti-Doping Rule Violation.

**4.4.5** Retroactive TUE applications:

**4.4.5.1** A TUE may only be granted retroactively in the following limited circumstances:

**(a)** Where the Player applying for the TUE is not an International-Level Player, or (where this Programme is being applied at national level) is not a National-Level Player, and that Player is Using a Prohibited Substance or Prohibited Method for therapeutic reasons.

**(b)** Where emergency treatment or urgent treatment of a medical condition was necessary.

**(c)** Where there was insufficient time or opportunity or other exceptional circumstances for the Player to submit (or for the TUE Committee to consider) an application for the TUE prior to Sample collection.

**(d)** Where the Player Used Out-of-Competition, for therapeutic reasons, a substance that is only prohibited In-Competition.

**(e)** In exceptional circumstances where, considering the purpose of the Code, it would be manifestly unfair not to grant a retroactive TUE.

**(i)** For Players who are International-Level Players or National-Level Players, the ITIA (or the NADO, in the case of National-Level Players) may grant a retroactive TUE pursuant to this Article 4.4.5.1(e) only with the prior approval of WADA, which WADA may give or withhold as it sees fit.

**(ii)** For other Players, the ITIA does not have to obtain WADA's advance approval, but WADA may review and either agree with or reverse the ITIA's grant of a retroactive TUE pursuant to this Article 4.4.5.1(e) to such Player.

**(f)** Any decision made by the ITIA or WADA to grant or not grant a retroactive TUE or to reverse a TUE granted pursuant to Article 4.4.5.1(e) may not be challenged either as a defence to an assertion of an Anti-Doping Rule Violation, or by way of appeal, or otherwise.

**4.4.5.2** A Player must submit an application for a retroactive TUE to the TUE Committee no later than five working days after an Adverse Analytical Finding is reported in respect of the Sample collected from that Player (although the ITIA may extend this deadline upon request by the Player for good cause shown). Any such TUE application must be resolved before any Adverse Analytical Finding, Atypical Finding, or Adverse Passport Finding relating to that Player's Sample is processed.

**4.4.6** Expiration, withdrawal or reversal of a TUE:

**4.4.6.1** A TUE granted pursuant to this Programme:

**(a)** will expire automatically at the end of any period for which it was granted, without the need for any further notice or other formality;

**(b)** will be cancelled if the Player 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** The Player will not be subject to any Consequences based on their Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE prior to the effective date of expiry, cancellation, withdrawal, or reversal of the TUE. The review pursuant to ISRM Article 5.1.1.1 of an Adverse Analytical Finding that is reported shortly after the date of TUE expiry, cancellation, withdrawal or reversal will 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 will be asserted.

**4.4.7** Review and appeals of TUE decisions:

**4.4.7.1** Review by WADA

**(a)** WADA must review any decision made by the ITIA not to recognise a TUE granted by a NADO that is referred to WADA by the Player or the Player's NADO. In addition, WADA must review any decision by the ITIA to grant a TUE that is referred to WADA by the Player's NADO.

**(b)** WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative.

**(c)** If the TUE decision being reviewed meets the criteria set out in the ISTUE, WADA will not interfere with it.

**(d)** If the TUE decision does not meet the criteria set out in the ISTUE, WADA will

reverse it. If WADA reverses the grant of a TUE, that reversal will not apply retroactively, but rather only from the point that the Player receives notice of the reversal. Therefore, the Player's results obtained from the date that the TUE came into effect until the date that the Player receives notice of WADA's reversal of the grant of the TUE will not be Disqualified, nor will the Player be subject to any other Consequences based on their Use or Possession of the Prohibited Substance or Prohibited Method in question during such period.

**4.4.8** Any decision of the TUE Committee that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Player and/or the Player's NADO exclusively to CAS.

**4.4.9** A decision by WADA to reverse a TUE decision may be appealed by the Player, the Player's NADO, and/or the ITIA exclusively to CAS.

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

**4.4.11** Until such time as a TUE decision pursuant to this Programme has been reversed upon review by WADA or upon appeal, that TUE decision will remain in full force and effect.

# 5 Testing and investigations

## 5.1 Purpose of Testing

**5.1.1** Testing under this Programme will be conducted in conformity with the ISTI and any specific protocols of the ITIA supplementing that International Standard.

**5.1.2** Testing will be undertaken to obtain analytical evidence as to whether the Player has violated Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in a Player's

Sample) or Article 2.2 (Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method).

**5.1.3** The ITIA will conduct test distribution planning and Testing as required by the ISTI.

**5.1.4** Where reasonably feasible, Testing will be coordinated by the ITIA and other Anti-Doping Organisations through ADAMS in order to maximise the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.

## 5.2 Authority to test

**5.2.1** Subject to the limitations for Event Testing set out in Article 5.3, the ITIA (on behalf of the ITF) will have In-Competition and Out-of-Competition Testing authority over all of the Players specified in Article 1.2. For the avoidance of doubt, nothing in this Programme limits the Testing authority given to the ITF (and the ITIA by delegation) and other Anti-Doping Organisations under Code Article 5.

**5.2.2** Players (including those serving a period of Ineligibility) must submit to Testing at any time or place upon request by or on behalf of the ITIA or by or on behalf of any other Anti-Doping Organisation with Testing authority over such Player.

**5.2.3** For the avoidance of doubt, the ITIA may select Players for Target Testing so long as such Target Testing is not used for any purpose other than legitimate anti-doping purposes.

**5.2.4** WADA will have In-Competition and Out-of-Competition Testing authority as set out in Code Article 20.7.10.

**5.2.5** If the ITIA delegates or contracts any part of Testing to a NADO, either directly or through a National Association, that NADO may collect additional Samples or direct the laboratory to perform additional types of analysis at the NADO's expense. If additional Samples are collected or additional types of analysis are performed, the ITIA must be notified.

**5.2.6** Save in exceptional and justifiable circumstances, all Testing will take place without advance notice to the Player in question.

## 5.3 In-Competition Testing

**5.3.1** Except as otherwise provided below, only a single organisation will have authority to conduct Testing at Event Venues during an Event Period.

**5.3.1.1** At Covered Events, the ITIA (on behalf of the ITF) will have authority to conduct Testing. The selection of the Covered Events at which Testing is to take place will be made by the ITIA, and will remain confidential except to those Persons with a reasonable need to know of such selection in order to facilitate such Testing. The actual timing of the Testing at a selected Event, and the selection of Players to be tested at that Event, will be at the discretion of the ITIA.

**5.3.1.2** At the request of the ITIA, any Testing during the Event Period outside of the Event Venues must be coordinated with the ITIA.

**5.3.1.3** At national-level events, the NADO of the country in which the Event is staged will have authority to conduct Testing.

**5.3.2** If any other Anti-Doping Organisation desires to conduct Testing of Players at a Covered Event at the Event Venue during the Event Period, the Anti-Doping Organisation must first confer with the ITIA (on behalf of the ITF) to obtain permission to conduct and coordinate such Testing. If the Anti- Doping Organisation is not satisfied with the response from the ITIA, in accordance with the procedures described in the ISTI the Anti-Doping Organisation may ask WADA for permission to conduct Testing and to determine how to coordinate such Testing. WADA will not grant approval for such Testing before consulting with and informing the ITIA. WADA's decision will be final and not subject to appeal. Unless otherwise provided in the authorisation to conduct Testing, such Testing will be considered to be Out-of-Competition Testing. Results Management for any such Testing will be the responsibility of the Anti-Doping Organisation initiating the Testing.

**5.3.3** The following periods will be deemed '**In-Competition Periods'**, and Samples collected during such a period will be deemed to have been collected 'In-Competition' for purposes of this Programme:

**5.3.3.1** from 11:59 p.m. local time on the day before the first match of the main draw (or of the qualifying draw, if the Player is participating in the qualifying draw) of the first Competition in which the Player is participating in an Event;

**5.3.3.2** through to the end of the Player's last match (in any Competition) in the Event and the Sample collection process related to that match that is conducted pursuant to notification of Testing given to the Player no more than 60 minutes after the Player's last match (120 minutes if the Player's last match in the Event is the final match in the Competition in question); or

**5.3.3.3** (where the Player is participating in the Event as a nominated member of a team) through to the end of the team's last match in the Event and the Sample collection process related to the team's last match in the Event that is conducted pursuant to notification of Testing given to the Player no more than 60 minutes after the team's last match in the Event (120 minutes if the team's last match in the Event is the final match in the Competition in question); or

**5.3.3.4** (where the Player withdraws from the Event after the time noted at Article 5.3.3.1, whether before or after playing in any match at the Event) until the end of any Sample collection process conducted pursuant to notification of Testing given to the Player no more than 60 minutes after the Player has given notice of such withdrawal to the official at the Event specified in the Event rules. If so requested, the Player shall remain at the Event Venue for that 60-minute period to allow such notification to take place. If the Player's withdrawal is from a doubles Competition, their doubles partner must also submit to Testing at the same time if requested to do so and that Testing shall also be In-Competition Testing.

**5.3.4** If a Player withdraws or is defaulted from or 'no shows' at an Event after the time noted at Article 5.3.3.1, and the Player

(and/or their doubles partner) cannot be given notification of Testing within 60 minutes of the Event official being advised of the withdrawal or default or 'no show' because the Player (and/or their doubles partner) is no longer at the Event Venue, the ITIA may collect a Sample from the Player (and/or their doubles partner) subsequently, and any Sample collected pursuant to the notification of Testing given to the Player (and/or their doubles partner) within 12 hours of the time that the Player (and/or their doubles partner) advised the Event official of their withdrawal or 'no show' will be deemed to have been collected In-Competition. The Player and/or their doubles partner (whichever of them could not be located) may be required to contribute to the cost of their respective subsequent Sample collection in an amount up to US$5,000. In addition, the ITIA will consider whether the Player and/or their doubles partner (whichever of them could not be located) should be charged with an Article 2.3 Anti-Doping Rule Violation.

## 5.4 Out-of-Competition Testing and Player whereabouts requirements

**5.4.1** Any period that is not an In-Competition Period is an '**Out-of-Competition**' period for purposes of this Programme and the Code.

**5.4.1.1** Any Sample collected pursuant to a notification given to a Player outside of an In-Competition Period will be considered to have been collected Out-of- Competition.

**5.4.1.2** The ITIA may select any Player for Out-of-Competition Testing, whether or not they have been included in the International Registered Testing Pool. The timing of such Out-of-Competition Testing will be at the discretion of the ITIA. Decisions relating to timing and selection of Players for Out-of- Competition Testing will remain confidential except to those with a reasonable need to know of them in order to facilitate such Testing.

**5.4.1.3** A reasonable effort will be made to avoid inconvenience to a Player who is subjected to Out-of-Competition Testing. However, the ITIA will not be liable for any inconvenience or loss caused to

the Player as a result of such Testing.

**5.4.2** International Registered Testing Pool:

**5.4.2.1** The ITIA may from time to time designate any Player or Players for inclusion in a pool of Players to be known as the '**International Registered Testing Pool**'. Any Player designated for inclusion in (or removed from) the International Registered Testing Pool will be notified of such inclusion or removal in accordance with ISTI Article 4.8.7.

**5.4.2.2** A Player who is included in the International Registered Testing Pool is required (in each case, in accordance with ISTI Article 4.8):

**(a)** to advise the ITIA of their whereabouts on a quarterly basis;

**(b)** to update that information as necessary, so that it remains accurate and complete at all times; and

**(c)** to make themselves available for Testing at such whereabouts.

**5.4.2.3** In accordance with ISTI Article 4.8.8.4, a Player in the International Registered Testing Pool is not required to provide a 60-minute time-slot for dates falling within the In-Competition Period of a Covered Event in which the Player is scheduled to compete ('**In-Competition Dates**'). However:

**(a)** This does not apply to Events organised by a Major Event Organisation. The Player must continue to provide a 60-minute time-slot for all dates falling within the In-Competition Periods of those Events.

**(b)** In respect of Covered Events to which this Article does apply, if circumstances change such that dates that the Player has identified in their whereabouts filing as In-Competition Dates no longer qualify as

such (for example, because the Player withdraws or retires from or is knocked out of a Covered Event), the Player must update their whereabouts filing to provide a 60-minute time-slot for each of the dates that no longer qualifies as an In-Competition Date, in accordance with ISTI Article 4.8.8.3. Failure to do so will constitute a Filing Failure.

**5.4.2.4** A Player will remain in the International Registered Testing Pool and will continue to be subject to the requirements of ISTI Article 4.8 unless and until:

**(a)** they retire from their sport in accordance with Article 1.4; or

**(b)** the ITIA has informed them in writing that they have been removed from the International Registered Testing Pool.

**5.4.2.5** For purposes of Article 2.4, a failure by a Player in the International Registered Testing Pool to comply with the requirements in ISTI Articles 4.8.8 and/or 4.8.9 will be deemed a Filing Failure or a Missed Test where the conditions set out in Annex B of the ISRM for declaring a Filing Failure or Missed Test are met.

**5.4.2.6** The ITIA will make available through ADAMS a list that identifies by name those Players that the ITIA has included in the International Registered Testing Pool. The ITIA will review and update as necessary its criteria for including Players in the International Registered Testing Pool, and will revise the membership of that pool from time to time as appropriate in accordance with the set criteria.

**5.4.2.7** Where a Player is included in the International Registered Testing Pool and in a National Registered Testing Pool, the ITIA will be responsible for Results Management in respect of any apparent Whereabouts Failure by that Player,

and the NADO will be required to provide any necessary information or other support required by the ITIA to carry out such Results Management.

**5.4.3** The ITIA may collect whereabouts information from Players who are not included in the International Registered Testing Pool. If it chooses to do so, a Player's failure to provide complete and accurate whereabouts information on or before the date required by the ITIA may result in the ITIA putting the Player into the International Registered Testing Pool.

**5.4.4** Whereabouts information relating to a Player will be shared (through ADAMS) with WADA and other Anti-Doping Organisations having authority to collect Samples from that Player, will be maintained in strict confidence at all times, will be used exclusively for purposes of Code Article 5.5, and will be destroyed in accordance with the ISPPPI once it is no longer relevant for those purposes.

## 5.5 ABP Testing

**5.5.1** The ITIA will implement an ABP Programme in accordance with the relevant International Standards.

**5.5.2** The ITIA will designate one or more person(s) or entity to administer and manage the ABP Programme on behalf of the ITIA ('**Athlete Passport Management Unit**' or '**APMU**'). The ITIA will also appoint suitably qualified independent experts to form the Expert Panel for purposes of the ABP Programme.

**5.5.3** The ITIA will decide which Players will be selected for ABP Testing. The ITIA will also decide (consulting as appropriate with the APMU and/or the Expert Panel, via the APMU) on the timing of such Testing. The ITIA will also coordinate as necessary with other competent Anti-Doping Organisations carrying out ABP Testing in relation to any Player(s).

**5.5.4** Samples that are intended to be part of the ABP Programme will be collected, transported, and analysed in accordance with the relevant International Standards.

**5.5.5** The data arising from analysis of such Samples will be processed and reviewed to identify Atypical Passport Findings that warrant referral to an Expert Panel, in accordance with the

relevant International Standards.

## 5.6 Independent Observer Program

The ITF and the organising committees for Covered Events, as well as National Associations and the organising committees for national-level events, will authorise and facilitate the Independent Observer Program at such events where so requested by WADA.

## 5.7 Investigations and intelligence gathering

**5.7.1** In addition to conducting the Testing, the ITIA has the power to gather anti-doping intelligence and conduct investigations in accordance with the requirements of the Code and the ISTI into matters that may evidence or lead to the discovery of evidence of an Anti-Doping Rule Violation. Such investigations may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other Signatories (e.g., if the information relates to Players or other Persons under their authority) and/or other relevant authorities (e.g., if the information suggests the possible commission of a crime or regulatory offence or breach of other rules of conduct), and/or (where the information may evidence a breach of Section D of the Tennis Anti-Corruption Program) it may be used by the ITIA in furtherance of investigating such breach in accordance with the procedures set out in Section F of the Tennis Anti-Corruption Program, provided that the information is relevant to the offence or breach in question and the disclosure of any Personal Information (as defined in the ISPPPI) complies with ISPPPI Article 8. The ITIA may stay its own anti-doping investigation pending the outcome of investigations being conducted by other Signatories and/or other relevant authorities.

**5.7.2** Where a Player or other Person knows or suspects that any other Person has committed an Anti-Doping Rule Violation, it is the obligation of that Player/Person to report such knowledge or suspicion to the ITIA Senior Director, Anti-Doping as soon as possible. The Player/Person then has a continuing obligation to report any new knowledge or suspicion regarding any Anti-Doping Rule Violation to the ITIA Senior Director, Anti- Doping, even if their prior knowledge or suspicion has already been reported. If the Player or Person refuses or fails to report in accordance with this Article without compelling justification,

Article 7.15 will apply.

**5.7.3** Players and other Persons must cooperate fully with investigations conducted pursuant to this Article 5.7. If a Player or Person refuses or fails to do so without compelling justification, Article 7.15 will apply). In particular (but without limitation):

**5.7.3.1** The ITIA Senior Director, Anti-Doping may make a written demand to a Player or other Person ('Demand') to provide to the ITIA Senior Director, Anti-Doping any object or information that may evidence or lead to the discovery of evidence of an Anti-Doping Rule Violation, including (without limitation) requiring the Player or other Person (i) to attend an interview and/or to provide a written statement setting forth their knowledge of the relevant facts and circumstances, (ii) to furnish to the ITIA personal devices that store electronic information (including mobile telephone(s), tablets, computers, and/or hard drives) so that the ITIA may copy and/or download data and/or other information from those devices that it reasonably believes may be relevant to the investigation, (iii) to provide the ITIA with access to any social media accounts and data accessed via cloud services by the Player or other Person, and/or (iv) to furnish to the ITIA hard copy or electronic records that it reasonably believes may be relevant to the investigation (including, without limitation, itemised telephone billing statements, text of messages received and sent by SMS or WhatsApp or any other messaging service, banking statements, cryptocurrency wallets, transaction histories for any money transfer service or e-wallet, and internet service records). The Player or other Person must furnish such object(s) and information immediately, where practicable to do so, or within such other deadline as may be specified by the ITIA Senior Director, Anti-Doping. The Player or other Person subject to a Demand acknowledges and agrees that considering the large volume of data on some personal devices, the ITIA's examination and extraction of information may take several hours,

and that the duration of the extraction process (no matter how long) will not provide a basis to object to the immediate compliance with a Demand. Any information furnished to the ITIA Senior Director, Anti-Doping shall be (1) used by the ITIA solely for the purposes of investigating and/or bringing proceedings relating to an Anti-Doping Rule Violation and/or as otherwise set out in Article 5.7.1; and (2) kept confidential except when it becomes necessary to disclose such information to further the investigation of and/or to bring proceedings relating to an Anti-Doping Rule Violation, or when such information is reported to other Signatories and/or other relevant authorities in accordance with Article 5.7.1.

