

21. ANTI-DOPING CODE

INTRODUCTION

Preface

At the ISAF Mid-Year Meeting held on 25 May 2003 in Oslo, Norway, the International Sailing Federation (ISAF) accepted the World Anti-Doping Code (the "Code"). These Anti-Doping Rules are adopted and implemented in conformance with ISAF's responsibilities under the "Code", and are in furtherance of ISAF's continuing efforts to eradicate doping in the sport of sailing. Anti-Doping Rules, like *competition* rules, are sport rules governing the conditions under which sport is played. *Athletes* accept these rules as a condition of participation. Anti-Doping Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the "Code" and implemented in these Anti-Doping Rules represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.

Fundamental Rationale for the "Code" and ISAF's Anti-Doping Rules

Anti-doping programmes seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized

by the following values:

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

Doping is fundamentally contrary to the spirit of sport.

Scope

These Anti-Doping Rules shall apply to ISAF, each *Member National Authority* (MNA) of ISAF, and each *participant* in the activities of ISAF or any of its MNA's by virtue of the *participant's*

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membership, accreditation, or participation in ISAF, its MNA's, or their activities or *events*. Any

person who is not a member of a MNA and who fulfills the requirements to be part of the ISAF

registered testing pool, must become a member of the *person's* MNA, and must make himself or

herself available for *testing*, at least twelve months before participating in *international events* or events of his/her MNA.

It is the responsibility of each MNA to ensure that all national-level *testing* on the MNA's complies

with these Anti-Doping Rules. In some cases, the MNA will be conducting the *doping control* described in these Anti-Doping Rules. In other countries, many of the *doping control* responsibilities of the MNA have been delegated or assigned by statute to a *National Anti-Doping*

Organization. In those countries, references in these Anti-Doping Rules to the MNA shall apply, as

applicable, to the MNA's *National Anti-Doping Organization*.

These Anti-Doping Rules shall apply to all *doping controls* over which ISAF and its MNA's have jurisdiction.

Doping control is administered in order to uphold the requirement of RRS Fundamental Rule 5.

DEFINITIONS

Adverse Analytical Finding

A report from a laboratory or other approved *testing* entity that identifies in a *specimen* the presence of a *prohibited substance* or its *metabolites* or *markers* (including elevated quantities of

endogenous substances) or evidence of the *use* of a *prohibited method*.

Anti-Doping Organization

A *signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of

the *doping control* process. This includes, for example, the International Olympic Committee, the

International Paralympic Committee, other *Major Event Organizations* that conduct *testing* at their

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

Athlete

For purposes of *doping control*, any *person* who participates in sport at the *international-level* (as

defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *person* who participates in sport at a lower level if

designated by the *person's National Anti-Doping Organization*. For purposes of anti-doping information and education, any *person* who participates in sport under the authority of any

signatory, government, or other sports organization accepting the "*Code*".

Athlete Support Personnel

Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working

with or treating *athletes* participating in or preparing for sports *competition*.

Attempt

Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to

culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no

anti-doping rule violation based solely on an *attempt* to commit a violation if the *person* renounces

the *attempt* prior to it being discovered by a third party not involved in the *attempt*.

"Code"

The World Anti-Doping Code.

Competition

A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-metre dash. For stage races and other athletic contests where prizes are awarded on a daily

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or other interim basis the distinction between a *competition* and an *event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rules Violations

An *athlete's* or other *person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *athlete's* results in a particular *competition* or *event* are

invalidated, with all resulting consequences including forfeiture of any medals, points and prizes;

(b) *Ineligibility* means the *athlete* or other *person* is barred for a specified period of time from participating in any *competition* or other activity or funding as provided in Regulation 21.10.8 (Status During *Ineligibility*); and (c) *Provisional Suspension* means the *athlete* or other *person* is

barred temporarily from participating in any *competition* prior to the final decision at a hearing conducted under Regulation 21.8 through 21.8.6 (Right to a Fair Hearing).

Disqualification

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

Doping Control

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

Event

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

In-Competition

For purposes of differentiating between *In-Competition* and *Out-of-Competition testing*, *In-Competition* is defined as that period of time between the scheduled time of the warning signal of the first race of the event, up to the closure of protest time following the final race of the event.

Independent Observer Programme

A team of observers, under the supervision of WADA, who observe the *doping control* process at certain *events* and report on observations. If WADA is *testing In-Competition* at an *event*, the observers shall be supervised by an independent organization.

Ineligibility

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

International Event

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

International-Level Athlete

Athletes designated by one or more International Federations as being within the *registered testing*

pool for an International Federation.

International Standard

A standard adopted by WADA in support of the "Code". Compliance with an *international standard*

(as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude

that the procedures addressed by the *international standard* were performed properly.

Major Event Organizations

This term refers to the continental associations of National Olympic Committees and other international multi-sport organizations that function as the ruling body for any continental, regional

or other International event.

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Marker

A compound, group of compounds or biological parameters that indicates the *use* of a *prohibited*

substance or *prohibited method*.

Metabolite

Any substance produced by a biotransformation process.

Minor

A natural *person* who has not reached the age of majority as established by the applicable laws of

his or her country of residence.

National Anti-Doping Organization

The entity(ies) designated by each country as possessing the primary authority and responsibility

to adopt and implement anti-doping rules, direct the collection of *samples*, the management of test

results, and the conduct of hearings, all at the national level. If this designation has not been made

by the competent public authority(ies), the entity shall be the country's National Olympic Committee

or its designee.