*[**Comment to Article 5.7.3.1:** Where a Player or other Person provides objects and/or information to the ITIA pursuant to Article 5.7.3.1 that may evidence or lead to the discovery of evidence of one or more Anti-Doping Rule Violation(s) by one or more other Persons, the ITIA will not reveal to third parties the identity of the Player or other Person who has furnished the objects and/or information unless absolutely necessary to enable the ITIA to pursue the investigation of, and/or to bring proceedings in relation to, the Anti-Doping Rule Violation(s), or to enable other Signatories or other relevant authorities to pursue the investigation or prosecution of other offences or rule breaches in accordance with Article 5.7.1. Otherwise, the ITIA will use all reasonable endeavours only to use the objects and information provided in a manner that does not reveal the identity of that Player or other Person.]*

**5.7.3.2** Each Player and other Person waives and forfeits any rights, defences, and privileges provided by any law in any jurisdiction to withhold objects and/or information requested in a Demand. If a Player or other Person refuses or fails to produce such objects and/or information, then (a) if disciplinary proceedings are brought against them under Article 7.15, or (b) if the Review Board confirms, in accordance with Article 7.9, that there is a good faith basis for the Demand, the eligibility of the Player or other Person to compete in

Covered Events (or, in the case of a Player Support Person, to assist Players participating in Covered Events) may be withdrawn, and they may be denied credentials and access to Covered Events, pending compliance with the Demand.

**5.7.4** If the Player or other Person subverts or Attempts to subvert the investigation process (e.g., by providing false, misleading or incomplete information, and/or by destroying potential evidence), proceedings may be brought against them for violation of Article 2.5 (Tampering or Attempted Tampering).

**5.7.5** Where, as the result of an investigation under this Article 5.7, the ITIA forms the view that a Player or other Person has a case to answer for commission of an Anti-Doping Rule Violation, the ITIA will refer the matter to the Review Board, to be dealt with as set out in Article 7.8.

**5.7.6** The ITIA will keep WADA informed of its investigations in accordance with the requirements of the ISTI, including advising WADA where it decides following investigation not to assert that a Player or other Person has committed an Anti-Doping Rule Violation. That decision may be appealed pursuant to Article 13.

# 6 Analysis of Samples

Samples will be analysed in accordance with the following principles:

## 6.1 Purpose of analysis of Samples and data

**6.1.1** Samples and related analytical data or Doping Control information will be analysed (a) to detect the presence of (or to detect evidence of Use of) Prohibited Substances (and/or its Metabolites or Markers) and Prohibited Methods and other substances as may be directed by WADA pursuant to the monitoring program described in Code Article 4.5; (b) to assist the ITIA in profiling relevant parameters in a Player's urine, blood or other matrix, including for DNA or genomic profiling; and/or (c) for any other legitimate anti-doping purpose.

**6.1.2** As between the Player and the ITIA, Samples provided by a Player under this Programme are the property of the ITIA, and the ITIA is entitled (subject to Article 6.3) to determine all

matters regarding the analysis and disposal of such Samples.

## 6.2 Use of accredited/approved laboratories and other laboratories

**6.2.1** For purposes of establishing an Adverse Analytical Finding under Article 2.1, the ITIA will send Samples for analysis only to WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of such laboratory will be determined exclusively by the ITIA.

**6.2.2** As provided in Article 3.2.1, facts related to Anti-Doping Rule Violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of WADA-accredited or approved laboratories.

## 6.3 Research on Samples and related data

**6.3.1** Samples, related analytical data, and Doping Control information may be used for anti-doping research purposes. However, no Sample may be used for research without the Player's written consent. Samples and related analytical data or Doping Control information that are used for research purposes will first be processed in such a manner as to prevent Samples and related analytical data or Doping Control information being traced back to a particular Player.

**6.3.2** Any research involving Samples and related analytical data or Doping Control information must adhere to the principles set out in Code Article 19.

**6.3.3** Samples, related analytical data, and Doping Control information may also be used for non-research purposes, such as method development or to establish reference populations, provided they are first processed in such a manner as to prevent them being traced back to the Player.

## 6.4 Standards for Sample analysis and reporting

**6.4.1** Laboratories will analyse Samples and report the results of such analysis in accordance with the Code, the ISL, the ISTI, and Technical Documents in force at the time of analysis.

**6.4.2** Laboratories may at their own expense analyse Samples for

Prohibited Substances or Prohibited Methods not included on the standard Sample analysis menu or otherwise requested by the ITIA. Results from any such analysis must be reported to the ITIA in the same manner as the other results of analysis of the Samples in question, and will have the same validity as those other results.

**6.4.3** Any Adverse Analytical Finding, Atypical Finding, or Adverse Passport Finding reported by the laboratory in respect of a Sample collected under this Programme will be dealt with in accordance with the ISL, ISRM, and Article 7.

**6.4.4** Subject to Articles 5.3.4 and 7.11.6, the ITIA will pay the costs of collection and analysis of Samples under this Programme.

## 6.5 Further analysis of a Sample prior to or during Results Management

There is no limitation on the authority of a laboratory to conduct repeat or additional analysis on a Sample prior to the time the ITIA notifies a Player that the Sample is the basis of an Article 2.1 Anti-Doping Rule Violation charge. If the ITIA wishes to conduct further analyses on that Sample after the Player has been sent formal notice of such charge, it may do so with the consent of the Player or else with the approval of the panel hearing the case against the Player.

## 6.6 Further analysis of a Sample after it has been reported as negative or has otherwise not resulted in an Anti-Doping Rule Violation charge

A Sample that has been reported as negative or has otherwise not resulted in a charge may be stored and subjected to further analyses for the purposes described in Article 6.2 at any time exclusively at the direction of the ITIA (where it is responsible for Results Management in respect of that Sample), the Anti-Doping Organisation that initiated and directed Sample collection (if not the ITIA), or WADA. Any other Anti-Doping Organisation with authority to test the Player that wishes to conduct further analysis on a stored Sample may do so with the permission of the ITIA (where it is responsible for Results Management in respect of that Sample), the Anti-Doping Organisation that initiated and directed Sample collection (if not the ITIA), or WADA, and will be responsible for any follow-up Results Management. Any Sample storage or further analysis initiated by WADA, the ITIA, or another Anti- Doping Organisation will be at (respectively) WADA's, the ITIA’s or other Anti-

Doping Organisation's expense. The circumstances and conditions for storage and further analysis of Samples must comply with the requirements of the ISL.

### 6.7 Split of A or B Sample

Where WADA, the ITIA, other Anti-Doping Organisation with Results Management authority, and/or a WADA-accredited laboratory (with approval from WADA or the ITIA or the other Anti-Doping Organisation with Results Management authority) wishes to split an A or B Sample in order to use the first part of the split Sample for an A Sample analysis and the second part of the split Sample for confirmation, the applicable procedures in the ISL must be followed.

### 6.8 WADA's right to take possession of Samples and data

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

**6.8.2** After analysis and any investigation of a seized Sample or data, if a potential Anti-Doping Rule Violation is discovered WADA may direct another Anti-Doping Organisation with authority to test the Player to assume Results Management responsibility for the Sample or data.

## 7 Results Management: responsibility, initial review, notice, Provisional Suspensions, and Charge Letters

### 7.1 Incorporation of the ISRM

This Programme incorporates the ISRM, as amended from time to time. The ISRM is therefore binding on all Players and other Persons in the same way that this Programme is binding on them.

## 7.2 Results Management responsibility

**7.2.1** The circumstances in which the ITIA (on behalf of the ITF) will take responsibility for conducting Results Management in respect of Anti-Doping Rule Violations involving Players and other Persons will be determined by reference to and in accordance with Code Article 7, the ISRM, and this Article 7.2.

**7.2.2** The ITIA (on behalf of the ITF) will conduct Results Management and the investigation of potential Anti-Doping Rule Violations in accordance with Code Article 7, the ISRM, and this Article 7.2.

**7.2.3** Without prejudice to the generality of Article 7.2.1, the ITIA will have Results Management authority under this Programme:

**7.2.3.1** where the conduct in question was identified as a result of Testing initiated and directed by the ITIA pursuant to this Programme or otherwise arose in relation to this Programme;

**7.2.3.2** where the conduct in question was identified as a result of Testing conducted pursuant to other applicable rules or otherwise arose in relation to those other rules, and the ITIA agrees with the body that issued such rules that the ITIA will take jurisdiction over the matter, or the ITIA agrees that it is otherwise appropriate in all of the circumstances for the ITIA to take jurisdiction over the matter;

**7.2.3.3** where the conduct in question was identified by means other than Testing, and the ITIA was the first Anti-Doping Organisation to send an Article 7.10 Notice to the Player or other Person of the potential Anti-Doping Rule Violation; and

**7.2.3.4** in relation to an Article 2.4 Anti-Doping Rule Violation, where the Player in question is in the International Registered Testing Pool.

**7.2.4** Where a Player commits an Anti-Doping Rule Violation at the Olympic Games, the International Olympic Committee will determine at least the question of Disqualification from the

Olympic Games. Where a Player commits an Anti-Doping Rule Violation at the Paralympic Games, the International Paralympic Committee will determine at least the question of Disqualification from the Paralympic Games. In each case, if the question of further Consequences, if any, to be imposed in relation to such Anti-Doping Rule Violation is not determined by the International Olympic Committee or the International Paralympic Committee (as applicable), it will be determined in accordance with this Programme.

**7.2.5** Unless otherwise agreed by the ITIA, where another Anti-Doping Organisation tests a Player under its own rules, and that test results in an Adverse Analytical Finding, or if that Anti-Doping Organisation uncovers or receives other evidence of an Anti-Doping Rule Violation by a Player or other Person, then (save for cases involving Whereabouts Failures where the ITIA has Results Management) it will be the responsibility of that Anti-Doping Organisation to investigate and pursue the matter, including bringing proceedings against the Player or other Person (if appropriate) under its rules, failing which the ITIA may take responsibility over the matter.

**7.2.6** Any dispute between the ITIA and another Anti-Doping Organisation over which organisation has Results Management authority in respect of a particular matter will be settled by WADA in accordance with Code Article 7.

**7.2.7** The ITIA delegates responsibility for Results Management to the National Association (or its NADO) in respect of conduct that was identified as a result of Testing or investigations initiated and directed by the National Association or the NADO (as applicable). The results of all Testing conducted on behalf of the National Association must be reported to the ITIA and to WADA within 14 days of the conclusion of the National Association's process. Any apparent Anti-Doping Rule Violation by a Player who is affiliated to that National Association must be promptly referred to an appropriate hearing panel established pursuant to the rules of the National Association and in accordance with Code Article 20.3.2.

## 7.3 Review and notification regarding potential Anti-doping Rule Violations

**7.3.1** Where it takes responsibility for Results Management, the ITIA

will carry out the review and notification of any potential Anti-Doping Rule Violation in accordance with the ISRM and this Article 7.

**7.3.2** Review Board:

**7.3.2.1** The ITIA may (at its sole discretion) submit any review required by the ISRM (other than those reserved for an Expert Panel) to a Review Board.

**7.3.2.2** Where a matter is referred to the Review Board under this Programme, the Review Board will carry out such review in accordance with the ISRM and this Programme.

**7.3.2.3** Composition:

**(a)** For the review of Adverse Analytical Findings, Atypical Findings, and evidence of a potential Anti-Doping Rule Violation other than an Adverse Analytical Finding or an Atypical Finding or an Adverse Passport Finding, the ITIA will appoint three Review Board members to consider the matter.

**(b)** For the review of Whereabouts Failures or Demands, the ITIA will appoint one or more suitably qualified Review Board members.

**(c)** Each Review Board member will be suitably qualified to consider the case in issue. In particular, Review Boards reviewing Atypical Findings and Adverse Analytical Findings will have one technical, one legal, and one medical expert.

**7.3.2.4** There is no obligation for the Review Board to meet in person to deliberate. However, any decision by the Review Board that the Player or other Person has a case to answer under Article 2 must be unanimous.

**7.3.2.5** The ITIA will send the relevant papers and evidence to each of the Review Board members.

**(a)** Where necessary, the Review Board may request that the ITIA provide additional information for the Review Board's consideration. However, in a case involving an Adverse Analytical Finding or Atypical Finding, at no point during its deliberations as to case to answer should the Review Board be advised of the identity of the Player involved.

**(b)** Where an Adverse Analytical Finding may be consistent with a TUE previously granted to the Player, in the first instance only the laboratory's certificate of analysis of the A Sample and anonymised copies of the TUE application and decision will be sent to the three Review Board members. However, if there is no potentially applicable TUE, or if the Review Board determines that the Adverse Analytical Finding is not consistent with the TUE in question, the ITIA Senior Director, Anti-Doping will send the entire A Sample laboratory documentation package to the three Review Board members, along with any other relevant papers.

**7.3.3** Notwithstanding any other provision in this Programme, at any point in the Results Management process (including, without limitation, after any further analysis of a Sample, any further Testing, and/or any further investigation conducted in accordance with Article 5.7), the ITIA may decide not to bring an Adverse Analytical Finding or other evidence of a potential Anti-Doping Rule Violation forward as an Anti-Doping Rule Violation (either at all or simply at that time). The ITIA will notify any Interested Party of that decision (with reasons), and (if notice has previously been sent to the Player in accordance with Article 7.10) the Player.

## 7.4 Review of Adverse Analytical Findings

**7.4.1** Adverse Analytical Findings in relation to an A Sample will be reviewed in accordance with ISRM Article 5.1 and this Article 7.4.

**7.4.2** Upon receipt of an Adverse Analytical Finding in relation to an A Sample, the Review Board will conduct a review of any TUE granted to the Player as well as of the documentation relating to the Sample collection and the A Sample analysis, and any other relevant information, to determine:

**7.4.2.1** whether the presence of the Prohibited Substance or its Metabolites or Markers in the Player's Sample is consistent with a valid and applicable TUE held by the Player (or alternatively whether the Player should be invited to apply for a retroactive TUE); or

**7.4.2.2** whether there has been any apparent departure from the ISTI and ISL that caused the Adverse Analytical Finding; or

**7.4.2.3** whether it is apparent that the Adverse Analytical Finding was caused by an ingestion of the Prohibited Substance by a permitted route.

**7.4.3** If pursuant to Article 7.4.2 the Review Board determines that either the Adverse Analytical Finding is consistent with a valid and applicable TUE held by the Player (including any retroactive TUE), or that there has been an apparent departure from either the ISTI or the ISL that caused the Adverse Analytical Finding, or that it is apparent that the Prohibited Substance was ingested by a permitted route, the ITIA will advise the Player and each Interested Party of that fact, and will take no further action in relation to the Adverse Analytical Finding.

**7.4.4** If pursuant to Article 7.4.2 the Review Board determines that there is neither a valid and applicable TUE with which the Adverse Analytical Finding is consistent, nor a departure from either the ISTI or the ISL that caused the Adverse Analytical Finding, and nor is it apparent that the Prohibited Substance was ingested by a permitted route, the ITIA will send the Player a Notice in accordance with Article 7.10.

**7.4.5** Where an application for a retroactive TUE is made in accordance with Article 4.4.5 for the Prohibited Substance in question, no further action will be taken in respect of the Adverse Analytical Finding pending a decision on the application.

## 7.5 Review of Atypical Findings

**7.5.1** Atypical Findings in relation to an A Sample will be reviewed in accordance with ISRM Article 5.2 and this Article 7.5.

**7.5.2** Where a laboratory reports the presence in a Sample of a Prohibited Substance or its Metabolites or Markers as an Atypical Finding, the Review Board will conduct a review to determine:

**7.5.2.1** whether the presence of the Prohibited Substance or its Metabolites or Markers in the Player's Sample is/are consistent with a valid and applicable TUE held by the Player (or alternatively whether the Player should be invited to apply for a retroactive TUE, if they have not applied already); or

**7.5.2.2** whether there has been any apparent departure from the ISTI or the ISL that caused the Atypical Finding; or

**7.5.2.3** whether it is apparent that the Atypical Finding was caused by an ingestion of the Prohibited Substance by a permitted route.

**7.5.3** If it is determined pursuant to Article 7.5.2 either that the Atypical Finding is consistent with a valid and applicable TUE held by the Player (including any retroactive TUE), or that there has been an apparent departure from either the ISTI or the ISL that caused the Atypical Finding, or that it is apparent that the Prohibited Substance was ingested by a permitted route, the ITIA will advise the Player and each Interested Party of that fact, and will take no further action in relation to such Atypical Finding.

**7.5.4** If it is determined pursuant to Article 7.5.2 that there is neither a valid and applicable TUE with which the Atypical Finding is

consistent, nor a departure from either the ISTI or the ISL that caused the Atypical Finding, and it is not apparent that the Prohibited Substance was ingested by a permitted route, the ITIA will conduct any necessary follow-up investigation, including directing any further Testing that may be required.

**7.5.5** Pending the outcome of the investigation, the Atypical Finding will be kept confidential, save that:

**7.5.5.1** if the ITIA determines that the B Sample should be analysed as part of the investigation, it will notify the Player in accordance with Article 7.10.1.5, and such notice will additionally include a description of the Atypical Finding and specify the Player's right to request copies of the A and B Sample laboratory documentation packages;

**7.5.5.2** if requested by an organisation that is about to select the Player to participate in an International Event, the ITIA may confirm that the Player has a pending Atypical Finding, after informing the Player; and

**7.5.5.3** if the Atypical Finding is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention, the ITIA may inform the Player of the Atypical Finding.

**7.5.6** If the ITIA decides not to pursue the Atypical Finding as a potential Anti-Doping Rule Violation, it will notify the Player and each Interested Party of that fact. Any such Interested Party may either appeal that decision in accordance with Article 13 or (if it is an Anti-Doping Organisation) may elect to pursue the Atypical Finding as an Anti-Doping Rule Violation under its own rules.

**7.5.7** If the ITIA decides to pursue the Atypical Finding as one or more potential Anti-Doping Rule Violations under Article 2, the ITIA will send the Player a Notice in accordance with Article 7.10.

## 7.6 Review of Adverse Passport Findings

**7.6.1** Where an Atypical Passport Finding or other ABP-related case

is referred to a single expert from the Expert Panel in accordance with Article 5.5.5, and the opinion of the single expert is 'likely doping', the file will be referred to a group of three experts from the Expert Panel (composed of the single expert appointed in the initial review and two further experts chosen by the APMU from the Expert Panel) for consideration in accordance with ISRM Annex C.

**7.6.2** Where all of the three experts from the Expert Panel, having reviewed the ABP Documentation Package, render a joint opinion of 'likely doping' (an Adverse Passport Finding), the ITIA will send the Player a Notice in accordance with Article 7.10.

## 7.7 Review of Whereabouts Failures

**7.7.1** Results Management in relation to potential Whereabouts Failures will be conducted in accordance with ISRM Annex B.3.

**7.7.2** Where a Whereabouts Failure by a Player who is subject to the ITIA's Results Management authority is uncovered through an attempt by or on behalf of an Anti-Doping Organisation other than the ITIA to test that Player, the ITIA will procure the requisite information and assistance from that other Anti-Doping Organisation pursuant to ISRM Annex B.3.2 to enable the ITIA to carry out Results Management in respect of the Whereabouts Failure.

**7.7.3** Where a Player requests an administrative review of a Filing Failure or Missed Test declared by the ITIA, the Review Board will carry out that administrative review in accordance with ISRM Annex B.3.2(f).

**7.7.4** If the Review Board concludes that the requirements for recording a Whereabouts Failure are not all met, the ITIA will so advise the Player and Interested Parties (and the Anti-Doping Organisation that uncovered the Whereabouts Failure, if applicable), giving reasons for that decision. Subject to the rights of appeal set out at Article 13, the matter will not proceed any further.

**7.7.5** If the Review Board concludes that all of the requirements for recording a Whereabouts Failure are met, or if the Player does not request an administrative review, the ITIA will notify the

Player that it is recording a Whereabouts Failure against them.

**7.7.6** The ITIA will report a decision to record a Whereabouts Failure against a Player to WADA and all other relevant Anti-Doping Organisations via ADAMS.

**7.7.7** Where the Whereabouts Failure recorded in accordance with Article 7.7.5 is the Player's third Whereabouts Failure within a 12-month period, the matter will be referred to the Review Board to determine whether the Player may have committed an Article 2.4 Anti-Doping Rule Violation. If the Review Board determines(s) that the Player may have committed an Article 2.4 Anti-Doping Rule Violation, the ITIA will send the Player a Notice in accordance with Article 7.10.

## 7.8 Review of other evidence of a potential Anti-Doping Rule Violation

**7.8.1** Where there is evidence of a potential Anti-Doping Rule Violation other than an Adverse Analytical Finding, an Atypical Finding, an Adverse Passport Finding, or Whereabouts Failures, the ITIA will review the file in accordance with ISRM Annex A (where applicable), and will refer the file to the Review Board to determine whether the Player or other Person may have committed one or more Anti-Doping Rule Violations under Article 2.

**7.8.2** Where the Review Board conclude that the Player or other Person may have committed one or more Anti-Doping Rule Violations under Article 2, the ITIA will send the Player or other Person a Notice in accordance with Article 7.10.

## 7.9 Review of Demands

**7.9.1** Where the ITIA Senior Director, Anti-Doping wishes to apply the consequences set out in Article 5.7.3 for a Player's or other Person's failure to comply with a Demand, the ITIA Senior Director, Anti-Doping will first refer the Demand to one or more members of the Review Board to determine whether there is a good faith basis for the Demand. This reference to the Review Board may be made before the Demand is made of the Player or other Person, or after the Demand has been made and the Player or other Person has failed to comply, but in any event no consequences may be applied unless and until the Review Board has determined that there is a good faith basis for the

Demand.

**7.9.2** In considering the Demand, the Review Board will have the discretion but not the obligation to invite such submissions from the ITIA Senior Director, Anti-Doping and the Player or other Person in question as it sees fit.

**7.9.3** If the Review Board determines that there is no good faith basis for the Demand, (a) the ITIA Senior Director, Anti-Doping will not pursue the Demand with the Player or other Person; and (b) no consequences will be imposed on the Player or other Person for not complying with the Demand.

**7.9.4** If the Review Board determines that there is a good faith basis for the Demand, then if the Player or other Person fails to produce the information requested in the Demand the consequences set out at Article 5.7.3 will apply.

## 7.10 Notice

**7.10.1** Where it is determined, pursuant to the previous provisions of this Article 7, that a Player or other Person may have committed one or more Anti-Doping Rule Violations under Article 2, the ITIA will promptly notify the Player or other Person in writing (the **Notice**) of:

**7.10.1.1** the Anti-Doping Rule Violation(s) that the ITIA says the Player or other Person may have committed;

**7.10.1.2** a summary of the facts and evidence relied upon by the ITIA in this regard;

**7.10.1.3** any Provisional Suspension to be imposed on the Player or other Person pursuant to Article 7.12.1 or 7.12.2, along with an explanation of the Player's or other Person's Article 7.12.3 rights in relation to such Provisional Suspension;

**7.10.1.4** the Consequences applicable under the Programme if it is established that the Player or other Person has committed the specified Anti-Doping Rule Violation(s) (including identifying any discretion that may exist in relation to such Consequences under this Programme);

**7.10.1.5** where the specified Anti-Doping Rule Violations are Article 2.1 and Article 2.2 Anti-Doping Rule Violations based on an Adverse Analytical Finding:

**(a)** the details of the Adverse Analytical Finding;

**(b)** the Player's right to a copy of the laboratory documentation package for the Adverse Analytical Finding (or a copy may simply be enclosed with the Notice);

**(c)** the right of the Player to request the analysis of the B Sample, explaining that any request for such analysis must be sent in writing so that it is received by the ITIA within ten days of the Player's receipt of the Notice, failing which the right to the B Sample analysis will be deemed to be waived; and

**(d)** if such right is exercised, the right of the Player and/or the Player's representative to attend the opening and analysis of the B Sample by the laboratory that analysed the A Sample at a date and time to be specified by the ITIA in accordance with Article 7.11;

**7.10.1.6** where the specified Anti-Doping Rule Violation is based on an Adverse Passport Finding, that copies of the ABP documentation package and the joint expert report are enclosed with the Notice;

**7.10.1.7** the right of the Player or other Person to provide an alternative explanation (by a specified deadline) for the facts based on which the ITIA says the Player or other Person may have committed an Anti-Doping Rule Violation (for example, in a case based on an Adverse Passport Finding, an alternative explanation for the data on which the Adverse Passport Finding is based);

**7.10.1.8** the right of the Player or other Person to respond

to the Notice, by a specified deadline, in one of the following ways, depending on the explanation (if any) provided:

**(a)** to admit the Anti-Doping Rule Violation(s) asserted, and accede to the Consequences specified in the Notice;

**(b)** admit the Anti-Doping Rule Violation(s) asserted, and seek to mitigate the Consequences specified in the Notice by agreement with the ITIA pursuant to Article 7.14, or by agreement with the ITIA and WADA pursuant to Article 10.8.2, without the need for a hearing (if no agreement is reached, the Consequences may still be disputed at a hearing);

**(c)** to admit the Anti-Doping Rule Violation(s) asserted, but to dispute and/or seek to mitigate the Consequences specified in the Notice, and to have the Consequences determined at a hearing conducted in accordance with Article 8; or

**(d)** to deny the Anti-Doping Rule Violation(s) asserted, and (if the ITIA proceeds to charge in accordance with Article 7.13) to have the assertion and (if necessary) any Consequences determined at a hearing conducted in accordance with Article 8; and

**7.10.1.9** the opportunity for the Player or other Person:

**(a)** to provide Substantial Assistance as set out in Article 10.7.1;

**(b)** to benefit (if they admit the Anti-Doping Rule Violation(s)) from the one-year reduction of the otherwise applicable period of Ineligibility pursuant to Article 10.8.1 (if applicable); and/or

**(c)** to seek to enter into a case resolution agreement as per Article 10.8.2 or (where the ITIA considers it appropriate in the circumstances) to seek to resolve the matter without a hearing in accordance with Article 7.14.

**7.10.2** Before sending the Notice to the Player or other Person, the ITIA will refer to ADAMS and contact WADA and other relevant Anti-Doping Organisations to determine whether the Player or other Person has any prior Anti-Doping Violations.

**7.10.3** The ITIA will send a copy of the Notice to each Interested Party.

## 7.11 B Sample analysis

**7.11.1** In a case involving an Adverse Analytical Finding, if the Player exercises the right to have their B Sample analysed, such analysis will, save where the ISL provides to the contrary, be conducted by the laboratory that analysed the A Sample, on the date and at the time specified by the ITIA, and the Player and/or their representative may attend at the laboratory on that date and at that time, at the Player's cost, to witness the opening and analysis of the B Sample, as may representatives of the ITIA and the Player's NADO (each at their own cost).

**7.11.2** If the Player and/or their representative is unable to attend at the date and time specified by the ITIA for analysis of the B Sample, alternative dates and times will be offered in accordance with ISRM Article 5.1.2.4. If the Player and their representative are unable to attend on those alternative dates, the laboratory will arrange for an independent witness to attend the B Sample analysis on the specified date and time to verify, in accordance with the ISL, that the B Sample container shows no signs of Tampering and that the identifying numbers on the container correspond to those on the Sample collection documentation.

**7.11.3** If the Player admits the Anti-Doping Rule Violation(s) asserted in the Notice, and/or does not request analysis of their B Sample by the deadline referenced in Article 7.10.1.5(c), they will be deemed to have accepted the accuracy and reliability of the Adverse Analytical Finding based on the A Sample analysis alone, and analysis of the B Sample will not be required. The

ITIA may however proceed with such analysis at any time if it sees fit, in which case an independent witness will attend the analysis for the purpose set out in Article 7.11.2.

**7.11.4** Where a Player who has requested analysis of their B Sample has been Provisionally Suspended in accordance with Article 7.12, they will remain Provisionally Suspended pending analysis of their B Sample. If the analysis of the B Sample does not confirm the Adverse Analytical Finding reported in respect of the A Sample, then (unless the ITIA asserts an Article 2.2 Anti-Doping Rule Violation against the Player) the entire test will be considered negative and the Player and each Interested Party will be so informed. In such circumstances, the Notice will be withdrawn, any Provisional Suspension imposed on the Player pursuant to Article 7.12 will be deemed automatically vacated with immediate effect (without the need for any order from the Independent Tribunal), and no further disciplinary action will be taken against the Player by the ITIA in relation to the original Adverse Analytical Finding (provided, however, that the ITIA may investigate why the B Sample did not match the A Sample). In addition, where the Player or the Player's team has been removed from a Competition as a result of the Adverse Analytical Finding, if it is still possible (without otherwise affecting the Competition) for the Player or team to be reinstated, the Player or team may be reinstated and continue to take part in the Competition.

**7.11.5** If the B Sample analysis confirms the Adverse Analytical Finding reported in respect of the A Sample, the ITIA will provide the B Sample laboratory documentation package to the Player, and give the Player a short deadline to provide or supplement their explanation for the Adverse Analytical Finding, and/or to admit the Anti-Doping Rule Violation(s) specified in the Notice based on the Adverse Analytical Finding to potentially benefit from a one-year reduction in the otherwise applicable period of Ineligibility under Article 10.8.1 (if applicable), and/or to accept a voluntary Provisional Suspension under Article 7.12.6 (if applicable). In case of doubt as to whether the B Sample analysis confirms the Adverse Analytical Finding in respect of the A Sample, the ITIA may refer the matter to one or more Review Board members, as it deems appropriate.

**7.11.6** Where Article 7.11.3 and/or 7.11.4 applies, the ITIA will be

responsible for the costs of the B Sample analysis. Where Article 7.11.5 applies, the ITIA may require the Player to pay the costs of the B Sample analysis.

## 7.12 Provisional Suspension

**7.12.1** Mandatory Provisional Suspension based on an Adverse Analytical Finding or Adverse Passport Finding:

Where a Notice is issued to a Player based on an Adverse Analytical Finding or Adverse Passport Finding for a Prohibited Substance that is not a Specified Substance or for Use of a Prohibited Method that is not a Specified Method, then (subject only to Article 7.12.3) a Provisional Suspension will come into effect automatically on the date specified by the ITIA in the Notice or in further correspondence up to and including the Charge Letter.

**7.12.2** Discretionary Provisional Suspension in other cases:

In cases where a Notice is issued that is not covered by Article 7.12.1, the ITIA will decide whether or not to apply this Article 7.12.2.

**7.12.2.1** If the ITIA decides to apply this Article 7.12.2, then (subject only to Article 7.12.3) a Provisional Suspension will come into effect automatically on the date specified by the ITIA in the Notice or in further correspondence up to and including the Charge Letter.

**7.12.2.2** If the ITIA does not impose a Provisional Suspension further to Article 7.12.2.1, no Provisional Suspension will come into effect prior to determination of the case unless (1) it is voluntarily accepted by the Player or other Person in accordance with Article 7.12.6; or (2) it is so ordered by the Independent Tribunal on application by the ITIA, which application must be based on material new evidence that was not available to the ITIA at the time the Charge Letter was sent.

**7.12.3** Challenging the imposition of a Provisional Suspension:

**7.12.3.1** A Player or other Person who receives notice of a Provisional Suspension pursuant to Article 7.12.1 or 7.12.2 has the right to apply to the Independent Tribunal, either before the Provisional Suspension comes into force or at any time prior to the final first instance decision on the merits, seeking an order that the Provisional Suspension should not be imposed (or, where it has been imposed, that it should be lifted), provided that:

**(a)** If the Player or other Person applies before the date specified in the Notice (or in subsequent correspondence, where applicable) for when the Provisional Suspensions comes into effect, the Provisional Suspension will not come into effect pending the decision on the application.

**(b)** If the Player or other Person applies for the Provisional Suspension to be lifted after it has come into effect, the Provisional Suspension will remain in place pending the decision on the application.

**(c)** The Provisional Suspension will be imposed (or will not be lifted) unless the Player or other Person establishes that:

**(i)** 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 Player or other Person; or

**(ii)** any period of Ineligibility that might otherwise be imposed for the Anti-Doping Rule Violation(s) asserted is likely to be completely eliminated by application of Article 10.5 (No Fault or Negligence); or

**(iii)** the Anti-Doping Rule Violation

asserted is likely to have involved a Contaminated Product; or

**(iv)** the Anti-Doping Rule Violation asserted involves a Substance of Abuse and the Player establishes entitlement to a reduced period of Ineligibility under Article 10.2.4.1; or

**(v)** other facts exist that make it clearly unfair, in all of the circumstances, for the Player or other Person to be subject to a Provisional Suspension prior to the final first instance decision on the merits. 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 Player or other Person participating in a particular Competition or Event will not qualify as exceptional circumstances for these purposes.

**(d)** If the application to have a Provisional Suspension lifted is not granted (including after any appeal in accordance with Article 13.2), a further application may not be made to lift the Provisional Suspension unless (i) it is based on material new evidence that the Player or other Person was not aware of and could not reasonably have been aware of at the time they made the original application; or (ii) there has been some other significant and material change in circumstances since the original application was decided. If a Player or other Person makes a further application that does not meet either of these requirements, costs may be awarded

against them.

**7.12.3.2** Procedure:

**(a)** Any submissions that the Player or other Person wishes to make (personally or through a representative) in support of the application must be made in writing to the Chair of the Independent Tribunal at the same time as the application is made, with a copy sent simultaneously to the ITIA Senior Director, Anti- Doping.

**(b)** Any submissions that the ITIA Senior Director, Anti-Doping wishes to make (personally or through a representative) must be made in writing to the Chair of the Independent Tribunal as soon as possible after receipt of the Player's or other Person's submissions, with a copy sent simultaneously to the Player or other Person.

**7.12.4** The Chair of the Independent Tribunal, sitting alone, will rule on the application as soon as reasonably practicable. The Chair will have discretion, where fairness requires, to invite or to allow the parties to make oral submissions, either by a telephone conference call or in person, prior to rendering their decision on the application. For the avoidance of doubt, however, neither party will have the right to make such submissions if the Chair in their discretion does not invite or allow such submissions. The Chair may, within a reasonable period, issue an amended decision correcting any error or omission (including, for example, any incorrect factual basis) in their original decision provided it does not alter their substantive finding in relation to the Provisional Suspension appeal being upheld or not. The issuing of such an amended decision shall not alter the date of the reasoned decision from which the time to appeal runs, which shall be the date the reasoned decision was originally received pursuant to Article 13.8.

**7.12.5** Provisional Suspension decisions may be appealed as provided in Articles 13.2 and 13.4.

**7.12.6** Voluntary acceptance of Provisional Suspension:

**7.12.6.1** A Player may voluntarily accept a Provisional Suspension, provided that they do so no later than the latest of the following dates: (1) ten days after receipt of a Notice; (2) ten days after waiver of the B Sample analysis or receipt of the results of analysis of the B Sample (as applicable); or (3) the date after receipt of a Notice on which the Player would otherwise first compete.

**7.12.6.2** Other Persons may voluntarily accept a Provisional Suspension within ten days of receipt of a Notice.

**7.12.6.3** A Provisional Suspension that is voluntarily accepted by the applicable deadline will have effect from the date that written notice of the Player's or other Person's acceptance of a voluntary Provisional Suspension is received by the ITIA, and will be treated in the same manner as a Provisional Suspension imposed in accordance with Article 7.12.1 or 7.12.2.

**7.12.6.4** The Player or other Person may withdraw their voluntary acceptance of a Provisional Suspension, but in that event they will not receive any credit for the Provisional Suspension served.

**7.12.7** During the period of any Provisional Suspension (whether imposed or voluntarily accepted), the status of a Player or other Person who is subject to the Provisional Suspension will be as set out in Article 10.14.1.

**7.12.8** A Player who is subject to a Provisional Suspension has the right, if they so wish, to an expedited hearing on the merits of the case brought against them pursuant to Article 8.

**7.12.9** If a Player is not Provisionally Suspended and continues to compete in Events pending determination of the matter, where requested by the ITIA, the organisers of the relevant Events will pay to the ITIA upon demand the following proportions of any Prize Money won by the Player subsequent to their receipt of the Notice (taken in aggregate, across all of the relevant Events), to be held in escrow pending the determination of the

charge:

| Total Aggregate Prize Money | Percentage Withheld |
|---|---|
| US$0-7,500 | 0% |
| US$7,501-27,500 | 50% |
| US$27,501+ | 100% |

If the final decision of the Independent Tribunal does not require the forfeiture of such escrowed Prize Money, then it will be returned without delay to the Player, together with any interest earned on the money while it was in escrow. If such forfeiture is required, any interest earned will be retained by the ITIA.

**7.12.10** No admission will be inferred, or other adverse inference drawn, from the decision of a Player or other Person (a) not to make an application under Article 7.12.3 to avoid (or to vacate) a Provisional Suspension; or (b) to accept a voluntary Provisional Suspension under Article 7.12.6.

**7.12.11** Once a Provisional Suspension has come into effect:

**(a)** Where the Player who has been Provisionally Suspended is a Minor, Protected Person, or Recreational Athlete, the ITIA may publicly announce the Provisional Suspension if it considers it proportionate to the facts and circumstances of the case to do so.

**(b)** In all other cases, the ITIA will publicly announce the Provisional Suspension.

**(c)** Provisional Suspensions shall be made public promptly after ten UK business days have passed since the Player or other Person received the Notice (or subsequent correspondence, if applicable) confirming the imposition of a Provisional Suspension unless a Player applies to the Chair of the Independent Tribunal for (and the Chair grants) an additional period of time not to exceed ten UK business days (which may be extended by the Chair for good cause) to submit any purported Contaminated Product to a WADA

accredited laboratory for analysis, promptly following which the Provisional Suspension (if it remains in force) shall be made public.

## 7.13 Charge Letter

**7.13.1** Upon receipt of a response by a Player or other Person to an Article 7.10 Notice, the ITIA will assess any explanation provided, and may conduct such further investigation as it sees fit, including (without limitation) requesting further information and/or documents from the Player or other Person to whom the Notice was sent within a set deadline, and/or liaising with third parties.

**7.13.1.1** In a case based on an Adverse Passport Finding, the ITIA will forward any explanation provided by the Player, together with any supporting information supplied by the Player, to the three experts from the Expert Panel referred to in Article 7.6, for consideration (along with any other information that the three experts deem necessary) in accordance with the relevant International Standards.

**7.13.1.2** If, following such consideration, the three experts from the Expert Panel are no longer unanimously of the opinion that the case is one of 'likely doping', the ITIA will notify the Player and each Interested Party and (subject to the rights of appeal set out at Article 13) the matter will not proceed any further.

**7.13.1.3** If, following such consideration, the three experts from the Expert Panel maintain their opinion, notwithstanding the Player's explanation, that the case is one of 'likely doping', the ITIA will charge the Player in accordance with Article 7.13.2.