National Event

A sport *event* involving international or national-level *athletes* that is not an *international event*.

Member National Authority (MNA)

A national entity which is a member of or is recognized by ISAF as the entity governing the ISAF's

sport in that nation or country. As per ISAF Article 1

National Olympic Committee

The organization recognized by the International Olympic Committee. The term National Olympic

Committee shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical National Olympic Committee responsibilities in the

anti-doping area.

No Advance Notice

A *doping control* which takes place with no advance warning to the *athlete* and where the *athlete* is

continuously chaperoned from the moment of notification through *sample* provision.

No Fault or Negligence

The *athlete's* establishing that he or she did not know or suspect, and could not reasonably have

known or suspected even with the exercise of utmost caution, that he or she had *used* or been

administered the *prohibited substance* or *prohibited method*.

No Significant Fault or Negligence

The *athlete's* establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *no fault or negligence*, was not significant in relationship to the anti-doping rule violation.

Out-of-Competition

Any *doping control* which is not *In-Competition*. When a *doping control* is conducted on the day of

a *competition* in which the affected competitor has competed or is entered or expected to compete,

the test shall be considered as *In-Competition*. All other unannounced *doping control* shall be deemed to be *Out-of-Competition* (OOCT). OOCT may be conducted by ISAF, by and ISAF authorized organization or authorized sports governing body at any time, including at the time or

location of any *competition* in any Member National Authority country. Preferably it shall be carried

out without any advance notice to the competitor or his/her MNA.

Participant

Any *athlete* or *athlete support personnel*.

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Person

A natural *person* or an organization or other entity.

Possession

The actual, physical possession, or the constructive possession (which shall be found only if the

person has exclusive control over the *prohibited substance/method* or the premises in which a

prohibited substance/method exists); provided, however, that if the *person* does not have exclusive

control over the *prohibited substance/method* or the premises in which a *prohibited substance/method* exists, constructive possession shall only be found if the *person* knew about the

presence of the *prohibited substance/method* and intended to exercise control over it.

Provided,

however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the *person* has committed an anti-doping rule violation, the

person has taken concrete action demonstrating that the *person* no longer intends to have *possession* and has renounced the *person* 's previous *possession*.

Prohibited List

The List identifying the *prohibited substances* and *prohibited methods*.

Prohibited Method

Any method so described on the Prohibited List.

Prohibited Substance

Any substance so described on the Prohibited List.

Provisional Hearing

For purposes of Article 7.5 of the "Code", an expedited abbreviated hearing occurring prior to a

hearing under 21.8 through 21.8.6 (Right to a Fair Hearing) that provides the *athlete* with notice

and an opportunity to be heard in either written or oral form.

[*Provisional Suspension*. See *Consequences* above.]

Publicly Disclose or Publicly Report

To disseminate or distribute information to the general public or *persons* beyond those *persons* entitled to earlier notification in accordance with Regulation 21.14 through 21.14.3 - (MNA's Incorporation of ISAF Rules, Reporting and Recognition).

Registered Testing Pool

The pool of top level *athletes* established separately by each International Federation and National

Anti-Doping Organization who are subject to both In- *competition* and *Out-of-Competition testing*

as part of that International Federation's or Organization's test distribution plan. The purpose of

the ISAF *Registered Testing Pool* is to identify top-level *international athletes* who ISAF requires to

provide whereabouts information to facilitate OOC by ISAF and WADA

Sample Specimen

Any biological material collected for the purposes of *doping control*.

Signatories

Those entities signing the "*Code*" and agreeing to comply with the "*Code*", including the International Olympic Committee, International Federations, International Paralympic Committee,

National Olympic Committees, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and WADA.

Tampering

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

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Target Testing

Selection of *athletes* for *testing* where specific *athletes* or groups of *athletes* are selected on a nonrandom

basis for *testing* at a specified time.

Team Sport

A sport in which the substitution of players is permitted during a *competition*.

Testing

The parts of the *doping control* process involving test distribution planning, *sample* collection, *sample* handling, and *sample* transport to the laboratory.

Trafficking

To sell, give, administer, transport, send, deliver or distribute a *prohibited substance* or *prohibited*

method to an *athlete* either directly or through one or more third parties, but excluding the sale or

distribution (by medical personnel or by *persons* other than an *athlete's support personnel*) of a

prohibited substance for genuine and legal therapeutic purposes.

Use

The application, ingestion, injection or consumption by any means whatsoever of any *prohibited*

substance or *prohibited method*.

WADA

The World Anti-Doping Agency.

Definition of Doping

21.1 Doping is defined as the occurrence of one or more of the anti-doping rule violations as detailed in Regulation 21.2 through Regulation 21.2.7 of these Anti-Doping Rules.

Anti-Doping Rule Violations

The following constitute anti-doping rule violations:

21.2 The presence of a prohibited substance or its metabolites or markers in an athlete's bodily specimen

(a) It is each *athlete's* personal duty to ensure that no *prohibited substance* enters his or her body. Athletes are responsible for any *prohibited substance* or its *metabolites* or *markers* found to be present in their bodily *specimens*. Accordingly, it is not necessary that intent, fault, negligence or knowing *use* on the *athlete's* part be demonstrated in order to establish an anti-doping violation under Regulation 21.2.

(b) Excepting those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a *prohibited substance* or its *metabolites* or *markers* in an *athlete's sample* shall constitute an anti-doping rule violation.

(c) As an exception to the general rule of Regulation 21.2, the Prohibited List may establish special criteria for the evaluation of *prohibited substances* that can also be produced endogenously.