**7.13.2** Where, after receipt of the response of the Player or other Person to the Notice, or after expiry of the deadline to receive such response without any response being received, and after conducting such further investigation as it sees fit (if any), the ITIA considers that the Player or other Person has committed one or more Anti-Doping Rule Violations, the ITIA will send the Player or other Person a letter setting out the following (the

**Charge Letter**), with copies to the Chair of the Independent Panel and each Interested Party:

**7.13.2.1** the Anti-Doping Rule Violation(s) that the ITIA asserts the Player or other Person has committed;

**7.13.2.2** a summary of the facts and evidence relied upon by the ITIA in support of that assertion;

**7.13.2.3** the Consequences that the ITIA will seek if it is established that the Player or other Person has committed the Anti-Doping Rule Violation(s) asserted;

**7.13.2.4** the right of the Player or other Person to respond to the Charge Letter (by a specified deadline of not more than 20 days, which may be extended only in exceptional cases) in one of the ways set out in Article 7.13.3.

**7.13.2.5** a warning that if the Player or other Person does not deny the Anti-Doping Rule Violation(s) asserted or the proposed Consequences or request a hearing by the prescribed deadline, the Player or other Person will be deemed to have waived their right to a hearing and admitted the Anti-Doping Rule Violation(s) asserted and the Consequences proposed in the Charge Letter (although, for the avoidance of doubt, this will not trigger any entitlement to the one-year reduction pursuant to Article 10.8.1);

**7.13.2.6** noting the position in relation to any Provisional Suspension in accordance with Article 7.10; and

**7.13.2.7** noting the opportunity for the Player or other Person to provide Substantial Assistance as set out in Article 10.7.1, and/or to seek to enter into a case resolution agreement as per Article 10.8.2.

**7.13.3** The Player or other Person has the right to respond to the Charge Letter in any one of the following ways:

**7.13.3.1** admit the Anti-Doping Rule Violation(s) charged,

and accede to the Consequences specified in the Charge Letter, including the one-year reduction pursuant to Article 10.8.1 of the otherwise applicable period of Ineligibility (if applicable);

**7.13.3.2** admit the Anti-Doping Rule Violation(s) charged, and seek to mitigate the Consequences specified in the Charge Letter by agreement with the ITIA pursuant to Article 7.14, or by agreement with the ITIA and WADA pursuant to Article 10.8.2, without the need for a hearing (if no agreement is reached, the Consequences may still be disputed at a hearing);

**7.13.3.3** admit the Anti-Doping Rule Violation(s) charged, and dispute and/or seek to mitigate the Consequences specified in the Charge Letter, and have the Consequences determined at a hearing conducted in accordance with Article 8; or

**7.13.3.4** deny the Anti-Doping Rule Violation(s) charged, and have the charge and (if necessary) any Consequences determined at a hearing conducted in accordance with Article 8;

provided that if no response is received by the deadline specified in the Charge Letter, the Player or other Person will be deemed to have admitted the Anti-Doping Rule Violation(s) charged, and, unless the ITIA (at its sole discretion) refers the determination of the applicable Consequences to a hearing conducted in accordance with Article 8, the Player or other Person will also be deemed to have acceded to the Consequences specified in the Charge Letter.

**7.13.4** After sending the Charge Letter, the ITIA may Publicly Disclose the charge in accordance with Code Article 14.3.1.

**7.13.5** If by the deadline specified in Article 7.13.2 the Player or other Person disputes the charge(s) and/or the Consequences specified by the ITIA in the Charge Letter and requests a hearing, the matter will be referred to the Independent Tribunal in accordance with Article 8.

## 7.14 Case resolution without a hearing

**7.14.1** At any time prior to a final decision by the Independent Tribunal, the ITIA may invite the Player or other Person to admit the Anti-Doping Rule Violation(s) asserted and accede to specified Consequences (in accordance with Article 10.8 or otherwise in accordance with this Programme); or to admit any other violation of this Programme that does not amount to an Anti-Doping Rule Violation and accept specified Consequences (in accordance with this Programme); or the ITIA may decide to withdraw a Charge Letter for good cause.

**7.14.2** In the event that the Player or other Person admits the Anti-Doping Rule Violation(s) asserted and accedes to Consequences specified by the ITIA (or is deemed to have done so in accordance with Article 7.13.3), the ITIA will promptly issue a reasoned decision confirming the commission of the Anti-Doping Rule Violation(s) and the imposition of the specified Consequences (as applicable), will send notice of the decision to the Player or other Person and to each Interested Party, and will Publicly Disclose the decision in accordance with Article 8.6. Where the Player or other Person admits any other violation of this Programme that does not amount to an Anti-Doping Rule Violation and accedes to Consequences specified by the ITIA, the ITIA will promptly issue a reasoned decision confirming the commission of the violation and the imposition of the specified Consequences (as applicable), will send notice to the Player or other Person, the ITF, and to such other Interested Parties as the ITIA considers appropriate, and may publish the decision (or a summary thereof) on its website.

**7.14.3** Any decision issued by the ITIA in accordance with Article 7.14.2 that an Anti-Doping Rule Violation has been committed will not purport to be limited in effect to a particular geographic area or sport, and will address and determine (without limitation): (1) the factual basis of the decision that an Anti-Doping Rule Violation was committed; and (2) all of the Consequences to be imposed for such Anti-Doping Rule Violation, including the reasons for imposing the Consequences specified, and in particular the reasons for exercising any discretion not to impose the full Consequences available under this Programme.

**7.14.4** In the event that the ITIA withdraws the Charge Letter, it will

promptly issue a reasoned decision confirming the withdrawal of the Charge Letter, will send notice of the decision to the Player or other Person and to each Interested Party, and will Publicly Disclose the decision in accordance with Article 8.6 (save that the decision will not be Publicly Disclosed where no Provisional Suspension was imposed and the fact that the Player or other Person was charged has not otherwise been made public).

## 7.15 Other disciplinary offences

**7.15.1** Where a Player or other Person:

**7.15.1.1** engages in conduct that a reasonable person would find to be ill-disciplined, improper, derogatory, violent, threatening, abusive, indecent and/or insulting (including without limitation aggressive words or actions) towards a Doping Control official or other Person involved in Doping Control that does not rise to the level of Tampering;[1]

**7.15.1.2** refuses or fails to cooperate in full with the ITIA and/or other Anti-Doping Organisations investigating Anti-Doping Rule Violations;

**7.15.1.3** refuses or fails without compelling justification to comply with any provision of this Programme, where such refusal or failure does not fall within any of the Anti-Doping Rule Violations defined in Article 2; and/or

**7.15.1.4** if they are a Player Support Person, Uses or Possesses a Prohibited Substance or Prohibited Method without valid justification;

the Player or other Person will not be deemed to have committed an Anti-Doping Rule Violation and they will not be subject to any of the Consequences set out in Articles 9 and 10.

However, disciplinary proceedings may be brought against

[1] For the avoidance of doubt, this Article shall be considered objectively, both in relation to the conduct and in relation to whether the person was a Doping Control official or other Person involved in Doping Control. Subjective factors shall have no impact on breach or sanction.

them before the Independent Tribunal in accordance with Article 8 or resolved without a hearing under Article 7.14. The procedure set out in Article 8 which applies to Anti-Doping Rule Violations may be used as a guide by the Independent Tribunal in cases under this Article 7.15.1 without limitation to the Independent Tribunal's discretion to set the appropriate procedure and timelines for the case in accordance with its complexity and/or urgency.

**7.15.2** In cases involving allegations of violence, threat, abuse and/or indecency, the Independent Tribunal in its discretion may impose a Provisional Suspension pending resolution of the case taking into account the safety and wellbeing of the victim of the alleged conduct and the risk of harm to any other person and/or the reputation of tennis. Article 7.12 shall not apply to Provisional Suspensions imposed under this Article 7.15.1 save that cases involving a Provisional Suspension shall be conducted on an expedited basis where practicable.

**7.15.3** If the Independent Tribunal finds the misconduct alleged to be proven to its comfortable satisfaction, or if the Player or other Person admits the violation and does not request a hearing to determine the Consequences, the Independent Tribunal or (as applicable) the ITIA shall:

**7.15.3.1** determine the appropriate consequences which may include, but are not limited to, a fine and a period of ineligibility during which the Player or other Person will not be eligible to participate in the sport;

**7.15.3.2** ensure that the consequences it imposes are proportionate and meaningful;[2] and

**7.15.3.3** take into consideration any relevant mitigating and aggravating factors.[3]

**7.15.4** The decision of the Independent Tribunal or ITIA (as applicable)

[2] Any period of ineligibility imposed shall ordinarily commence immediately (except in special circumstances) and be fixed for a period that is meaningful.

[3] Mitigating factors may include good character, genuine remorse, and demonstrable steps to address the offending conduct. Aggravating factors may include previous disciplinary findings or sanctions, holding a position of responsibility or authority within the sport, impeding or hindering the investigation, and contempt for the disciplinary process (including non-compliance with the Independent Tribunal's directions).

shall be published in accordance with Article 8.6.

**7.15.5** The decision of the Independent Tribunal under this provision may be appealed by the ITIA or the Player or other Person concerned to the Court of Arbitration for Sport (Appeals Division), in accordance with the Code of Sports-related Arbitration. Any agreed decision issued under this Article 7.15 in conjunction with Article 7.14 is not subject to appeal.

## 7.16 Delays for mental health concerns

**7.16.1** If a Person covered by Article 1.2 requests to delay an interview or a hearing before an Independent Tribunal on the basis of mental health concerns, such request must be supported by a report (or, at a minimum, a letter), from a certified mental health professional who has seen the Person in person (either face to face or virtually) within the past 30 days. The report or letter must set out the gravity and imminence of the mental health concern and the impact which an interview or hearing (as the case may be) would have on the Person's condition. The mental health professional's report may be submitted by the ITIA to an independent mental health professional for independent assessment.

**7.16.2** Where an interview or hearing is delayed based on the mental health professional's report (and, as applicable, the independent assessment thereof):

**7.16.2.1** The delay shall be at a maximum for an initial period of four weeks.

**7.16.2.2** If, after the initial delay, the Person remains mentally unfit to participate in the interview or hearing, as set out in a further report or letter from a certified mental health professional (which again may be submitted by the ITIA for independent assessment), the ITIA or Panel Chair (as applicable) shall have the discretionary power to impose a Provisional Suspension on the Person. If mental health concerns are the sole ground for the imposition of the Provisional Suspension, such Provisional Suspension will be exempt from publication.

**7.16.2.3** Thereafter, the Person must submit an up to date report or letter from a certified mental health professional regarding their current condition and the impact which an interview or hearing would have on that condition every 8 weeks. This may be submitted by the ITIA to an independent mental health professional for independent assessment. If such updated report is not provided, the interview and/or hearing process shall resume and the Provisional Suspension shall be lifted (unless such Provisional Suspension was also imposed on any other grounds).

# 8 Results Management: proceedings before an Independent Tribunal

## 8.1 Jurisdiction of the Independent Panel

**The following matters arising under this Programme will be submitted for determination by an Independent Tribunal in accordance with the Procedural Rules Governing Proceedings Before an Independent Tribunal, as amended from time to time:**

**8.1.1** A charge that one or more Anti-Doping Rule Violations has been committed (and any issues relating to that charge). Where such charge is upheld, the Independent Tribunal will determine what Consequences (if any) should be imposed, in accordance with and pursuant to Articles 9 and 10.

**8.1.2** An application for an order that a Provisional Suspension should or should not be imposed (or should be lifted).

**8.1.3** Any case submitted to it pursuant to Article 10.14.7.

**8.1.4** Any case submitted to it pursuant to Article 7.15.

**8.1.5** Any other matter that may arise from time to time under this Programme that the ITIA considers should be determined by the Independent Tribunal.

## 8.2 Convening the Independent Tribunal

**8.2.1** Where a Player or other Person disputes all or part of a charge, and seeks a hearing before an Independent Tribunal, the Chair

of the Independent Panel will appoint three people from the Independent Panel to form an Independent Tribunal to hear and determine the dispute, consisting of a legally qualified member acting as Chair of the Independent Tribunal and (subject to Article 8.3.2.1) two other suitably qualified members.

**8.2.2** The Independent Panel and each Independent Tribunal will be Operationally Independent and Institutionally Independent, and will conduct its activities, including hearings, in accordance with ISRM Article 8, and without interference from the ITIA or the ITF or any third party. Board members, staff members, commission members, consultants, and officials of the ITIA and the ITF and its affiliates may not be appointed as members and/or clerks of the Independent Tribunal. In particular, no member or clerk of the Independent Tribunal may have previously had any involvement in any TUE application or Results Management decision relating to a case in which they are asked to sit.

## 8.3 Preliminary meeting with the Chair of the Independent Tribunal

**8.3.1** Once appointed, the Chair of the Independent Tribunal will convene a preliminary meeting with the ITIA and its legal representatives, and with the Player or other Person and/or their legal representatives (if any), unless directions are agreed by the parties and approved by the Chair. The meeting may be held in person or by telephone conference call. The non-attendance of the Player or other Person or their representative at the meeting, after proper notice of the meeting has been provided, will not prevent the Chair of the Independent Tribunal from proceeding with the meeting in the Player's or other Person's absence, whether or not any written submissions are made on the Player's or other Person's behalf.

**8.3.2** The purpose of the preliminary meeting will be to allow the Chair to address any pre-hearing issues. In particular (but without limitation), the Chair will:

**8.3.2.1** consider any request by either party that the Chair hear the matter sitting alone;

**8.3.2.2** consider any request by either party that the case be consolidated for hearing with any other pending case(s);

**8.3.2.3** consider any request by a party for a public hearing;

**8.3.2.4** determine the date(s) (which must be at least 21 days after the meeting, unless the parties consent to a shorter period) upon which the hearing will be held. Subject to the foregoing sentence, the hearing will be commenced as soon as practicable after the response to the Charge Letter is received, and ordinarily within 60 days of the date that the Player or other Person requests a hearing. It should be completed expeditiously;

**8.3.2.5** where the Player or other Person disputes the commission of an Anti-Doping Rule Violation, establish dates reasonably in advance of the date of the hearing at which:

**(a)** the ITIA must submit a brief with argument on all issues that the ITIA wishes to raise at the hearing (on liability and on Consequences) and written witness statements from each fact and/or expert witness that the ITIA intends to call at the hearing, setting out the evidence that the ITIA wishes the Independent Tribunal to hear from the witness, and enclosing copies of the documents that the ITIA intends to introduce at the hearing;

**(b)** the Player or other Person must submit an answering brief, addressing the ITIA's arguments and setting out argument on the issues that the Player or other Person wishes to raise at the hearing, as well as written witness statements from the Player or other Person and from each other witness (fact and/or expert) that the Player or other Person intends to call at the hearing, setting out the evidence that the Player or other Person wishes the Independent Tribunal to hear from the witness, and enclosing copies of the documents that the Player or other Person

intends to introduce at the hearing; and

**(c)** the ITIA may submit a reply brief, responding to the Player's or other Person's answer brief and producing any rebuttal witness statements and/or documents;

**8.3.2.6** alternatively, where the Player or other Person accepts that they have committed the Anti-Doping Rule Violation(s) charged, but disputes the Consequences, establish dates reasonably in advance of the date of the hearing at which:

**(a)** the Player or other Person must submit a brief setting out argument on the issues that the Player or other Person wishes to raise at the hearing, as well as written witness statements from the Player or other Person and from each other witness (fact and/or expert) that the Player or other Person intends to call at the hearing, setting out the evidence that the Player or other Person wishes the Independent Tribunal to hear from the witness, and enclosing copies of the documents that the Player or other Person intends to introduce at the hearing; and

**(b)** the ITIA must submit an answering brief with argument on all issues that the ITIA wishes to raise at the hearing and written witness statements from each fact and/or expert witness that the ITIA intends to call at the hearing, setting out the evidence that the ITIA wishes the Independent Tribunal to hear from the witness, and enclosing copies of the documents that the ITIA intends to introduce at the hearing; and

**8.3.2.7** make such order as the Chair deems appropriate in relation to the production of relevant documents and/or other materials between the parties; provided that save for good cause shown no

documents and/or other materials will be ordered to be produced in relation to any Adverse Analytical Finding beyond the documents that the ISL requires to be included in the laboratory documentation pack.

**8.3.3** The parties will be required to raise at the preliminary meeting any legitimate objection that they may have to any of the members of the Independent Tribunal convened to hear the case. Any unjustified delay in raising any such objection will constitute a waiver of the objection. If any objection is made, the Chair of the Independent Panel will rule on its legitimacy.

**8.3.4** If, because of a legitimate objection or for any other reason, a member of the Independent Tribunal is, or becomes, unwilling or unable to hear the case, the Chair of the Independent Panel may, in their absolute discretion: (a) appoint a replacement member from the Independent Panel; or (b) authorise the remaining members to hear the case on their own.

## 8.4 Conduct of hearings before the Independent Tribunal

**8.4.1** A party has the right to request a public hearing. Such request may however be denied in the interest of morals, public order, national security, where the interests of Minors or the protection of the private life of the parties so require, where publicity would prejudice the interests of justice, or where the proceedings are exclusively related to questions of law.

**8.4.2** Anti-Doping Organisations with a right of appeal under Article 13.2 who are not joined as a party to the proceedings before the Independent Tribunal will have the right (a) to be kept advised of the status and outcome (with reasons) of the proceedings; and (b) to attend all hearings as observers.

**8.4.3** Subject to the discretion of the Chair of the Independent Tribunal to order otherwise for good cause shown by either party, hearings before the Independent Tribunal will:

**8.4.3.1** take place in London;

**8.4.3.2** subject to Article 8.4.1, be conducted on a confidential basis; and

**8.4.3.3** will be in English, and certified English translations must be submitted of any non-English documents put before the Independent Tribunal. The cost of the translation will be borne by the party offering the document(s).

**8.4.4** If required by the Chair, the ITIA will make arrangements to have the hearing recorded or transcribed (save for the private deliberations of the Independent Tribunal). If requested by the Player or other Person, the ITIA will also arrange for a translator to attend the hearing to translate oral questions and/or answers. The costs of such transcription and translation will be paid by the ITIA, subject to any costs-shifting order by the Independent Tribunal.

**8.4.5** Each of the ITIA and the Player or other Person has the right to be present and to be heard at the hearing. Each of the ITIA and the Player or other Person also has the right (at their own expense) to be represented at the hearing by legal counsel of their own choosing.

**8.4.6** Subject always to the confidentiality provisions of Article 14.4:

**8.4.6.1** The ITF, WADA, and the NADO of the Player or other Person may attend the hearing as observers. In any event, the ITIA will keep them fully apprised as to the status of pending cases and the result of all hearings.

**8.4.6.2** Subject always to any contrary direction made by the Chair of the Independent Tribunal for good cause shown, (a) where the Player charged has an ATP ranking, an ATP representative may attend the hearing as an observer if the ATP so desires; (b) where the Player charged has a WTA ranking, a WTA representative may attend the hearing as an observer if the WTA so desires; and (c) where the charge is based on an Adverse Analytical Finding in respect of a Sample collected at a Grand Slam event, a representative of the Grand Slam Board may attend the hearing as an observer if the Grand Slam Board so desires.

**8.4.7** Subject strictly to Article 3.2.7, the Player or other Person may

choose not to appear in person at the hearing, but rather to provide a written submission for consideration by the Independent Tribunal, in which case the Independent Tribunal will consider the submission in its deliberations. The non-attendance of the Player or other Person or their representative at the hearing, after proper notice of the hearing has been provided, will not prevent the Independent Tribunal from proceeding with the hearing in their absence, whether or not any written submissions are made on their behalf.

**8.4.8** The procedure followed at the hearing will be at the discretion of the Chair of the Independent Tribunal, provided that the hearing is conducted in accordance with the relevant provisions in the ISRM, in a fair manner, with a reasonable opportunity for each party to present evidence (including the right to call and to question witnesses), address the Independent Tribunal, and present their case.

## 8.5 Decisions of the Independent Tribunal

**8.5.1** Once the parties have completed their respective submissions, the Independent Tribunal will retire to deliberate in private as to whether an Anti-Doping Rule Violation has been committed and (if so) what the Consequences should be. Where Article 10 specifies a range of possible sanctions for the Anti-Doping Rule Violation found to have been committed, the Independent Tribunal will also fix the sanction within that range for the case at hand, after considering any submissions on the subject that the parties may wish to make.

**8.5.2** The Independent Tribunal will not make any verbal announcement of the decision but instead will issue its decision in writing within 14 days after the conclusion of the hearing (or where, exceptionally, that deadline cannot be met, as soon thereafter as possible). Such decision (which must comply with ISRM Article 9) must be sent to the parties, the ITF, and to WADA and to any other party that has a right to appeal the decision pursuant to Article 13 (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision). The decision will set out and explain:

**(a)** with reasons, the Independent Tribunal's findings as to whether any Anti-Doping Rule Violation(s) has/have been committed;

**(b)** with reasons, the Independent Tribunal's findings as to what Consequences, if any, are (or are not) to be imposed, including (if applicable) a justification for why the maximum potential sanction was not imposed;

**(c)** with reasons, the date that such Consequences will come into force and effect; and

**(d)** the rights of appeal applicable pursuant to Article 13.

**8.5.3** The ITIA will pay the costs of convening the Independent Tribunal and of staging the hearing, subject to any costs-shifting order that the Independent Tribunal may make further to Article 8.5.4.

**8.5.4** The Independent Tribunal has the power to make a costs order against any party, where it is proportionate to do so. If it does not exercise that power, each party will bear its own costs, legal, expert, hearing, and otherwise.

**8.5.5** Subject only to this provision and the rights of appeal under Article 13, the Independent Tribunal's decision will be the full, final and complete disposition of the case and will be binding on all parties. The Independent Tribunal may, within a reasonable period, issue an amended decision correcting any error or omission (including, for example, any incorrect factual basis) in their original decision provided it does not alter their substantive finding in relation to the Anti-Doping Rule Violation being proven or not or the dispositive of the decision. The issuing of such an amended decision shall not alter the date of the reasoned decision from which the time to appeal runs, which shall be the date the reasoned decision was originally received pursuant to Article 13.8.

## 8.6 Publication of decisions

**8.6.1** Where it is determined by the Independent Tribunal that an Anti-Doping Rule Violation or disciplinary offence under Article 7.15 has been committed, or a case is resolved without a hearing (under Article 7.14 or Article 10.8) on the basis that the Player or other Person admits or is deemed to have admitted that an Anti-Doping Rule Violation or disciplinary offence under

Article 7.15 has been committed, or a new period of Ineligibility or a reprimand has been imposed under Article 10.14.7, that decision may be Publicly Disclosed immediately. If the decision is not appealed, or is upheld on appeal, the decision (if not previously Publicly Disclosed) must be Publicly Disclosed within 20 days of the expiry of the appeal deadline or the appeal decision (as applicable). However, this mandatory Public Disclosure will not apply where the Player or other Person who has been found to have committed an Anti-Doping Rule Violation or disciplinary offence under Article 7.15, or to have violated the prohibition against participation during Ineligibility or Provisional Suspension, is a Protected Person, Minor, or Recreational Athlete. Any Public Reporting in a case involving a Protected Person, Minor, or Recreational Athlete is optional and must be proportionate to the facts and circumstances of the case.

**8.6.2** Where it is determined that an Anti-Doping Rule Violation or disciplinary offence under Article 7.15 has not been committed, or that the prohibition against participation during Ineligibility or Provisional Suspension has not been violated, the decision will not be Publicly Disclosed unless the Player or other Person consents to such disclosure. Where the Player or other Person does not so consent, a summary of the decision may be published, provided that what is disclosed does not identify the Player or other Person.

**8.6.3** Publication will be accomplished at a minimum by placing the required information on the ITIA's website and leaving the information up for the longer of (a) one month; and (b) the duration of any period of Ineligibility.

### 8.7 Single hearing before CAS

With the consent of the parties and WADA, an assertion that the Player or other Person has committed one or more Anti-doping Rule Violations may be heard directly by CAS, with no requirement for a prior hearing.

## 9 Disqualification of results

### 9.1 Automatic Disqualification of individual results

An Anti-Doping Rule Violation committed by a Player in connection with or arising out of an In-Competition test automatically leads to Disqualification

of the results obtained by the Player in the Competition in question, with all resulting consequences, including forfeiture of any medals, titles, ranking points and Prize Money obtained by the Player in that Competition.

***[Comment to Article 9.1**: In addition, further results obtained by the Player in the same or subsequent Events may be Disqualified, in accordance with Article 10.1 (same Event) and/or Article 10.10 (subsequent Events)].*

### 9.2 Disqualification of Results of Doubles Partner

**9.2.1** Where results obtained by a Player in a doubles Competition are Disqualified pursuant to Article 9.1 because of that Player's Anti-Doping Rule Violation in connection with or arising out of that doubles Competition, the result of the Player's doubles partner in that Competition will also be Disqualified, with all resulting consequences, including forfeiture of all medals, titles, ranking points and Prize Money.

**9.2.2** Where results obtained by a Player in a doubles Competition are Disqualified pursuant to Article 10.1 because of that Player's Anti-Doping Rule Violation in relation to another Competition at that Event, the result of the Player's doubles partner in that doubles Competition will also be Disqualified, with all resulting consequences, including forfeiture of all medals, titles, ranking points and Prize Money, unless the doubles partner establishes at a hearing, on the balance of probabilities, (a) that they were not implicated in the first Player's Anti-Doping Rule Violation; and (b) that the result in the doubles Competition was not likely to have been affected by the first Player's Anti-Doping Rule Violation.

**9.2.3** Where results obtained by a Player in doubles Competition(s) in an Event played subsequent to the Competition that produced the positive Sample are Disqualified pursuant to Article 10.10 because of that Player's Anti-Doping Rule Violation, the result of the Player's doubles partner(s) in such subsequent Competition(s) will not be Disqualified unless the ITIA establishes, to the comfortable satisfaction of the Independent Tribunal, that the doubles partner(s) was implicated in the first Player's Anti-Doping Rule Violation.

## 10 Ineligibility sanctions for individuals

### 10.1 Disqualification of results in the Event during which an Anti- Doping Rule Violation occurs

**10.1.1** Except as provided in Article 10.1.2, where a Player is found to have committed an Anti-Doping Rule Violation during or in connection with a Competition in an Event where the Player also participated in other Competitions, any individual results obtained by the Player in the other Competitions in that Event will be Disqualified, with all resulting consequences, including forfeiture of all medals, titles, ranking points and Prize Money.

**10.1.2** If the Player establishes that they bear No Fault or Negligence for the Anti-Doping Rule Violation in question, the Player's results obtained in the Competition(s) other than the Competition during or in connection with which the Anti-Doping Rule Violation occurred will not be Disqualified unless the ITIA establishes that the Player's results in the other Competition(s) were likely to have been affected by their Anti-Doping Rule Violation.

## 10.2 Imposition of a period of Ineligibility for presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method

The period of Ineligibility imposed for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6 that is the Player's or other Person's first doping offence will be as follows, subject to potential elimination, reduction, or suspension pursuant to Article 10.5, 10.6, or 10.7.

**10.2.1** Save where Article 10.2.4.1 applies, the period of Ineligibility will be four years:

**10.2.1.1** where the Anti-Doping Rule Violation does not involve a Specified Substance or a Specified Method, unless the Player or other Person establishes that the Anti-Doping Rule Violation was not intentional; and

**10.2.1.2** where the Anti-Doping Rule Violation involves a Specified Substance or a Specified Method and the ITIA can establish that the Anti-Doping Rule Violation was intentional.

**10.2.2** If Article 10.2.1 does not apply, then (subject to Article 10.2.4.1) the period of Ineligibility will be two years.

**10.2.3** As used in Article 10.2, the term 'intentional' is meant to identify those Players or other Persons who engage in conduct that

they knew constituted an Anti-Doping Rule Violation or knew that there was a significant risk that the conduct might constitute or result in an Anti-Doping Rule Violation and manifestly disregarded that risk.

**10.2.3.1** An Anti-Doping Rule Violation resulting from an Adverse Analytical Finding for a Prohibited Substance or a Prohibited Method that is only prohibited In-Competition will be rebuttably presumed to be not 'intentional' if the Prohibited Substance is a Specified Substance or the Prohibited Method is a Specified Method and the Player can establish that the Prohibited Substance was Used Out-of-Competition.

**10.2.3.2** An Anti-Doping Rule Violation resulting from an Adverse Analytical Finding for a Prohibited Substance or a Prohibited Method that is only prohibited In-Competition will not be considered 'intentional' if the Prohibited Substance is a Specified Substance or the Prohibited Method is a Specified Method and the Player can establish that the Prohibited Substance or Prohibited Method was Used Out-of-Competition in a context unrelated to sport performance.

*[**Comment to Article 10.2.3:** Unless otherwise specified in this Programme or the Code, 'intentional' means that the Person intended to commit the act that forms the basis of an Anti-Doping Rule Violation regardless of whether the Person knew that such act constituted a violation of this Programme or the Code].*

**10.2.4** Notwithstanding any other provision in Article 10.2, where the Anti-Doping Rule Violation involves a Substance of Abuse:

**10.2.4.1** If the Player can establish that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, the period of Ineligibility will be three months, provided that it may be further reduced to one month if the Player satisfactorily completes a Substance of Abuse treatment program approved by the ITIA. The period of Ineligibility established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.

**10.2.4.2** If the ingestion, Use, or Possession occurred In-Competition, and the Player can establish that the context of the ingestion, Use, or Possession was unrelated to sport performance, then the ingestion, Use, or Possession will not be considered intentional for purposes of Article 10.2.1 and will not provide a basis for a finding of Aggravating Circumstances under Article 10.4.

## 10.3 Imposition of a period of Ineligibility for other Anti-Doping Rule Violations

The period of Ineligibility for Anti-Doping Rule Violations other than as provided in Article 10.2 will be as follows, unless Articles 10.6, or 10.7 are applicable:

**10.3.1** For an Anti-Doping Rule Violation under Article 2.3 or 2.5 that is the Player's or other Person's first doping offence, the period of Ineligibility imposed will be four years except:

**10.3.1.1** in the case of failing to submit to Sample collection, if the Player can establish that the commission of the Anti-Doping Rule Violation was not intentional, the period of Ineligibility will be two years;

**10.3.1.2** in all other cases, if the Player or other Person can establish exceptional circumstances that justify a reduction of the period of Ineligibility, the period of Ineligibility will be in a range from two years to four years depending on the Player's or other Person's degree of Fault; or

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

**10.3.2** For an Article 2.4 Anti-Doping Rule Violation that is the Player's first doping offence, the period of Ineligibility imposed will be two years, subject to reduction down to a minimum of one year, depending on the Player's degree of Fault. The flexibility between two years and one year of Ineligibility in this Article is

not available where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Player was trying to avoid being available for Testing.

**10.3.3** For an Article 2.7 or 2.8 Anti-Doping Rule Violation that is the Player's or other Person's first doping offence, the period of Ineligibility imposed will be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation, provided that:

**10.3.3.1** An Article 2.7 or 2.8 Anti-Doping Rule Violation involving a Protected Person will be considered a particularly serious violation and, if committed by Player Support Personnel in relation to violations not solely involving Specified Substances or Specified Methods, will result in lifetime Ineligibility for such Player Support Personnel.

**10.3.3.2** Significant Article 2.7 or 2.8 Anti-Doping Rule Violations that may also violate non-sporting laws and regulations will be reported to the competent administrative, professional or judicial authorities.

**10.3.4** For an Article 2.9 Anti-Doping Rule Violation that is the Player's or other Person's first doping offence, the period of Ineligibility imposed will be a minimum of two years, up to lifetime Ineligibility, depending on the seriousness of the violation.

**10.3.5** For an Article 2.10 Anti-Doping Rule Violation that is the Player's or other Person's first doping offence, the period of Ineligibility will be two years, subject to reduction down to a minimum of one year, depending on the Player's or other Person's degree of Fault and other circumstances of the case.

**10.3.6** For an Article 2.11 Anti-Doping Rule Violation, the period of Ineligibility will be a minimum of two years, up to lifetime Ineligibility, depending on the seriousness of the violation.

### 10.4 Aggravating Circumstances that may increase the period of Ineligibility

If the ITIA establishes, in an individual case involving an Anti-Doping Rule Violation under Article 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 or 2.10, that Aggravating Circumstances are present that justify the imposition of a period of

Ineligibility greater than the standard sanction otherwise applicable in accordance with Article 10.2 or 10.3, the period of Ineligibility otherwise applicable will be increased by an additional period of Ineligibility of up to two years depending on the seriousness of the violation and the nature of the Aggravating Circumstances, unless the Player or other Person can establish that they did not knowingly commit the Anti-Doping Rule Violation.

### 10.5 Elimination of the period of Ineligibility where there is No Fault or Negligence

If a Player or other Person establishes in an individual case that they bear No Fault or Negligence for the Anti-Doping Rule Violation, the otherwise applicable period of Ineligibility will be eliminated.

### 10.6 Reduction of the period of Ineligibility based on No Significant Fault or Negligence

**10.6.1** Reduction of Sanctions in particular circumstances for Anti-Doping Rule Violations under Article 2.1, 2.2 or 2.6:

All reductions under Article 10.6.1 are mutually exclusive and not cumulative.

**10.6.1.1** Specified Substances or Specified Methods

Where the Anti-Doping Rule Violation involves a Specified Substance (other than a Substance of Abuse) or Specified Method, and the Player or other Person can establish that they bear No Significant Fault or Negligence for the violation, the period of Ineligibility will be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years of Ineligibility, depending on the Player's or other Person's degree of Fault.

**10.6.1.2** Contaminated Products

In cases involving a Prohibited Substance that is not a Substance of Abuse, where the Player or other Person can establish both No Significant Fault or Negligence for the violation and that the Prohibited Substance came from a Contaminated Product, the period of Ineligibility will be, at a

minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Player's or other Person's degree of Fault.

**10.6.1.3** Protected Persons or Recreational Athletes

Except for Anti-Doping Rule Violations involving Substances of Abuse, where the Anti-Doping Rule Violation is committed by a Protected Person or Recreational Athlete, and they can establish that they bear No Significant Fault or Negligence for the violation, the period of Ineligibility will be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Protected Person's or Recreational Athlete's degree of Fault.

**10.6.2** Application of No Significant Fault or Negligence beyond Article 10.6.1:

In an individual case where Article 10.6.1 is not applicable, if a Player or other Person establishes that they bear No Significant Fault or Negligence for the violation, then (subject to further reduction or elimination as provided in Article 10.7) the otherwise applicable period of Ineligibility may be reduced based on the Player's 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 may be no less than eight years.

## 10.7 Elimination, reduction, or suspension of the period of Ineligibility and/or other Consequences for reasons unrelated to Fault

**10.7.1** Substantial Assistance in discovering or establishing Code violations:

**10.7.1.1** Prior to an appellate decision under Article 13 or the expiration of the time to appeal, the ITIA may suspend a part of the Consequences (other than Disqualification and mandatory Public Disclosure) imposed in an individual case where the Player or other Person has provided Substantial Assistance

to the ITIA, other Anti-Doping Organisation, criminal authority or professional disciplinary body that results in:

**(a)** the ITIA or other Anti-Doping Organisation discovering or bringing forward an Anti-Doping Rule Violation by another Person; or

**(b)** a criminal authority or disciplinary body discovering or bringing forward a criminal offence or a breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the ITIA or other Anti-Doping Organisation with Results Management responsibility;

**(c)** WADA initiating a proceeding against a Signatory, WADA-accredited laboratory, or Athlete Passport Management Unit (as defined in the ISL) for non-compliance with the Code, an International Standard, or a Technical Document; or

**(d)** (with the approval by WADA) a criminal or disciplinary body bringing forward a criminal offence or a breach of professional or sport rules arising out of a sport integrity violation other than doping.

After an appellate decision under Article 13 or the expiration of time to appeal, the ITIA may only suspend a part of the otherwise applicable Consequences (other than Disqualification and mandatory Public Disclosure) with the approval of WADA.

**10.7.1.2** The extent to which the otherwise applicable period of Ineligibility may be suspended will be based on the seriousness of the Anti-Doping Rule Violation committed by the Player or other Person and the significance of the Substantial Assistance provided

by the Player or other Person to the effort to eliminate doping in sport, non-compliance with the Code, and/or sport integrity violations. No more than three- quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non- suspended period under this Article must be no less than eight years. For purposes of this paragraph, the otherwise applicable period of Ineligibility will not include any period of Ineligibility that could be added under Article 10.9.4.2.

Where requested by the Player or other Person, the ITIA will allow the Player or other Person to provide Substantial Assistance to it subject to a Without Prejudice Agreement.

If the Player or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of Consequences was based, the ITIA will reinstate the original Consequences. A decision by the ITIA to reinstate or not to reinstate suspended Consequences may be appealed pursuant to Article 13.

**10.7.1.3** To further encourage Players and other Persons to provide Substantial Assistance, at the request of the ITIA or at the request of the Player or other Person who has, or has been asserted to have, committed an Anti-Doping Rule Violation or other violation of the Code, WADA may agree at any stage of the Results Management process, including after an appellate decision under 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 to no period of Ineligibility, no mandatory Public Disclosure, and/or no return of Prize Money

or payment of fines or costs. WADA's approval will be subject to reinstatement of Consequences as otherwise provided in this Article. Notwithstanding Article 13, WADA's decisions in the context of this Article may not be appealed.

**10.7.1.4** If the ITIA suspends any part of an otherwise applicable Consequence because of Substantial Assistance, notice providing justification for the decision will be provided to Interested Parties. In unique circumstances where WADA determines that it would be in the best interests of anti-doping, WADA may authorise the ITIA to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

**10.7.1.5** Where the ITIA declines to exercise the discretion conferred on it by this Article 10.7.1, and the matter comes before a hearing panel under Article 8 or an appeal panel under Article 13, the hearing panel/appeal panel (as applicable) may exercise such discretion if the conditions of Article 10.7.1.1 are satisfied and the hearing panel/appeal panel sees fit. Alternatively, the hearing panel/appeal panel may consider a submission that the ITIA, in exercising its discretion under this Article 10.7.1, should have suspended a greater part of the Consequences.

**10.7.2** Admission of an Anti-Doping Rule Violation in the absence of other evidence:

Where a Player or other Person voluntarily admits the commission of an Anti-Doping Rule Violation before receiving either (a) notification of a Sample collection that could establish the Anti-Doping Rule Violation (in the case of an Article 2.1 Anti-Doping Rule Violation), or (b) a Notice (in the case of any other Anti-Doping Rule Violation), and that admission is the only reliable evidence of the violation at the time of the admission, the otherwise applicable period of Ineligibility may be reduced by up to but not by more than 50%.