21.2.1 Use or attempted use of a prohibited substance or a prohibited method

(a) The success or failure of the use of a prohibited substance or prohibited method is not material. It is sufficient that the prohibited substance or prohibited method was used or attempted to be used for an anti-doping rule violation to be committed.

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

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21.2.3 Violation of the requirements regarding *athlete* availability for *Out-of-Competition Testing*

(OOCT) including failure to provide required whereabouts information set forth in Regulation 21.5.4 (Athlete whereabouts requirements) and missed tests which are declared based on reasonable rules.

21.2.4 *Tampering*, or *attempting* to tamper, with any part of *doping control*.

21.2.5 Possession of prohibited substances and methods.

(a) *Possession* by an *athlete* at any time or place of a substance that is prohibited in OOCT or a *prohibited method* unless the *athlete* establishes that the *possession* is pursuant to a therapeutic use exemption granted in accordance with Regulation 21.4.3 (Therapeutic Use) or other acceptable justification.

(b) *Possession* of a *prohibited substance* that is prohibited in OOCT or a *prohibited method* by *athlete support personnel* in connection with an *athlete*, *event* or training, unless the *athlete support personnel* establishes that the *possession* is pursuant to a therapeutic use exemption granted to an *athlete* in accordance with Regulation 21.4.3 (Therapeutic Use) or other acceptable justification.

21.2.6. Trafficking in any prohibited substance or prohibited method.

21.2.7 Administration or attempted administration of a prohibited substance or prohibited method

to any athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted violation.

Proof of Doping

21.3 Burdens and Standards of Proof

ISAF and its MNA's shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether ISAF or its MNA has established an anti-doping rule violation to the comfortable satisfaction of the hearing body bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *athlete* or other *person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

21.3.1 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

(a) WADA-accredited laboratories are presumed to have conducted *sample* analysis and custodial procedures in accordance with the International Standard for Laboratory Analysis. The *athlete* may rebut this presumption by establishing that a departure from the *international standard* occurred.

If the *athlete* rebuts the preceding presumption by showing that a departure from the *international standard* occurred, then ISAF or its MNA shall have the burden to establish that such departure did not cause the *adverse analytical finding*.

(i) Departures from the International Standard for Testing which did not cause an *adverse analytical finding* or other anti-doping rule violation shall not invalidate such results. If the *athlete* establishes that departures from the *international standard* occurred during *testing* then ISAF or its MNA shall have the burden to establish that such departures did not cause the *adverse analytical finding* or the factual basis for the anti-doping rule violation.

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The Prohibited List

21.4 Incorporation of the Prohibited List

These Anti-Doping Rules incorporate the Prohibited List which is published and revised by WADA as described in Article 4.1 of the "Code". ISAF will make the current Prohibited List available to each MNA, and each MNA shall ensure that the current Prohibited List is available to its members and constituents.

21.4.1 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and revisions shall go into effect under these Anti-Doping Rules three months after publication of the Prohibited List by WADA without requiring any further action by ISAF. As described in Article 4.2 of the "Code", ISAF may request that WADA expand the Prohibited List for the sport of sailing, or certain disciplines within the sport of sailing. ISAF may also request that WADA include additional substances or methods, which have the potential for abuse in the sport of sailing, in the monitoring programme described in Article 4.5 of the "Code". As provided in the "Code", WADA shall make the final decision on such requests by ISAF.

21.4.2 Criteria for Including Substances and Methods on the Prohibited List

As provided in Article 4.4.3 of the "Code", WADA's determination of the *prohibited substances* and *prohibited methods* that will be included on the Prohibited List shall be final and shall not be subject to challenge by an *athlete* or other *person*.

21.4.3 Therapeutic Use

(a) *Athletes* with a documented medical condition requiring the use of a *prohibited substance* or a *prohibited method* must first obtain a Therapeutic Use Exemption ("TUE").

(b) *Athletes* included by ISAF in its *registered testing pool* and other *athletes* prior to their participation in any *international event* must obtain a TUE from ISAF (regardless of whether the *athlete* previously has received a TUE at the national level). TUEs granted by ISAF shall be reported to the *athlete's* MNA and to WADA. Other *athletes* subject to *testing* may obtain a TUE from their *National Anti-Doping Organization* or other body designated by their MNA. MNA's shall promptly report any such TUEs to ISAF and WADA.

(c) The ISAF Executive Committee shall appoint a panel of physicians to consider requests for TUEs (the "TUE Panel" - which shall consist of the current members of the ISAF Medical Commission). Upon ISAF's receipt of a TUE request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such request in accordance with the International Standard for Therapeutic Use Exemptions and render a decision on

such request, which shall be the final decision of ISAF.

(i) *International-level athletes* who are included in the ISAF's *registered testing pool*, should apply to ISAF for the TUE at the same time the *athlete* first provides whereabouts information to ISAF and, except in emergency situations, no later than 21 days before the *athlete's* participation at an *international event*.

(ii) *Athletes* participating in *international events* who are not included in the ISAF *registered testing pool* must, except in emergency situations, request a TUE from ISAF no later than 21 days before the *athlete's* participation at an *international event*.

(iii) In offshore races of more than 50 nautical miles, the use of any banned substance or banned procedure for emergency medical treatment shall be

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recorded. The ISAF Medical Commission may retroactively approve such use and possession of such medications as might be reasonably required if the acute situation or exceptional circumstances are confirmed to the satisfaction of the Medical Commission.

(iv) If any prohibited substances carried on board are used, an explanation will need to be provided and the process for retroactive TUE will take place.

(v) With the approval of the ISAF or a Member National Authority or National Olympic Committee (NOC), a Team Doctor or a Doctor who is responsible for sailing competitors, officials and others in the care of that Doctor, may carry and employ such medications as the circumstances may require and as might be properly used in the undertaking of the Hippocratic oath. The ISAF Medical Commission may retroactively approve such use.

(d) WADA, at the request of an *athlete* or on its own initiation, may review the granting or denial of any TUE to an *international-level athlete* or a national level *athlete* that is included in a *registered testing pool*. If WADA determines that the granting or denial of a TUE did not comply with the International Standard for Therapeutic Use Exemptions in force at the time then WADA may reverse that decision. Decisions on TUEs are subject to further appeal as provided in Regulation 21.13 through Regulation 21.13.4. (Appeals).

Testing

21.5 Authority to Test

All *athletes* affiliated with a MNA shall be subject to *In-Competition testing* (ICT) by ISAF, the *athlete's* MNA, and any other *anti-doping organization* responsible for *testing* at a *competition* or *event* in which they participate. All *athletes* affiliated with a MNA shall also be subject to OOCT at any time or place, with or without advance notice, by ISAF, WADA, the *athlete's* MNA, the *National Anti-Doping Organization* of any country where the *athlete* is present, the IOC during the Olympic Games, and the IPC during Paralympic Games.

21.5.1 Responsibility for ISAF Testing

ISAF shall be responsible for overseeing all *testing* conducted by ISAF. *Testing* may be conducted by members of ISAF or by other qualified *persons* so authorized by ISAF.

21.5.2 Testing Standards

Testing conducted by ISAF and its MNA's shall be in substantial conformity with the International Standard for Testing in force at the time of *testing*.

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

21.5.3 Co-ordination of Testing

ISAF and MNA's shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in *testing*.

21.5.4 Athlete Whereabouts Requirements

(a) ISAF has identified a *registered testing pool* of those *athletes* who are required to provide up-to-date whereabouts information to ISAF. ISAF may revise its *registered testing pool* from time to time as appropriate.

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The criteria for selection of athletes is: All *athletes* who are ranked within the top 20 of each Olympic Class, with a minimum of 100 athletes in total. *Athletes* in the top 20 at the start of the year will remain in the *registered testing pool*, and those who fall within the top 20 throughout the year, will be added.

Each athlete in the registered testing pool shall file semi-annual reports with ISAF on forms provided by ISAF which specify on a daily basis the locations and times where the athlete will be residing, training and competing. Athletes shall update this information as necessary so that it is current at all times. The ultimate responsibility for providing whereabouts information rests with each athlete, however, it shall be the responsibility of each MNA to use its best efforts to assist ISAF in obtaining whereabouts information as requested by ISAF.

(b) Any *athlete* in the ISAF *registered testing pool* who is unavailable for *testing* on three attempts during any period of 18 consecutive months shall be considered to have committed an anti-doping rule violation pursuant to Regulation 21.2.3. For each attempt, the Doping Control Officer shall visit all locations during the times specified by the *athlete* for that date and shall stay two hours at each location. Notification shall be sent to the *athlete* between each attempt which is to be counted as an unavailable test.

(c) Any *athlete* in the ISAF *registered testing pool* who fails to timely submit a required semi-annual whereabouts report after receipt of two formal written warnings from ISAF or a MNA to do so in the preceding 18 months shall be considered to have committed an anti-doping rule violation pursuant to Regulation 21.2.3.

(d) Each MNA shall also assist their *National Anti-Doping Organization* in establishing a national level *registered testing pool* of top level national *athletes* who are not already included in ISAF's *registered testing pool*. The MNA/*National Anti-Doping Organization* may establish its own whereabouts reporting requirements and criteria for Regulation 22.2.3 violations applicable to those *athletes*.

(e) Whereabouts information provided pursuant to Regulation 21.5.4(a) and (d) shall be shared with WADA and other *anti-doping organizations* having jurisdiction to test an *athlete* on the strict condition that it be used only for *doping control* purposes.

Note: It is the responsibility of each MNA to ensure that all national-level *testing* on the MNA's *athletes*

complies with these Anti-Doping Rules. In some cases, the MNA itself will be conducting the *doping control* described in these Anti-Doping Rules. In other countries, many of the *doping control* responsibilities

of the MNA have been delegated or assigned by statute to a *National Anti-Doping Organization*. In those

countries, references in these Anti-Doping Rules to the MNA shall apply, as applicable, to the MNA's *National Anti-Doping Organization*.

21.5.5 Retirement and Return to Competition

(a) An *athlete* who has been identified by ISAF for inclusion in ISAF's *registered testing pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to be available for *No Advance Notice* OOC, unless and until the *athlete* gives written notice to ISAF that he or she has retired or until he or she no longer satisfies the criteria for inclusion in the ISAF's *registered testing pool* and has been so informed by ISAF.

(b) An *athlete* who has given notice of retirement to ISAF may not resume competing

unless he or she notifies ISAF at least six months before he or she expects to return to *competition* and is available for unannounced OOC, at any time during the period before actual return to *competition*.

(c) MNA's/*National Anti-Doping Organizations* may establish similar requirements for retirement and returning to *competition* for *athletes* in the national *registered testing pool*.

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21.5.6 Selection of Athletes to be Tested

(a) At *international events*, ISAF shall determine the number of finishing placement tests, random tests and target tests to be performed.