**10.7.3** Application of multiple grounds for reduction of a sanction:

Where a Player or other Person establishes entitlement to a reduction in sanction under more than one provision of Article 10.6, or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of Ineligibility will be determined in accordance with Articles 10.2, 10.3, and 10.6. If the Player or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.7, the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

## 10.8 Results Management agreements

**10.8.1** One year reduction for certain Anti-Doping Rule Violations based on early admission and acceptance of sanction:

Where the ITIA sends a Player or other Person a Charge Letter for an Anti-Doping Rule Violation that carries an asserted period of Ineligibility of four or more years (including any period of Ineligibility asserted under Article 10.4), if the Player or other Person admits the violation and accepts the asserted period of Ineligibility no later than 20 days after receiving the Charge Letter, they will receive a one year reduction in the period of Ineligibility asserted by the ITIA. Where the Player or other Person receives the one year reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility will be allowed under any other Article.

**10.8.2** Case resolution agreements:

**10.8.2.1** Where the Player or other Person admits an Anti-Doping Rule Violation after being confronted with it by the ITIA and agrees to Consequences acceptable to the ITIA and WADA, at their sole discretion:

**(a)** the Player or other Person may receive a reduction in the period of Ineligibility based on an assessment by the ITIA and WADA of the application of Articles 10.1 through 10.7 to the asserted Anti-Doping Rule

Violation, the seriousness of the violation, the Player's or other Person's degree of Fault, and how promptly the Player or other Person admitted the violation; and

**(b)** the period of Ineligibility may start as early as the date of Sample collection or the date on which another Anti-Doping Rule Violation last occurred.

In each case, however, where this Article is applied, the Player or other Person must serve at least one- half of the agreed-upon period of Ineligibility going forward from the earlier of (1) the date the Player or other Person accepted the imposition of a period of Ineligibility; and (2) the date the Player or other Person accepted a Provisional Suspension that was subsequently respected by the Player or other Person. The decision by WADA and the ITIA to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of, the period of Ineligibility agreed, are not matters that may be determined or reviewed by a hearing body and are not subject to appeal under Article 13.

**10.8.2.2** If so requested by the Player or other Person seeking to enter into a case resolution agreement under this Article, the ITIA will allow the Player or other Person to discuss an admission of the Anti-Doping Rule Violation with it subject to a Without Prejudice Agreement.

## 10.9 Multiple violations

**10.9.1** Second Anti-Doping Rule Violation:

For a Player's or other Person's second Anti-Doping Rule Violation, the period of Ineligibility will be the greater of:

**10.9.1.1** a six month period of Ineligibility; and

**10.9.1.2** a period of Ineligibility in the range between:

**(a)** the sum of the period of Ineligibility imposed for the first Anti-Doping Rule Violation plus the period of Ineligibility otherwise applicable to the second Anti-Doping Rule Violation treated as if it were a first violation; and

**(b)** twice the period of Ineligibility otherwise applicable to the second Anti-Doping Rule Violation treated as if it were a first violation.

The period of Ineligibility within this range will be determined based on the entirety of the circumstances and the Player's or other Person's degree of Fault with respect to the second violation. The period of Ineligibility established in this Article 10.9.1 may then be further reduced by the application of Article 10.7.

**10.9.2** Third Anti-Doping Rule Violation:

A third Anti-Doping Rule Violation will always result in a lifetime period of Ineligibility, unless it fulfils the conditions for reduction of the period of Ineligibility under Article 10.6, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility will be from eight years to lifetime Ineligibility.

The period of Ineligibility established in this Article 10.9.2 may then be further reduced by the application of Article 10.7.

**10.9.3** The following will not be considered a violation for purposes of this Article 10.9:

**10.9.3.1** An Anti-Doping Rule Violation for which the Player or other Person in question has established that they bore No Fault or Negligence.

**10.9.3.2** An Anti-Doping Rule Violation sanctioned under Article 10.2.4.1.

**10.9.4** Additional rules for certain potential multiple offences:

**10.9.4.1** For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.4.2 and 10.9.4.3, an Anti-Doping Rule Violation will only be considered a second (or third, as applicable) Anti-Doping Rule Violation if the ITIA can establish that the Player or other Person committed the additional Anti-Doping Rule Violation after they received notice of the first (or the second, as applicable) Anti-Doping Rule Violation. Otherwise, the first and second Anti- Doping Rule Violations (or the second and third Anti- Doping Rule Violations, as applicable) will be considered together as one single first Anti-Doping Rule Violation, and the sanction imposed will be based on the Anti-Doping Rule Violation that carries the more severe sanction, including the application of Aggravating Circumstances. Results in all Competitions dating back to the earlier Anti-Doping Rule Violation will be Disqualified as provided in Article 10.10.

**10.9.4.2** If the ITIA establishes that a Player or other Person committed an additional Anti-Doping Rule Violation prior to notification, and that the additional violation occurred 12 months or more before or after the first- noticed violation, the period of Ineligibility for the additional violation will be calculated as if the additional violation were a stand-alone first violation, and this period of Ineligibility must be served consecutively (rather than concurrently) with the period of Ineligibility imposed for the first-noticed violation. Where this Article 10.9.4.2 applies, the violations taken together will constitute a single violation for purposes of Articles 10.9.1 and 10.9.2.

**10.9.4.3** If the ITIA establishes that a Player or other Person committed an Article 2.5 Anti-Doping Rule Violation in connection with the Doping Control process for an underlying asserted Anti-Doping Rule Violation, the Article 2.5 Anti-Doping Rule Violation will be treated as a stand-alone first violation and the period of Ineligibility for such violation must be served consecutively (rather than

concurrently) with the period of Ineligibility, if any, imposed for the underlying Anti-Doping Rule Violation. Where this Article 10.9.4.3 is applied, the violations taken together will constitute a single violation for purposes of Articles 10.9.1 and 10.9.2.

**10.9.4.4** If the ITIA establishes that a Player or other Person has committed a second or third Anti-Doping Rule Violation during a period of Ineligibility, the periods of Ineligibility for the multiple violations will run consecutively (rather than concurrently).

**10.9.5** Multiple Anti-Doping Rule Violations during a ten year period:

Any prior Anti-Doping Rule Violation will only be taken into account for purposes of Article 10.9 if it took place within ten years of the Anti-Doping Rule Violation under consideration.

## 10.10 Disqualification of results in Competitions subsequent to Sample collection or commission of an Anti-Doping Rule Violation

Unless fairness requires otherwise, in addition to the Disqualification of results under Articles 9.1 and 10.1, any other results obtained by the Player in Competitions taking place in the period starting on the date the Sample in question was collected or other Anti-Doping Rule Violation occurred and ending on the commencement of any Provisional Suspension or Ineligibility period, will be Disqualified, with all of the resulting consequences, including forfeiture of any medals, titles, ranking points and Prize Money).

## 10.11 Forfeited Prize Money and readjustment

**10.11.1** If the ITIA recovers Prize Money forfeited as a result of an Anti-Doping Rule Violation, it will use it to defray the costs of operating the Programme.

**10.11.2** There will be no readjustment of medals, titles, or ranking points for any Player who lost to a Player subsequently found to have committed an Anti-Doping Rule Violation, except where provision is made for such readjustment in the regulations of the relevant Competition.

## 10.12 Financial Consequences

**10.12.1** Where a Player or other Person commits an Anti-Doping Rule Violation, upon request by the ITIA the Independent Tribunal may order the Player or other Person to pay some or all of the costs associated with the Anti-Doping Rule Violation (including, without limitation, those incurred by the ITIA in investigating or otherwise conducting Results Management in relation to the matter), regardless of the period of Ineligibility imposed (if any).

**10.12.2** The imposition of a costs order will not be considered a basis for reducing the period of Ineligibility or other Consequences that would otherwise be applicable under this Programme.

## 10.13 Commencement of Ineligibility period

Where a Player or other Person is already serving a period of Ineligibility for an Anti-Doping Rule Violation, any new period of Ineligibility will start on the first day after the current period of Ineligibility has been served. Otherwise, the period of Ineligibility will start on the date of the final decision providing for Ineligibility, or (if the hearing is waived, or there is no hearing) on the date Ineligibility is accepted or otherwise imposed, save as follows:

**10.13.1** Delays not attributable to the Player or other Person:

Where there have been substantial delays in the hearing process or other aspects of Doping Control, and the Player or other Person can establish that such delays are not attributable to the Player or other Person, the period of Ineligibility may be deemed to have started 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, will be Disqualified.

**10.13.2** Credit for any Provisional Suspension or period of Ineligibility served:

**10.13.2.1** Any period of Provisional Suspension (whether imposed or voluntarily accepted) that has been respected by the Player or other Person will be credited against the total period of Ineligibility to be served. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Player 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.

**10.13.2.2** To get credit for any period of voluntary Provisional Suspension, however, the Player or other Person must have given written notice at the beginning of such period to the ITIA, in a form acceptable to the ITIA (and the ITIA will promptly provide a copy of that written notice to each Interested Party) and must have respected the Provisional Suspension in full.

**10.13.2.3** No credit against a period of Ineligibility will be given for any time period before the effective date of the Provisional Suspension (whether imposed or voluntarily accepted), regardless of whether the Player elected not to compete or was suspended by their team.

**10.13.3** For purposes of forfeiture of ranking points, the decision will come into effect at midnight on the Sunday nearest to the date that the decision is issued.

## 10.14 Status during Ineligibility or Provisional Suspension

**10.14.1** Prohibition against participation during Ineligibility or Provisional Suspension:

While serving a period of Ineligibility or Provisional Suspension, a Player or other Person may not participate in any capacity in (or assist any Player participating in any capacity in):

**(a)** any Covered Event;

**(b)** any other Event or Competition or activity (other than authorised anti-doping education or rehabilitation programmes) authorised, organised or sanctioned by the ITF, the ATP, the WTA, any National Association or member of a National Association, or any Signatory, Signatory's member organisation, or club or member organisation of that Signatory's member organisation;

**(c)** any Event or Competition authorised or organised by any professional league[4] or any international or national-level Event or Competition organisation; or

**(d)** any elite or national-level sporting activity funded by a governmental agency.

**10.14.2** Without prejudice to the generality of Article 10.14.1, a Player or other Person may not, during any period of Ineligibility or Provisional Suspension, be given accreditation for, or otherwise granted access to, any Covered Event or any other Event or Competition or activity authorised, organised or sanctioned by the ITF, the ATP, the WTA, any National Association or member of a National Association, and any such accreditation previously issued will be withdrawn.

**10.14.3** Where an Event that will or may take place after the period of Ineligibility has an entry deadline that falls during the period of Ineligibility, the Player may submit an application for entry in the Event in accordance with that deadline, notwithstanding that at the time of such application they are still Ineligible.

**10.14.4** While serving a period of Ineligibility or Provisional Suspension, a Player will remain subject to Testing and must provide whereabouts information for that purpose upon demand by the ITIA.

**10.14.5** The only exceptions to Article 10.14.1 are as follows:

**10.14.5.1** A Player or other Person who is subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate as a Player in local sport events not sanctioned or otherwise under the authority of a Code Signatory or member of a Code Signatory, but only so long as the local sports events are not at a level that could otherwise qualify such Player or other Person directly or indirectly to compete in

[4] Without prejudice to the generality of the prohibition under Article 10.14.1 on participating in a professional league, in the tennis context this means an Event comprising multiple stages and/or Competitions and/or a series of Events which are (a) professional, meaning only professional players participate and prize money is awarded based on performance; and (b) played in a league format, meaning there is a round-robin or group stage within the tournament, culminating in the awarding of a championship, either at the end of the round-robin or group stage or following a subsequent playoff stage.

(or accumulate points towards) a national championship or International Event, and does not involve the Player or other Person working in any capacity with Protected Persons; and

**10.14.5.2** A Player may return to train as part of a team or to use the facilities of a club or other member organisation of a National Association or of a Signatory's member organisation during the shorter of: (1) the last two months of the Player's period of Ineligibility, and (2) the last one-quarter of the period of Ineligibility.

**10.14.6** In addition, except where the Anti-Doping Rule Violation involved an eliminated or reduced sanction further to Article 10.5 or 10.6, some or all financial support or benefits (if any) that might have otherwise been provided to the Player or other Person will be withheld by the ITF/ITIA or any National Association.

**10.14.7** If a Player or other Person violates the prohibition against participation set out in Article 10.14.1, any results they obtain during such participation will be Disqualified, with all resulting consequences, including forfeiture of any medals, titles, ranking points and Prize Money, and a new period of Ineligibility equal in length to the original period of Ineligibility will be added to the end of the original period of Ineligibility. The new period of Ineligibility may be adjusted based on the Player's or other Person's degree of Fault and other circumstances of the case (and so may include a reprimand and no period of Ineligibility). The determination of whether a Player or other Person has violated the prohibition against participation, and whether the new period of Ineligibility should be adjusted, will be made by the Anti-Doping Organisation that brought the case that led to the initial period of Ineligibility. This decision may be appealed pursuant to Article 13.

A Player or other Person who violates the prohibition against participation during a Provisional Suspension set out in Article 10.14.1 will receive no credit for any period of Provisional Suspension served and any results they obtain during such participation will be Disqualified, with all resulting consequences, including forfeiture of any medals, titles, ranking points and Prize Money.

*[**Comment to Article 10.14.7**: If the Player or other Person does not accept the new period of Ineligibility (or, if applicable, reprimand) proposed by the ITIA (or other Anti-Doping Organisation), the matter will proceed to a hearing in accordance with Article 11.1 of the International Standard for Results Management.]*

**10.14.8** Where a Player Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility or Provisional Suspension, the ITIA (or the Anti-Doping Organisation with jurisdiction over such Player Support Person or other Person) will pursue the matter as a potential Article 2.9 Anti-Doping Rule Violation in accordance with Article 7.8.

## 10.15 Automatic publication of Consequences

A mandatory Consequence in every case where an Anti-Doping Rule Violation has been committed will be automatic publication, as provided in Articles 8.6 and 13.11.

## 10.16 Conditions of reinstatement

**10.16.1** As a condition of reinstatement, a Player who is subject to a period of Ineligibility must respect the conditions of Article 10.14.4, failing which the Player will not be eligible for reinstatement until they have made themselves available for Testing (by notifying the ITIA and ITF in writing) for a period of time equal to the period of Ineligibility remaining as at the date they first stopped making themselves available for Testing, except that in the event that a Player retires while subject to a period of Ineligibility, the conditions set out in Article 1.4.5 will apply.

**10.16.2** The ITIA may also make reinstatement subject to the review and approval of a Player's medical condition by the Review Board in order to establish the Player's fitness to be reinstated.

**10.16.3** Once the period of a Player's Ineligibility has expired, and the Player has fulfilled the foregoing conditions of reinstatement, then provided that (subject to Article 10.16.5) all amounts forfeited under the Programme have been paid in full, and any award of costs made against the Player by the Independent Tribunal further to Article 8.5.4 and/or by the CAS following any appeal made pursuant to Article 13.2 has been satisfied in full,

the Player will become automatically re-eligible and no application by the Player for reinstatement will be necessary. If, however, further amounts become due after a Player's period of Ineligibility has expired (as a result of an instalment plan established pursuant to Article 10.16.5), then any failure by the Player to pay all outstanding amounts on or before their respective due dates will render the Player automatically Ineligible to participate in further Covered Events until all amounts due are paid in full.

**10.16.4** Even if no period of Ineligibility is imposed, a Player may not participate in a Covered Event while any Prize Money ordered or agreed to be forfeit under the Programme, and/or any award of costs against the Player, remains unpaid, unless an instalment plan has been established pursuant to Article 10.16.5 and the Player has made all payments due under that plan. If any instalment(s) become(s) overdue under that plan, the Player may not participate in any Covered Event until such overdue instalments are paid in full.

**10.16.5** Where fairness requires, the ITIA or the hearing panel may establish an instalment plan for repayment of any Prize Money forfeited under this Programme and/or for payment of any costs awarded further to Article 8.5.4. The payment schedule may extend beyond any period of Ineligibility imposed upon the Player.

# 11 Consequences for Teams

The Consequences for a team entered in a Competition of the commission of an Anti-Doping Rule Violation by a Player in their capacity as a member of that team will be as set out in the rules relating to that Competition, in accordance with Code Article 11.

# 12 Sanctions against National Associations

**12.1** The ITF will require its National Associations to comply with, implement, uphold, and/or enforce this Programme (or its equivalent rules) within the National Association's area of competence, and will take such actions as it considers necessary to enforce such compliance.

# 13 Results Management: appeals

## 13.1 Decisions subject to appeal

Decisions made under this Programme may be appealed only as set out in this Article 13 or as otherwise provided in the Code or International Standards or this Programme. Such decisions will remain in effect while under appeal unless the appellate body orders otherwise.

## 13.2 Appeals from decisions regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, implementation of decisions and authority

The following decisions may be appealed as provided in Articles 13.2 to 13.9: a decision that an Anti-Doping Rule Violation has been committed; a decision imposing (or not imposing) Consequences for an Anti-Doping Rule Violation (save as provided in Article 13.4); a decision that no Anti-Doping Rule Violation has been committed; a decision that a case cannot go forward for procedural reasons (including, for example, because of prescription); a decision by WADA to grant or not to grant an exception to the six month notice requirement for a retired Player to return to competition under Article 1.4.4; a decision by WADA assigning Results Management responsibility under Code Article 7.1; a decision by the ITIA not to bring forward an Adverse Analytical Finding or an Atypical Finding or an Adverse Passport Finding as an Anti- Doping Rule Violation, or a decision not to assert an Anti-Doping Rule Violation after an investigation in accordance with the ISRM; a decision to impose (or lift) a Provisional Suspension as a result of a provisional hearing; a failure by the ITIA to comply with Article 7.12.1; a decision that the ITIA or the Independent Tribunal lacks authority to rule on an alleged Anti-Doping Rule Violation or its Consequences; a decision to suspend (or not suspend) Consequences or to reinstate (or not reinstate) Consequences under Article 10.7.1; failure to comply with Code Articles 7.1.4 and 7.1.5; failure to comply with Article 10.8.1; a decision under Article 10.14.7; a decision by the ITF/ITIA not to implement another Anti-Doping Organisation's decision in accordance with Code Article 15.1 (this appeal will be expedited); and a decision under Code Article 27.3.

### 13.2.1 Appeals involving Covered Events or Players who are International Level Players:

In cases arising from participation in a Covered Event or in cases involving International-Level Players, the decision may be appealed exclusively to CAS.

### 13.2.2 Appeals involving other Players or other Persons:

In cases where Article 13.2.1 is not applicable, the decision may be appealed to an appellate body in accordance with rules adopted by the NADO having authority over the Player or other Person. The rules for such appeal must respect the following principles: a timely hearing; a fair, impartial, Operationally Independent and Institutionally Independent hearing panel; the right to be represented by counsel at the person's own expense; and a timely, written, reasoned decision. If no such body is in place and available at the time of the appeal, the decision may be appealed to the CAS Anti-Doping Division, which will hear and determine the case in accordance with the Code-compliant anti-doping rules of the NADO, the CAS Code of Sports-related Arbitration, and the Arbitration Rules for the CAS Anti-Doping Division.