The following *athletes* shall be tested for each *competition* at an *international event*.

(i) For events competed with single handed boats: Each *athlete* finishing in one of the top three placements in the *competition*, plus one other *athlete* in the *competition* selected at random.

(ii) For all other events: One *athlete* selected at random from each of the top three finishing teams, plus one *athlete* selected at random from any of the other teams in the *competition*.

21.5.7 MNA's and the organizing committees for MNA *events* shall provide access to *independent observers* at *events* as directed by ISAF.

Analysis of Samples

Doping Control *samples* collected under these Anti-Doping Rules shall be analyzed in accordance

with the following principles:

21.6 Use of Approved Laboratories

ISAF shall send *doping control samples* for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other method approved by WADA) used for the *sample* analysis shall be determined exclusively by ISAF.

21.6.1 Substances Subject to Detection

Doping control samples shall be analyzed to detect *prohibited substances* and *prohibited methods* identified on the Prohibited List and other substances as may be directed by WADA pursuant to the Monitoring Programme described in Article 4.5 of the "*Code*".

21.6.2 Research on Samples

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

21.6.3 Standards for Sample Analysis and Reporting

Laboratories shall analyze *doping control samples* and report results in conformity with the International Standard for Laboratory Analysis.

Results Management

21.7 Results Management for Tests Initiated by ISAF

Results management for tests initiated by ISAF (including tests performed by WADA pursuant to agreement with ISAF) shall proceed as set forth below:

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

(b) Upon receipt of an *A sample adverse analytical finding*, the ISAF Anti-Doping Administrator shall conduct a review to determine whether: (a) an applicable TUE has been granted, or (b) there is any apparent departure from the International Standards for Testing or Laboratory Analysis that undermines the validity of the *adverse analytical finding*.

(c) If the initial review under Regulation 21.7(b) does not reveal an applicable TUE or departure from the International Standard for Testing or the International Standard

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for Laboratory Analysis in force at the time of *testing* or analysis that undermines the validity of the *adverse analytical finding*, ISAF shall promptly notify the *athlete* of: (a) the *adverse analytical finding*; (b) the anti-doping rule violated, or, in a case under Regulations 21.7(h) or (i), a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation; (c) the *athlete's* right to promptly request the analysis of the B *sample* or, failing such request, that the B *sample* analysis may be deemed waived; (d) the right of the *athlete* and/or the *athlete's* representative to attend the B *sample* opening and analysis if such analysis is requested; and (e) the *athlete's* right to request copies of the A and B *sample* laboratory documentation package which includes information as required by the International Standard for Laboratory Analysis.

(d) Arrangements shall be made for *testing* the B *sample* within three weeks of the notification described in Regulation 21.7(c) An *athlete* may accept the A *sample* analytical results by waiving the requirement for B *sample* analysis. ISAF may nonetheless elect to proceed with the B *sample* analysis.

(e) The *athlete* and/or his representative shall be allowed to be present at the analysis of the B *sample*. Also a representative of the *athlete's* MNA as well as a representative of ISAF shall be allowed to be present.

(f) If the B *sample* proves negative, the entire test shall be considered negative and the *athlete*, his MNA, and ISAF shall be so informed.

(g) If a *prohibited substance* or the *use* of a *prohibited method* is identified, the findings shall be reported to the *athlete*, his MNA, ISAF, and to WADA.

(h) The ISAF Anti-Doping Administrator shall conduct any follow-up investigation as may be required by the Prohibited List. Upon completion of such follow-up investigation, ISAF shall promptly notify the *athlete* regarding the results of the follow-up investigation and whether or not ISAF asserts that an anti-doping rule was violated.

(i) For apparent anti-doping rule violations that do not involve *adverse analytical findings*, ISAF shall conduct any necessary follow-up investigation and shall then promptly notify the *athlete* of the anti-doping rule which appears to have been violated, and the basis of the violation.

21.7.1 Results Management for Tests Initiated During Other International Events

Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a *major event organization*, shall be managed, as far as sanctions beyond *disqualification* from the *event* or the results of the *event*, by ISAF.

21.7.2 Results Management for Tests initiated by MNA's

(a) Results management conducted by MNA's shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Regulation 21.7. Results of all doping controls shall be reported to ISAF within 14 days of the conclusion of the MNA's results management process. Any apparent anti-doping rule violation by an athlete who is a member of that MNA shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the MNA or national law. Apparent anti-doping rule violations by athletes who are members of another MNA shall be referred to the athlete's MNA for hearing.

(b) Unless for reason of unavoidable and necessary delay, communicated to and agreed with ISAF, there shall be a maximum time limit of three months from the notification of the positive B test to the confirmation of the penalty to be imposed by the MNA. The ISAF Executive Committee will have the right to impose direct

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sanctions. The penalty shall start from the date of the suspension. The suspension

shall start with immediate effect from the notification of the positive B test.

21.7.3 Provisional Suspensions

The ISAF Executive Committee, after consultation with the ISAF Anti-Doping Administrator, may *provisionally suspend* an *athlete* prior to the opportunity for a full hearing based on an *adverse analytical finding* from the *athlete's A sample* or *A and B samples* and the review described in Regulation 21.7. If a *provisional suspension* is imposed, either the hearing in accordance with Regulation 21.8 through 21.8.6 - (Right to a Fair Hearing) shall be advanced to a date which avoids substantial prejudice to the *athlete*, or the *athlete* shall be given an opportunity for a *provisional hearing* before imposition of the *provisional suspension* or on a timely basis after imposition of the *provisional suspension*. MNA's may impose *provisional suspensions* in accordance with the principles as detailed in this Regulation 21.7.2.