**13.2.3** Persons entitled to appeal:

**13.2.3.1** In cases under Article 13.2.1, the following parties will have the right to appeal to the CAS:

**(a)** the Player or other Person who is the subject of the decision being appealed;

**(b)** the other party to the case in which the decision was rendered;

**(c)** the ITIA (on behalf of the ITF);

**(d)** the NADO(s) of the Player's or other Person's country of residence or countries where the Player or other Person is a national or licence- holder;

**(e)** the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to (respectively) the Olympic Games or Paralympic Games, including decisions affecting eligibility for (respectively) the Olympic Games or Paralympic Games; and/or

**(f)** WADA.

**13.2.3.2** In cases under Article 13.2.2, the parties having the right to appeal will be as provided in the NADO's rules but, at a minimum, will include the following parties:

**(a)** the Player or other Person who is the subject of the decision being appealed;

**(b)** the other party to the case in which the decision was rendered;

**(c)** the ITIA (on behalf of the ITF);

**(d)** the NADO of the person's country of residence or countries where the Person is a national or licence holder;

**(e)** the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to (respectively) the Olympic Games or Paralympic Games, including decisions affecting eligibility for (respectively) the Olympic Games or Paralympic Games; and

**(f)** WADA.

Further, for cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee and the ITIA (on behalf of the ITF) will also have the right to appeal to the CAS Appeals Division with respect to the decision of the national-level appeal body (or CAS Anti-Doping Division, as applicable). Any party filing an appeal will be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organisation whose decision is being appealed and the information will be provided if CAS so directs.

## 13.3 Duty to notify

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

### 13.4 Appeal from imposition of Provisional Suspension

**13.4.1** A Player or other Person who has been Provisionally Suspended has the right to an expedited appeal in accordance with Articles 13.2 to 13.9. The Provisional Suspension will remain in effect pending the appeal.

**13.4.2** Notwithstanding Article 13.2, there will be no right to appeal a decision imposing (or not lifting) a Provisional Suspension on the ground that the violation is likely to have involved a Contaminated Product.

### 13.5 Appeals against decisions pursuant to Article 12

Decisions rendered pursuant to Article 12 may be appealed exclusively to the CAS (Appeals Division) by the National Association or other body.

### 13.6 Failure to render a timely decision

Where, in a particular case, a decision under this Programme with respect to whether an Anti-Doping Rule Violation was committed is not rendered within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if a decision finding no Anti-Doping Rule Violation had been rendered. If the CAS determines that an Anti-Doping Rule Violation was committed and that WADA acted reasonably in electing to appeal directly to the CAS, WADA's reasonable costs and legal fees in prosecuting the appeal will be reimbursed to WADA by the ITIA.

### 13.7 Appeals relating to TUEs

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

### 13.8 Time for filing appeals

**13.8.1** Appeals to CAS:

**13.8.1.1** The deadline for filing an appeal to the CAS will be 21 days from the date of receipt of the reasoned decision in question by the appealing party. Where the appellant is a party other than the ITIA, to be a

valid filing under this Article 13.8.1 a copy of the appeal must be filed on the same day with the ITIA. The foregoing notwithstanding, the following will apply in connection with appeals filed by a party that is entitled to appeal but that was not a party to the proceedings that led to the decision being appealed:

**(a)** Within 15 days from the notice of the reasoned decision, such party/ies will have the right to request a copy of the full case file from the body that issued the decision.

**(b)** If such a request is made within the 15-day period, the party making such request will have 21 days from receipt of the file to appeal to the CAS.

**13.8.1.2** Appeals by the ITIA:

The above notwithstanding, the filing deadline for an appeal or intervention filed by the ITIA will be the later of:

**(a)** 21 days after the last day on which any other party having a right to appeal (other than WADA) could have appealed; or

**(b)** 21 days after the ITIA's receipt of the complete file relating to the decision.

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

**(a)** 21 days after the last day on which any other party having a right to appeal could have appealed; and

**(b)** 21 days after WADA's receipt of the complete file relating to the decision.

**13.8.2** Appeals under Article 13.2.2:

**13.8.2.1** The time to file an appeal to an independent and

impartial body in accordance with rules established by the NADO will be indicated by the rules of the NADO.

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

**(a)** 21 days after the last day on which any other party having a right of appeal could have appealed; or

**(b)** 21 days after WADA's receipt of the complete file relating to the decision.

## 13.9 Appeal procedure

**13.9.1** Scope of review not limited:

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

**13.9.2** CAS will not defer to the findings being appealed:

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

**13.9.3** 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 the process under this Programme, WADA may appeal such decision directly to the CAS without having to exhaust any other remedies under this Programme.

**13.9.4** Cross appeals and other subsequent appeals allowed:

Cross appeals and other subsequent appeals by any respondent named in cases brought to the CAS under this

Programme 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 its answer to the appeal.

### 13.10 Notification of appeal decisions

The ITIA must promptly provide the appeal decision to the Player or other Person and to any Interested Party.

### 13.11 Publication of appeal decisions

**13.11.1** A decision on appeal that an Anti-Doping Rule Violation has been committed or that the prohibition against participation during Ineligibility or Provisional Suspension has been violated may be Publicly Disclosed immediately, and must be Publicly Disclosed within 20 days of the date of the decision. However, this mandatory Public Reporting requirement will not apply where the Player or other Person who has been found to have committed an Anti-Doping Rule Violation or to have violated the prohibition against participation during Ineligibility or Provisional Suspension is a Minor, a Protected Person, or a Recreational Athlete. Any optional Public Reporting in a case involving a Minor, a Protected Person, or a Recreational Athlete must be proportionate to the facts and circumstances of the case.

**13.11.2** A decision on appeal that an Anti-Doping Rule Violation has not been committed or that the prohibition against participation during Ineligibility or Provisional Suspension has not been violated may not be Publicly Disclosed unless the Player or other Person who is the subject of the decision consents to such disclosure. Where they do not so consent, the fact of the appeal and/or a summary of the decision may be Publicly Disclosed, provided that what is disclosed does not identify the Player or other Person.

## 14 Confidentiality and reporting

### 14.1 Notice of Anti-Doping Rule Violations

**14.1.1** Notice to Players or other Persons of Anti-Doping Rule Violations asserted against them will occur as provided under Articles 7 and 14.

**14.1.2** If at any point during Results Management up until the issue of

a Charge Letter, the ITIA decides not to move forward with a matter, it must notify the Player or other Person (if the Player or other Person had already been informed of the ongoing Results Management).

**14.1.3** Subject strictly to Article 14.4, (a) the ITIA will send copies of any notices sent to a Player as part of the management of an apparent Whereabouts Failure to the ATP or WTA (as applicable); and (b) the ITIA will send a copy of any Notice and Charge Letter to each Interested Party, and will thereafter keep each of them informed in relation to the status of the case under Article 8. WADA and the NADO of the Player or other Person (and, as applicable, the ATP or WTA and/or Grand Slam Board) will keep the contents of the Charge Letter, and any further information supplied to them pursuant to this Article 14.1.3, as well as any information they obtain by attending a hearing in accordance with Article 8.4.6, strictly confidential unless and until a decision that an Anti-Doping Rule Violation has been committed is published pursuant to Article 8.6; provided that, if the decision exonerates the Player or other Person, that confidentiality will be strictly maintained unless and until the decision is overturned on appeal.

## 14.2 Content of an Anti-Doping Rule Violation Notice

**14.2.1** Notice of an Anti-Doping Rule Violation under Article 2.1 will include: the Player's or other Person's name, country, sport and discipline within the sport, the Player'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 ISTI and ISRM.

**14.2.2** Notice of Anti-Doping Rule Violations other than under Article 2.1 will include the Player's or other Person's name, country, sport and discipline within the sport, the Player's competitive level, the rule violated, and the basis of the asserted violation.

## 14.3 Status reports

Except with respect to investigations that have not resulted in a Notice of an Anti-Doping Rule Violation, the Player's or other Person's NADO and WADA will be regularly updated on the status and findings of any review or proceedings conducted by the ITIA pursuant to Article 7, Article 8 or

Article 13 and will be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

## 14.4 Confidentiality

**14.4.1** The ITIA will use its reasonable endeavours to ensure that Persons under its control do not publicly identify Players or other Persons whose Samples have resulted in Adverse Analytical Findings or Atypical Findings, or Atypical Passport Findings or Adverse Passport Findings, or are alleged to have committed an Anti-Doping Rule Violation under this Programme, unless and until a Provisional Suspension has been imposed or accepted, or a charge has been Publicly Disclosed further to Article 7.13.4, or an Independent Tribunal has determined that an Anti-Doping Rule Violation has been committed, and/or the Anti-Doping Rule Violation has been admitted.

**14.4.2** The ITIA will ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and Delegated Third Parties are subject to a fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorised disclosure of such confidential information.

**14.4.3** The ITIA in its discretion may at any time disclose to other organisations such information as the ITIA may consider necessary or appropriate to facilitate administration or enforcement of this Programme (including, without limitation, National Associations selecting teams for the Davis Cup or the Billie Jean King Cup), provided that each organisation provides assurance satisfactory to the ITIA that the organisation will maintain all such information in confidence. The ITIA will not comment publicly on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the Player or other Person or their representatives.

## 14.5 Statistical reporting

The ITIA will publish at least annually a general statistical report of its Doping Control activities, and provide a copy to WADA. The ITIA may also publish reports showing the name of each Player tested, frequency with which they have been tested, the date of each Testing, the numbers

of tests conducted on Players within certain ranking groups or categories; and the identity of Events where Testing has been carried out.

## 14.6 Doping Control information database and monitoring of compliance

**14.6.1** To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable Doping Control information among Anti-Doping Organisations, the ITIA will report to WADA, through ADAMS, Doping Control-related information as required under the applicable International Standard(s), including, in particular:

**14.6.1.1** Athlete Biological Passport data for Players;

**14.6.1.2** whereabouts information for Players;

**14.6.1.3** TUE decisions; and

**14.6.1.4** Results Management decisions.

**14.6.2** To facilitate coordinated test distribution planning, to avoid unnecessary duplication in Testing by different Anti-Doping Organisations, and to ensure that Athlete Biological Passport profiles are updated, the ITIA will report all In-Competition and Out-of-Competition tests to WADA by entering the Doping Control forms into ADAMS in accordance with the requirements and timelines contained in the ISTI.

**14.6.3** To facilitate WADA's oversight and appeal rights for TUEs, the ITIA will report all TUE applications, decisions, and supporting documentation using ADAMS in accordance with the requirements and timelines contained in the ISTUE.

**14.6.4** To facilitate WADA's oversight and appeal rights for Results Management, the ITIA will report the following information into ADAMS in accordance with the requirements and timelines outlined in the ISRM: (a) notifications of Anti-Doping Rule Violations and related decisions for Adverse Analytical Findings; (b) notifications and related decisions for other Anti-Doping Rule Violations that are not Adverse Analytical Findings; (c) Whereabouts Failures; and (d) any decision imposing, lifting, or reinstating a Provisional Suspension.

**14.6.5** The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the Player, the Player's NADO, and any other Anti-Doping Organisations with Testing authority over the Player.

### 14.7 Data privacy

**14.7.1** The ITF/ITIA may collect, store, process, and/or disclose personal information relating to Players and other Persons where necessary and appropriate to conduct its Anti-Doping Activities under the Code, the International Standards (including specifically the ISPPPI), and/or this Programme, and in compliance with applicable law.

**14.7.2** Without limiting the foregoing, the ITIA will:

**14.7.2.1** only process personal information in accordance with a valid legal ground;

**14.7.2.2** notify any Player or other Person subject to this Programme, in a manner and form that complies with applicable laws and the ISPPPI, that their personal information may be processed by the ITF/ITIA and other Persons for the purpose of the implementation of this Programme; and

**14.7.2.3** ensure that any third party agents (including any Delegated Third Party) with whom the ITIA shares the personal information of any Player or other Person is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

## 15 Implementation of decisions

### 15.1 Automatic binding effect of decisions by Signatory Anti-Doping Organisations

**15.1.1** A decision in relation to an Anti-Doping Rule Violation or in relation to a violation of the prohibition against participation during Ineligibility that is made by an Anti-Doping Organisation, or by a hearing panel or appeal panel or CAS will, after the parties to the proceeding have been notified, be binding

automatically beyond the parties to the proceeding on the ITF, the ITIA, National Associations, the ATP, the WTA, and the Grand Slam Board as well as every Signatory in every sport with the effects described below:

**15.1.1.1** A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Player or other Person has either accepted the Provisional Suspension or has waived the right to a Provisional Hearing, expedited hearing or expedited appeal offered in accordance with Article 7.12.8) automatically prohibits the Player or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory during the Provisional Suspension.

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

**15.1.1.3** A decision by any of the above-described bodies accepting an Anti-Doping Rule Violation automatically binds all Signatories.

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

**15.1.2** Each of the ITF, the ITIA, National Associations, the ATP, the WTA, and the Grand Slam Board will recognise and implement a decision and its effects as required by Article 15.1.1 on the date that it receives actual notice of the decision.

***[Comment to Article 15.1.2**: This may include notifying the decision to Persons with a need to know, in accordance with Article 14.1.5 of the World Anti-Doping Code.]*

**15.1.3** A decision by an Anti-Doping Organisation, an appeal panel or

CAS to suspend or lift Consequences will be binding on each of the ITF, the ITIA, National Associations, the ATP, the WTA, and the Grand Slam Board on the date that that entity receives actual notice of the decision.

**15.1.4** Notwithstanding any provision in Article 15.1.1, however, a decision in relation to an Anti-Doping Rule Violation by a Major Event Organisation made in an expedited process during an Event will not be binding on the ITF, the ITIA, National Associations, the ATP, the WTA, and the Grand Slam Board unless the rules of the Major Event Organisation provide the Player or other Person with an opportunity to appeal under non-expedited procedures.

### 15.2 Implementation of other decisions by Anti-Doping Organisations

The ITIA (on behalf of the ITF) may implement decisions rendered by Anti-Doping Organisations that are not listed in Article 15.1, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Player or other Person. Any decisions so implemented by the ITIA will bind the ITF, National Associations, the ATP, the WTA, and the Grand Slam Board.

### 15.3 Implementation of decisions by a body that is not a Signatory

A decision by a body that is not a Signatory must be implemented by the ITF, the ITIA, National Associations, the ATP, the WTA, and the Grand Slam Board if the ITIA determines that the decision appears to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the Code.

## 16 Statute of limitations

Notwithstanding any other provision of this Programme, no charge may be brought against a Player or other Person in respect of an Anti-Doping Rule Violation unless they have been given the Notice of the Anti- Doping Rule Violation referenced in Article 7.10, or notification has been reasonably attempted, within ten years of the date that the Anti-Doping Rule Violation is asserted to have occurred.

## 17 Compliance reports

The ITIA will report to WADA on the ITF's compliance with the Code in accordance with Code Article 24 and the International Standard for Code Compliance by Signatories.

# 18 Education

The ITIA will plan, implement, evaluate, and promote Education in line with the requirements of Code Article 18.2 and the International Standard for Education.

# 19 Interpretation of the Code

**19.1** The official text of the Code will be maintained by WADA and published in English and French. In the event of any conflict between the English and French versions, the English version will prevail.

**19.2** The comments annotating various provisions of the Code will be used to interpret the Code.

**19.3** The Code must be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the Signatories or governments.

**19.4** The headings used for the various Parts and Articles of the Code are for convenience only and will 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.

**19.5** Where the term 'days' is used in the Code or an International Standard, it means calendar days unless otherwise specified.

**19.6** The Purpose, Scope, and Organisation of the World Anti-Doping Program and the Code and Appendix 1, Definitions, are integral parts of the Code.

# Appendix 1: Definitions

ABP Documentation Package. The material produced by the APMU to support an Adverse Passport Finding, such as, but not limited to, analytical data, Expert Panel comments, evidence of confounding factors, as well as other relevant supporting information.

ABP Programme. The programme and methods of gathering and collating biological Markers on a longitudinal basis to facilitate indirect detection of the Use of Prohibited Substances and Prohibited Methods.

ABP Testing. The collection, transportation, and analysis of Samples as part of the ABP Programme.

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 does 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 does not include actions involving Prohibited Substances that 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 ISL, establishes in a Sample the presence of a Prohibited Substance or any of its Metabolites or Markers or evidence of the Use of a Prohibited Method.

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

Aggravating Circumstances. Circumstances involving, or actions by, a Player or other Person that may justify the imposition of a period of Ineligibility greater than the standard sanction. Such circumstances and actions include, but are not limited to: the Player or other Person Used or Possessed multiple Prohibited Substances or Prohibited Methods, Used or Possessed a Prohibited Substance or Prohibited

Method on multiple occasions, or committed multiple other Anti-Doping Rule Violations; a normal individual would be likely to enjoy the performance-enhancing effects of the Anti-Doping Rule Violation(s) beyond the otherwise applicable period of Ineligibility; the Player or other Person engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an Anti-Doping Rule Violation; or the Player or other Person engaged in Tampering during Results Management. For the avoidance of doubt, these examples are not exhaustive, and other similar circumstances or conduct may also justify the imposition of a longer period of Ineligibility.

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

Anti-Doping Organisation. WADA or a Signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other Major Event Organisations that conduct Testing at their Events, International Federations, and NADOs.

*[**Comment to Anti-Doping Organisation**: Depending on the context, a reference in the Programme to an Anti-Doping Organisation may also include a Delegated Third Party acting on behalf of that Anti-Doping Organisation.]*

Anti-Doping Rule Violation. As defined in Article 2.

Athlete Biological Passport (or ABP). The programme and methods of gathering and collating data as described in the ISTI and the ISL.

Athlete Passport Management Unit (or APMU). As defined in Article 5.5.2.

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, that there will be no Anti-Doping Rule Violation based solely on an Attempt to commit an Anti-Doping Rule Violation if the Player or other 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 that requires further investigation as provided in the ISL 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 in Lausanne, Switzerland. Charge Letter. The letter described in Article 7.13.

Code. The World Anti-Doping Code.

Competition. A single race, match, game or other sport contest. In tennis specifically, any stand-alone competition held as part of an Event, such as a singles competition or a doubles or mixed doubles competition.

Consequences. A Player's or other Person's Anti-Doping Rule Violation may result in one or more of the following:

a) Disqualification means the Player's results in a particular Competition or Event are invalidated, with all resulting consequences, including forfeiture of any medals, titles, ranking points, and Prize Money;

b) Ineligibility means the Player or other Person is barred on account of an Anti-Doping Rule Violation for a specified period of time from participating in any Competition, Event or other activity or funding, in accordance with Article 10.14;

c) Provisional Suspension means the Player or other Person is barred temporarily from participating in any Competition, Event or other activity in accordance with Article 10.14;

d) Financial Consequences means a financial sanction imposed in accordance with Article 10.12; and

e) Public Disclosure (or to Publicly Disclose) means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification under the provisions of this Programme.

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.

Covered Event(s). The Grand Slam tournaments, Davis Cup, Billie Jean King Cup,

Hopman Cup, the Olympic Tennis event, the Paralympic Tennis event, other IOC-recognised International Events, WTA tournaments and WTA Finals and ATP Tour tournaments and ATP Finals, ATP Cup, Next Gen ATP Finals, ATP Challenger Tour tournaments, United Cup, ITF World Tennis Tour events, ITF World Tennis Tour Juniors events, ITF World Tennis Masters Tour events, ITF Wheelchair events, and ITF Beach Tennis Tour events.

Decision Limit. The value of the result for a threshold substance in a Sample above which an Adverse Analytical Finding will be reported, as defined in the ISL.

Delegated Third Party. Any Person to which the ITF, the ITIA on behalf of the ITF, or any other Anti-Doping Organisation delegates any aspect of Doping Control or anti-doping Education programmes including, but not limited to, Doping Control personnel, as well as third parties or other Anti-Doping Organisations that conduct Sample collection or other Doping Control services or anti-doping Educational programs on behalf of the ITF, the ITIA, or other Anti-Doping Organisation. This definition does not include the CAS.

Demand. As defined in Article 5.7.3.1. Disqualification. See definition of Consequences.

Doping Control. All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of Consequences, including all steps and processes in between, including (but not limited to) Testing, investigations, whereabouts, TUEs, Sample collection and handling, laboratory analysis, Results Management, and investigations or proceedings relating to violations of Article 10.14 (status during Ineligibility or Provisional Suspension).

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

Effective Date. As defined in Article 1.5.

Event. A series of individual Competitions conducted together under one organising, ruling body.

Event Period. The period deemed to start at the same time as the In- Competition Period and to end at midnight on the day of the last match played in the Event.

Event Venue. The area that is the greater of (a) the city in which the Event takes place; and (b) the area within a twenty-mile radius of the venue of the Event.

Expert Panel. Suitably-qualified experts chosen by the ITIA and/or APMU to

evaluate Athlete Biological Passports in accordance with the ISRM.

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 a Player's or other Person's degree of Fault include, for example, the Player's or other Person's experience, whether the Player or other Person is a Protected Person, special considerations such as impairment, the degree of risk that should have been perceived by the Player and the level of care and investigation exercised by the Player in relation to what should have been the perceived level of risk. In assessing the Player's or other Person's degree of Fault, the circumstances considered must be specific and relevant to explain the Player's or other Person's departure from the expected standard of behaviour. Thus, for example, the fact that a Player would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Player only has a short time left in their career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.6.1 or 10.6.2.

Filing Failure. As defined in the ISRM.

In-Competition. The period(s) so described in Article 5.3.3. In-Competition Dates. As defined in Article 5.4.2.3.

In-Competition Period. As defined in Article 5.3.3.

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

Independent Panel. A panel of lawyers, medical, and/or technical experts, and/or other suitably qualified persons with experience in anti-doping, from whom a person designated as Chair of the Independent Panel will select one or more persons (which may include themselves) to sit as an Independent Tribunal to hear and determine particular matters arising under the Programme, in accordance with Article 8.1. Each person on the Independent Panel must be independent of the parties to the matter (the ITIA may provide reasonable compensation and reimbursement of expenses to such persons for the time they spend and the expenses they incur in sitting as a member of an Independent Tribunal under the Programme).

Independent Tribunal. An independent and impartial tribunal of three persons (subject to Article 8.3.2.1) appointed by the Chair of the Independent Panel to hear and determine matters arising under the Programme.

Ineligibility. See definition of Consequences.

Institutional Independence. Hearing panels on appeal must be fully independent institutionally from the Anti-Doping Organisation responsible for Results Management, meaning that they must not in any way be administered by, connected or subject to that Anti-Doping Organisation.

Interested Party. The ITF, the Player or other Person's NADO, WADA, the ATP or WTA (if the Player has an ATP or WTA ranking), the Grand Slam Board (where the Anti-Doping Rule Violation in issue is based on an Adverse Analytical Finding from a sample collected at a Grand Slam event), and any other Anti-Doping Organisation that has a right to appeal the decision in question under Article 13.2.

International Event. An Event or Competition where the International Olympic Committee, the International Paralympic Committee, an international federation, a Major Event Organisation or another international sport organisation is the ruling body for the Event or appoints the technical officials for the Event. In respect of the ITF, an Event is an International Event if it is a Covered Event.

International-Level Player. Any Player who enters or participates in more than one Covered Event (whether in qualifying or in main draw).

International Registered Testing Pool. As defined in Article 5.4.2.1.

International Standard. A standard adopted by WADA in support of the Code. International Standards include any Technical Documents issued pursuant to the International Standard.

International Standard for Education. The International Standard of the same name adopted by WADA in support of the Code, which is available on WADA's website (wada-ama.org).

International Standard for Laboratories (ISL). The International Standard of the same name adopted by WADA in support of the Code, which is available on WADA's website (wada-ama.org).

International Standard for the Protection of Privacy and Personal Information (ISPPPI). The International Standard of the same name adopted by WADA in support of the Code, which is available on WADA's website (wada-ama.org).

International Standard for Results Management (ISRM). The International Standard of the same name adopted by WADA in support of the Code, which is available on WADA's website (wada-ama.org) and in the Appendices to this Programme.

International Standard for Testing and Investigations (ISTI). The International Standard of the same name adopted by WADA in support of the Code, which is available on WADA's website (wada-ama.org) and in the Appendices to this Programme.

International Standard for Therapeutic Use Exemptions (ISTUE). The International Standard of the same name adopted by WADA in support of the Code, which is available on WADA's website (wada-ama.org) and in the Appendices to this Programme.

ITF. References to the ITF shall mean ITF Limited (t/a the International Tennis Federation) and/or ITF Licensing (UK) Limited/World Tennis and/or their designees.

ITIA. The International Tennis Integrity Agency and/or its designees.

ITIA Senior Director, Anti-Doping. An appointee of the ITIA with supervisory responsibilities in relation to the Programme.

Major Event Organisation. The continental associations of National Olympic Committees and other international multi-sport organisations 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 under the age of 18.

Missed Test. As defined in the ISRM.

National Anti-Doping Organization (or NADO). The entity designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, manage test results, and conduct Results Management at the national level. If this designation has not been made by the competent public authority(ies), the entity will be the country's National Olympic Committee or its designee.

National Association. A national or regional entity that is a member of the ITF or is recognised by the ITF as the entity governing the sport of tennis in that nation or region.

National-Level Player. Players who compete in sport at the national level, as defined by each NADO, consistent with the ISTI.

National Olympic Committee. The organisation recognised by the International Olympic Committee. The term 'National Olympic Committee' will 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.

National Registered Testing Pool. A pool of athletes established by a NADO in exercise of its powers under the ISTI, triggering whereabouts obligations on the part of those athletes.

No Fault or Negligence. The Player or other Person establishing that they did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that they had Used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an anti- doping rule. Except in the case of a Protected Person or Recreational Athlete, for any violation of Article 2.1 the Player must also establish how the Prohibited Substance entered their system.

No Significant Fault or Negligence. The Player or other Person establishing that their 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 relation to the Anti-Doping Rule Violation. Except in the case of a Protected Person or Recreational Athlete, for any violation of Article 2.1 the Player must also establish how the Prohibited Substance entered their system.

Notice. See definition in Article 7.10.

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

Out-of-Competition. The period(s) described in Article 5.4.1.

Person. A natural person or an organisation or other entity.

Player. Any player subject to the Programme as set out in Article 1.2.6. Player's Nominated Address. As defined in Article 1.3.1.11.

Player Support Person. Any coach, trainer, manager, agent, team staff, official, nutritionist, medical or paramedical personnel, parent or any other Person working with, treating or assisting a Player who is participating in or preparing for sports Competition.

Possession. The actual, physical possession, or constructive possession (which will 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 or intends to exercise control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive possession will only be found if the Person knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, that there will 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 Organisation. 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.

Prize Money. All of the consideration provided by the organiser of a Competition as a reward for performance in the Competition, whether monetary (i.e. cash) or non-monetary (e.g. a trophy, vehicle or other prize). Where the reward is attributable to performance as part of a team, the rules of the Competition may provide for how much of the reward is to be allocated to a Player for purposes of forfeiture under the Programme. Such rules will be without prejudice to the provisions of Article 9 with respect to doubles Prize Money. Any Prize Money forfeited must be repaid without deducting tax paid by or on behalf of the Player, unless the Player shows by means of independent and verifiable evidence that such tax has been paid and is not recoverable by the Player.

Programme. As defined in Article 1.1.1.

Prohibited List. The list issued by WADA identifying the Prohibited Substances and Prohibited Methods.

Prohibited Method. Any method so described on the Prohibited List.

Prohibited Substance. Any substance, or class of substances, so described on the Prohibited List.

Protected Person. A Player or other natural Person who at the time of the Anti-Doping Rule Violation: (i) has not reached the age of 16; or (ii) has not reached the age of 18 and is not included in any Registered Testing Pool and has never competed in any International Event in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national law.

Provisional Hearing. An expedited abbreviated hearing, occurring prior to a full merits hearing under Article 8, that provides the Player with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension. See definition of Consequences.

Public Disclosure (or to Publicly Disclose). See definition of Consequences.

Recreational Athlete. A natural Person who is so defined by the relevant NADO; provided, however, the term does not include any Person who, within the five years prior to committing any Anti-Doping Rule Violation, has been an International-Level Player (as defined by each International Federation consistent with the ISTI) or National-Level Player (as defined by each NADO consistent with the ISTI), has represented any country in an International Event in an open category or has been included within any Registered Testing Pool or other whereabouts information pool maintained by any International Federation or NADO.

Registered Testing Pool. The pool of highest-priority athletes established separately at the international level by International Federations and at the national level by NADOs, who are subject to focused In-Competition and Out- of-Competition Testing as part of that International Federation's or NADO's test distribution plan and therefore are required to provide whereabouts information.

Results Management. The process encompassing the timeframe between notification as per ISRM Article 5, or in certain cases (e.g., Atypical Finding, Adverse Passport Findings, Whereabouts Failures), such pre-notification steps expressly provided for in ISRM Article 5, through the sending of the Charge Letter and until the final resolution of the matter, including the end of the hearing process at first instance and on appeal (if an appeal was lodged).

Review Board. A standing panel appointed by the ITIA, consisting of persons with medical, technical, and/or legal experience in anti-doping, to perform the functions assigned to the Review Board in the Programme. Further persons may be co-opted onto the Review Board on a case-by-case basis, where there is a need for their specific expertise and/or experience.

Sample or Specimen. Any biological material collected for the purposes of Doping Control. The terms 'A Sample' and 'B Sample' will have the meanings ascribed to them in the ISTI. Biological material collected for other purposes (e.g. DNA collected as part of an investigation for identification purposes) will not be considered a 'Sample' (and so will not be subject to Article 6 for purposes of this Programme).

Signatories. Those entities signing the Code and agreeing to implement the Code and the International Standards, as provided in Code Article 23.

Specified Methods. As defined in Article 4.2.2. Specified Substances. As defined in Article 4.2.2.

Substantial Assistance. For purposes of Article 10.7.1, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement or recorded interview all information that they possess in relation to Anti-Doping Rule Violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including (for example) by presenting testimony at a hearing if requested to do so by the ITIA or other Anti-Doping Organisation or the hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding that is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

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

Target Testing. Selection of specific Players for Testing based on criteria set out in the ISTI.

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

Tennis Anti-Doping Programme Portal. The online portal available at

tennis.idtm.se/.

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

Therapeutic Use Exemption (TUE). A Therapeutic Use Exemption allows a Player with a medical condition to Use a Prohibited Substance or Prohibited Method, but only if the conditions set out in the ISTUE are met.

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 a Player, Player Support Person or any other Person subject to the authority of an Anti- Doping Organisation to any third party; provided, however, that this definition does not include (a) the actions of bona fide medical personnel involving a Prohibited Substance Used for genuine and legal therapeutic purposes or other acceptable justification; or (b) actions involving Prohibited Substances that are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such Prohibited Substances were not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

TUE Committee. A panel appointed by the ITIA and composed of at least three physicians with experience in the care and treatment of Players and a sound knowledge of clinical and exercise medicine. In all cases involving a Player with a disability, one of the physicians must have experience with the care and treatment of Players with disabilities. The ITIA may also delegate the appointment of the panel to the International Testing Agency (ITA) or other suitably qualified body.

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

WADA. The World Anti-Doping Agency.

Whereabouts Failure. A Filing Failure or a Missed Test, as those terms are defined in the ISRM.

Without Prejudice Agreement. For purposes of Articles 10.7.1.2 and 10.8.2.2, a written agreement between the ITIA (or other an Anti-Doping Organisation) and a Player or other Person that allows the Player or other Person to provide information to the ITIA (or other Anti-Doping Organisation) in a defined time- limited setting with the understanding that if an agreement for Substantial Assistance or a case resolution agreement is not finalised, the information provided by the Player or other Person in this particular setting may not be used by the ITIA (or other Anti-

Doping Organisation) against the Player or other Person in any Results Management proceeding under the Code, and that the information provided by the ITIA (or other Anti-Doping Organisation) may not be used by the Player or other Person against the ITIA (or other Anti- Doping Organisation) in any Results Management proceeding under the Code. Such an agreement will not preclude the ITIA (or other Anti-Doping Organisation), Player or other Person from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.

# Appendix 2: Tennis Testing Protocols

The following protocols are designed to supplement the International Standard for Testing and Investigations (ISTI) as necessary to reflect the specificities of tennis. They are not intended to amend or contradict the International Standard for Testing and Investigations. In the event of any conflict between these protocols and the International Standard for Testing and Investigations, the latter will prevail.

## 1. Collection of urine Samples

1.1. If a Sample collected from a Player does not have a Suitable Specific Gravity for Analysis (as defined in the International Standard for Testing and Investigations), the Doping Control Officer (**DCO**) will inform the Player that they are required to provide a further Sample or Samples, until a Sample that has a Suitable Specific Gravity for Analysis is provided. (See ISTI Annex F). To facilitate this, the Player should fully void their bladder when providing a Sample, and any further Sample should not be collected for at least one hour after the previous Sample was collected. In the meantime, the Player should not hydrate (i.e., intake liquid) (unless necessary to avoid or treat dehydration) as this may delay production of a suitable Sample.

## 2. Collection of blood Samples

2.1. Prior to providing a blood Sample (see ISTI Annex D), the Player must sit down in a normal seated position (not lie down), with their feet on the floor, for at least ten minutes.

2.2. A blood Sample collected as part of Athlete Biological Passport (ABP) Testing will not be collected within two hours of the Player training or competing. If the Player has trained or competed within two hours of the time that the Player is notified of their selection for such Sample collection, the DCO or a Chaperone will observe the Player continuously (and the Player must cooperate to facilitate such continuous observation) until the two hour period has elapsed, and then the Sample will be collected.

## 3. Collection of urine Samples and/or blood Samples

3.1. In addition to the Player, the persons authorised to be present during the Sample collection session are:

a. The DCO and their assistant(s).

b. The persons identified at ISTI Article 6.3.3.

c. The ITIA Senior Director, Anti-Doping and/or their designee(s).

3.2. No photography or audio or video recording of the Sample collection session is permitted. Instead, the Doping Control Form will be the definitive record of the Sample collection session, and any comments regarding the Sample collection session must be recorded on the Doping Control Form. A Player may not make their participation in a Sample collection session conditional upon being permitted to photograph or record the session. Where a Player or other Person insists on photographing or recording the session in violation of this provision, then (subject to the review in accordance with Article 7.8) a case may be brought against the Player or other Person under Article 7.15. Where the conduct of the Player or other Person results in the Sample collection session being discontinued, then (subject to the review in accordance with Article 7.8) a case may be brought against the Player and/or other Person (on its own or in the alternative) for an Anti-Doping Rule Violation under Article 2.3 and/or Article 2.5. For the avoidance of doubt, any conduct by a Player Support Person or other member of the Player's entourage in relation to a Sample collection session may in appropriate circumstances be imputed to the Player for these purposes.

## 4. Storage of Samples and Sample collection documentation

4.1. Storage of Samples (ISTI Article 8.3.1):

a. The DCO is responsible for ensuring that all Samples are stored in a manner that protects their identity, integrity and security.

b. The DCO must keep the Samples secured and under their control until the Samples are passed to a third party (e.g., the laboratory, or a courier to take them to the laboratory). Samples collected at an Event must not be left unattended, unless they are locked away in a refrigerator or cupboard or in a secure area only accessible to authorised personnel, for example. In the absence of a secure area where the Samples may be left, the DCO must keep the Samples under their control. Access to Samples must be restricted at all times to authorised personnel.

c. Where possible, Samples will be stored in a cool environment. Warm conditions should be avoided.

4.2. Secure handling of Sample collection documentation (ISTI Article 8.3.2):

a. The DCO is responsible for ensuring that the Sample collection documentation for each Sample is securely handled after completion.

b. Those parts of the Sample collection documentation that identify the Player or could be used to identify the Player that provided a particular Sample must be kept separately from the Samples themselves. Where a separate secure storage site is available at the collection site (lockable and/or accessible only by authorised personnel), the documentation may be stored there. Otherwise, it will be kept by the DCO and taken away from the site overnight.

# APPENDIX THREE

THE 2026 PROHIBITED LIST

# APPENDIX FOUR

INTERNATIONAL STANDARD FOR THERAPEUTIC USE EXEMPTIONS (ISTUE)

# APPENDIX FIVE

INTERNATIONAL STANDARD FOR TESTING AND INVESTIGATIONS (ISTI)

# APPENDIX SIX

INTERNATIONAL STANDARD FOR RESULTS MANAGEMENT (ISRM)

# APPENDIX SEVEN

## DEFAULT TADP PROCEDURAL ORDER

Subject to any Procedural Order issued by the Chair of the Independent Tribunal in a particular case, the following Procedural Order shall apply by default to all Notices of Charge issued under the Programme:

1. By midnight (London time) within four weeks of the Player/Person's response (or their deadline to respond, if they do not respond) to the Notice of Charge, the ITIA/Player/Player[5] Support Personnel/other Person shall submit its written submissions and evidence (including witness statements from each fact and expert witness, together with documents on which they rely) in respect of the Charge and the dates they (and their counsel and/or experts or witnesses) are available for a hearing (the "Brief"), as set out in Article 8.3.2.5(a) or Article 8.3.2.6(a) TADP Procedural Rules respectively.

2. By midnight (London time) four weeks after the submissions at paragraph 1 above, the other party shall submit their answer submissions and evidence (including witness statements from each fact and expert witness, together with documents on which they rely) in respect of the Charge and the dates they (and their counsel and/or experts or witnesses) are available for a hearing (the "Answer Brief"), as set out in Article 8.3.2.5(b) or Article 8.3.2.6(b) TADP Procedural Rules respectively.

3. By midnight (London time) two weeks after the submissions at paragraph 2 above (if permitted under 8.3.2.5(c)), the party which made the initial submissions shall submit its reply submissions and evidence (including witness statements from each fact and expert witness, together with documents on which they rely). The response submissions shall not, save with the permission of the Independent Tribunal, raise any new matters not previously raised by the other party (the "Reply Brief").

4. Evidence may not be filed outside of the timelines in paragraphs 1-3 save with the permission of the Independent Tribunal with good reason and where there is time for the other party to reply.

5. A hearing will be held on the first available date after the date referred to at paragraph 3 (if practicable, within four weeks), ordinarily in London or by video conference as determined by the Independent Tribunal. As per Article 8.4.3.3 TADP, the hearing will be conducted in English.

6. The ITIA shall prepare an electronic bundle (which shall be paginated and

[5] As per Article 8.3.2.5 TADP if the Player/Player Support Personnel or other Person disputes the Charge, the ITIA will provide submissions first. As per Article 8.3.2.6 TADP if the Player/Player Support Personnel or other Person admits the Charge, they will provide submissions first.

hyperlinked), in relation to which agreement shall be sought at least ten days before the hearing date and, in any event, shall be sent to the Player/Player Support Personnel/other Person and Independent Tribunal at least seven days before the hearing date.

7. All documents and correspondence shall be filed with the Case Secretariat at Sport Resolutions with a simultaneous copy to the other party.

8. Each party may apply (on notice) to vary these Directions. Applications to vary these Directions shall specify the reasons for the variation. For example (without limitation), if additional time is requested for further investigation into the source and/or to conduct further scientific tests, the application shall specify the details of the precise steps to be undertaken, the rationale and estimated time required. Extensions will ordinarily not be granted for more than two weeks, however additional extensions up to two weeks can be granted where the applicant demonstrates that the circumstances so warrant.