Right to a Fair Hearing

21.8 When it appears, following the results management process described in Regulation 21.7

through 21.7.3 (Results Management), that these Anti-Doping Rules have been violated, the *athlete* or other *person* involved shall be brought before a disciplinary panel of the *athlete* or other *person's* MNA for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what *consequences* should be imposed. Such hearing process shall respect the following principles:

- (a) a timely hearing;
- (b) fair and impartial hearing body;
- (c) the right to be represented by counsel at the *person's* own expense;
- (d) the right to be fairly and timely informed of the asserted anti-doping rule violation;
- (e) the right to respond to the asserted anti-doping rule violation and resulting *consequences*;
- (f) the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's discretion to accept testimony by telephone or written submission);
- (g) the *person's* right to an interpreter at the hearing, with the Doping Panel to determine the identity, and responsibility for the cost of the interpreter; and
- (h) a timely, written, reasoned decision.

21.8.1 Hearings pursuant to this Regulation shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Regulation 21.7 through 21.7.3 (Results Management). Hearings held in connection with *events* may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, ISAF may elect, if the *athlete* is an *international-level athlete*, to bring the case directly to a single arbitrator from the Court of Arbitration for Sport. The case before the Court of Arbitration for Sport shall be handled in accordance with the Court of Arbitration for Sport appeal procedure without reference to any time limit for appeal. If the completion of the hearing is delayed beyond three months, and the *athlete* is not an *international-level athlete*, ISAF may elect to bring the case directly to the national level appellate body referenced in Regulation 21.13.1(b). In either case, the hearing shall proceed at the responsibility of and the expense of the MNA. In either case the appeal from such decision shall be to the Court of Arbitration for Sport.

21.8.2 MNA's shall keep ISAF fully informed as to the status of pending cases and the results of all hearings.

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21.8.3 ISAF shall have the right to attend hearings as an observer.

21.8.4 The *athlete* or other *person* may forego a hearing by acknowledging the violation of these

Anti-Doping Rules and accepting *consequences* consistent with Regulations 21.9 - (Automatic Disqualification of Individual Results), and 21.10 through 21.10.9 - (Sanctions

on Individuals) as proposed by the MNA.

21.8.5 Decisions by MNA's, whether as the result of a hearing or the *athlete* or other *person's* acceptance of *consequences*, may be appealed as provided in Regulation 21.13 through 21.13.4 - (Appeals).

21.8.6 Hearing decisions by the MNA shall not be subject to further administrative review at the

national level except as provided in Regulations 21.13 through 21.13.4 - (Appeals) or as required by applicable national law.

Automatic Disqualification of Individual Results

21.9 A violation of these Anti-Doping Rules in connection with an ICT automatically leads to disqualification of the individual result obtained in that competition with all resulting consequences, including forfeiture of any medals, points and prizes.

Sanctions on Individuals

21.10 Disqualification of Results in Event During which an Anti-Doping Rule Violation Occurs
An Anti-Doping Rule violation occurring during or in connection with an *event* may lead to *disqualification* of all of the *athlete's* individual results obtained in that *event* with all consequences, including forfeiture of all medals, points and prizes, except as provided in Regulation 21.10(a).

(a) If the *athlete* establishes that he or she bears *no fault or negligence* for the violation, the *athlete's* individual results in the other *competition* shall not be *disqualified* unless the *athlete's* results in a *competition* other than the *competition* in which the anti-doping rule violation occurred were likely to have been affected by the *athlete's* anti-doping rule violation.

21.10.1 Imposition of Ineligibility for Prohibited Substances and Prohibited Methods
Except for the specified substances identified in Regulation 21.10.2, the period of *ineligibility* imposed for a violation of Regulation 21.2(a) - (c) (presence of *prohibited substance* or its *metabolites* or *markers*), Regulation 21.2.1(a) (*use* or *attempted use* of *prohibited substance* or *prohibited method*) and Regulation 21.2.5(a) & (b) (*Possession* of *prohibited substances* and methods) shall be:

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

Second violation: Lifetime *ineligibility*.

However, the *athlete* or other *person* shall have the opportunity in each case, before a period of *ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Regulation 21.10.4(a) - (c)

21.10.2 Specified Substances

The Prohibited List may identify specified substances which are particularly susceptible to unintentional anti-doping rules violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an *athlete* can establish that the *use* of such a specified substance was not intended to enhance sport performance, the period of *ineligibility* found in Regulation 21.10.1 shall be replaced with the following:

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

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

Third violation: Lifetime *ineligibility*.

However, the *athlete* or other *person* shall have the opportunity in each case, before a period of *ineligibility* is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Regulation 21.10.4(a) - (c).

21.10.3 Ineligibility for Other Anti-Doping Rule Violations

The period of *ineligibility* for other violations of these Anti-Doping Rules shall be:

(a) For violations of Regulation 21.2.2 (refusing or failing to submit to *sample* collection)

or Regulation 21.2.4 (Tampering with *doping control*), the *ineligibility* periods set forth in Regulation 21.10.1 shall apply.

(b) For violations of Regulation 21.2.6 (Trafficking) or Regulation 21.2.7 (administration of *prohibited substance* or *prohibited method*), the period of *ineligibility* imposed shall be a minimum of four (4) years up to lifetime *ineligibility*. An anti-doping rule violation involving a *minor* shall be considered a particularly serious violation, and, if committed by *athlete support personnel* for violations other than specified substances referenced in Regulation 21.10.2, shall result in lifetime *ineligibility* for such *athlete support personnel*. In addition, violations of such Regulations which also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

(c) For violations of Regulation 21.2.3 (Whereabouts Violations or Missed Tests), the period of *ineligibility* shall be:

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

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

21.10.4 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

(a) If the *athlete* establishes in an individual case involving an anti-doping rule violation under Regulation 21.2(a) - (c) (Presence of *prohibited substance* or its *metabolites* or *markers*) or use of a *prohibited substance* or *prohibited method* under Regulation 21.2.1(a) that he or she bears *no fault or negligence* for the violation, the otherwise applicable period of *ineligibility* shall be eliminated. When a *prohibited substance* or its *markers* or *metabolites* is detected in an *athlete's specimen* in violation of Regulation 21.2(a) - (c) (Presence of *prohibited substance*), the *athlete* must also establish how the *prohibited substance* entered his or her system in order to have the period of *ineligibility* eliminated. In the event this Regulation is applied and the period of *ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *ineligibility* for multiple violations under Regulation 21.10.1, 21.10.2 and 21.10.5(a) - (c).

(b) This Regulation 21.10.4(b) applies only to anti-doping rule violations involving Regulation 21.2(a) - (c) (Presence of *prohibited substance* or its *metabolites* or *markers*), use of a *prohibited substance* or *prohibited method* under Regulation 21.2.1(a), failing to submit to *sample* collection under Regulation 21.2.2, or administration of a *prohibited substance* or *prohibited method* under Regulation 21.2.7. If an *athlete* establishes in an individual case involving such violations that

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he or she bears *no significant fault or negligence*, then the period of *ineligibility* may be reduced, but the reduced period of *ineligibility* may not be less than one-half of the minimum period of *ineligibility* otherwise applicable. If the otherwise applicable period of *ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *prohibited substance* or its *markers* or *metabolites* is detected in an *athlete's specimen* in violation of Regulation 21.2(a) - (c) (Presence of *prohibited substance*), the *athlete* must also establish how the *prohibited substance* entered his or her system in order to have the period of *ineligibility* reduced.

(c) The ISAF Executive Committee may also reduce the period of *ineligibility* in an individual case where the *athlete* has provided substantial assistance to ISAF which results in ISAF discovering or establishing an anti-doping rule violation by another *person* involving *possession* under Regulation 21.2.5(b) (*Possession by athlete support personnel*), Regulation 21.2.6 (*Trafficking*), or Regulation 21.2.7 (administration to an *athlete*). The reduced period of *ineligibility* may not, however, be less than one-half of the minimum period of *ineligibility* otherwise applicable. If the otherwise applicable period of *ineligibility* is a lifetime, the reduced period under

this Regulation may be no less than 8 years.

21.10.5 Rules for Certain Potential Multiple Violations

(a) For purposes of imposing sanctions under Regulation 21.10.1, 21.10.2 and 21.10.3 (a) - (c), a second anti-doping rule violation may be considered for purposes of imposing sanctions only if ISAF (or its MNA) can establish that the *athlete* or other *person* committed the second anti-doping rule violation after the *athlete* or other *person* received notice, or after ISAF (or its MNA) made a reasonable attempt to give notice, of the first anti-doping rule violation; if ISAF (or its MNA) cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

(b) Where an *athlete*, based on the same *doping control*, is found to have committed an anti-doping rule violation involving both a specified substance under Regulation 21.10.2 (Specified substances) and another *prohibited substance* or *prohibited method*, the *athlete* shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the *prohibited substance* or *prohibited method* that carries the most severe sanction.

(c) Where an *athlete* is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Regulation 21.10.2 (Specified substances) and the other involving a *prohibited substance* or *prohibited method* governed by the sanctions set forth in Regulation 21.10.1 or a violation governed by the sanctions in Regulation 21.10.3(a), the period of *ineligibility* imposed for the second offense shall be at a minimum two years' *ineligibility* and at a maximum three years' *ineligibility*. Any *athlete* found to have committed a third anti-doping rule violation involving any combination of specified substances under Regulation 21.10.2 (Specified substances) and any other antidoping rule violation under Regulation 21.10.1 or 21.10.3(a) shall receive a sanction of lifetime *ineligibility*.

21.10.6 Disqualification of Results in Competitions Subsequent to Sample Collection

In addition to the automatic *disqualification* of the results in the *competition* which produced the positive *sample* under Regulation 21.9 - (Automatic Disqualification of Individual Results), all other competitive results obtained from the date a positive *sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other doping violation occurred, through the commencement of any *provisional suspension* or *ineligibility* period,

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shall, unless fairness requires otherwise, be *disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

21.10.7 Commencement of Ineligibility Period

The period of *ineligibility* shall start on the date of the hearing decision providing for *ineligibility* or, if the hearing is waived, on the date *ineligibility* is accepted or otherwise imposed. Any period of *provisional suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *ineligibility* to be served. Where required by fairness, such as delays in the hearing process or other aspects of *doping control* not attributable to the *athlete*, ISAF or the *Anti-Doping Organization* imposing the sanction may start the period of *ineligibility* at an earlier date commencing as early as the date of *sample* collection.

21.10.8 Status During Ineligibility

No *person* who has been declared *ineligible* may, during the period of *ineligibility*, participate in any capacity in an *event* or activity (other than authorized anti-doping education or rehabilitation programmes) authorized or organized by ISAF or any MNA. In addition, for any anti-doping rule violation not involving specified substances described in Regulation 21.10.2 (Specified substances), some or all sport-related financial support or other sport-related benefits received by such *person* will be withheld by ISAF and its MNA's. A *person* subject to a period of *ineligibility* longer than four years may, after

completing four years of the period of *ineligibility*, participate in local sport events in a sport other than sports subject to the jurisdictions of ISAF and its MNA's, but only so long as the local sport event is not at a level that could otherwise qualify such *person* directly or indirectly to compete in (or accumulate points toward) a national championship or *international event*.

21.10.9 Reinstatement Testing

As a condition to regaining eligibility at the end of a specified period of *ineligibility*, an *athlete* must, during any period of *provisional suspension* or *ineligibility*, make him or herself available for OCCT by ISAF, the applicable MNA, and any other *Anti-Doping Organization* having *testing* jurisdiction, and must provide current and accurate whereabouts information as provided in Regulation 21.5.4(a) - (e). If an *athlete* subject to a period of *ineligibility* retires from sport and is removed from OCCT pools and later seeks reinstatement, the *athlete* shall not be eligible for reinstatement until the *athlete* has notified ISAF and the applicable MNA and has been subject to OCCT for a period of time equal to the longer of the period set forth in Regulation 21.5.5(a) - (c) or the period of *ineligibility* remaining as of the date the *athlete* had retired. During such remaining period of *ineligibility*, a minimum of 2 tests must be conducted on the *athlete* with at least three months between each test. The MNA shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to ISAF. In addition, immediately prior to the end of the suspension period, an *athlete* must undergo *testing* by ISAF for the *prohibited substances* and methods for OCCT. Once the period of an *athlete's* suspension has expired, and the *athlete* has fulfilled the conditions of reinstatement, then the *athlete* will become automatically re-eligible and no application by the *athlete* or by the *athlete's* MNA will then be necessary.

Consequences to Teams

21.11 If a crewmember of a boat is found to have committed a violation of these Anti-Doping Rules during an *event*, the boat shall be disqualified from the whole *event*.

In Team Racing, if a crewmember is found to have committed a violation of these Anti-Doping Rules during an *event*, the whole team will be disqualified from the whole *event*.

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For *events* with boats with more than 5 *persons* on board, the boat will be disqualified for that relevant race and the *person* disqualified for the whole *event*.

Sanctions and Costs Assessed Against Member National Authorities

21.12 The ISAF Executive Committee has the authority to withhold some or all funding or other

non financial support to MNA's that are not in compliance with these Anti-Doping Rules.

Appeals

21.13 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as detailed below in Regulation 21.13.1 through 21.13.3. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in Regulation 21.8.6 must be exhausted.

21.13.1 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, and Provisional Suspensions

A decision that an anti-doping rule violation was committed, a decision imposing *consequences* for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that ISAF or its MNA lacks jurisdiction to rule on an alleged anti-doping rule violation or its *consequences*, and a decision to impose a *provisional suspension* as a result of a *provisional hearing* or otherwise in violation of Regulation 21.7.3 may be appealed exclusively as provided in this Regulation 21.13.1.

Notwithstanding any other provision herein, the only *person* that may appeal from a *provisional suspension* is the *athlete* or other *person* upon whom the *provisional suspension* is imposed.

(a) In cases arising from *competition* in an *international event* or in cases involving *international-level athletes*, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

(b) In cases under Regulation 21.13.1(a), the following parties shall have the right to appeal to CAS: (a) the *athlete* or other *person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) ISAF and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) WADA. In cases under Regulation 21.13.1(b), the parties having the right to appeal to the national level reviewing body shall be as provided in the MNA's rules but, at a minimum, shall include: (a) the *athlete* or other *person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) ISAF; and (d) WADA. For cases under Regulation 21.13.1(b), WADA and ISAF shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

21.13.2 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption
Decisions by WADA reversing the grant or denial of a TUE exemption may be appealed exclusively to CAS by the *athlete*, ISAF, or *National Anti-Doping Organization* or other body designated by a MNA which granted or denied the exemption. Decisions to deny therapeutic use exemptions, and which are not reversed by WADA, may be appealed by *international-level athletes* to CAS and by other *athletes* to the national level reviewing body described in Regulation 21.13.1(b). If the national level reviewing body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by WADA.

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21.13.3 Appeal from Decisions Pursuant to Regulation 21.12 - 21.12.1 (Sanctions and Cost assessed against MNA's)

Decisions by ISAF pursuant to Regulation 21.12 - 21.12.1 may be appealed exclusively to CAS by the MNA.

21.13.4 Time for Filing Appeals

The time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party.

Member National Authorities Incorporation of ISAF Rules, Reporting and Recognition

21.14 Incorporation of ISAF Anti-Doping Rules

All MNA's shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each MNA's Rules. All MNA's shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each MNA shall obtain the written acknowledgement and agreement, in the form attached as Appendix 1, of all *athletes* subject to *doping control* and *athlete support personnel* for such *athletes*. Notwithstanding whether or not the required form has been signed, the Rules of each MNA shall specifically provide that all *athletes*, *athlete support personnel* and other *persons* under the jurisdiction of the MNA shall be bound by these Anti-Doping Rules.

21.14.1 Doping Control Information Clearing House

When an MNA has received an *adverse analytical finding* on one of its *athletes* it shall report the following information to ISAF and WADA within fourteen (14) days of the process described in Regulation 21.7(b): the *athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *sample* collection and the analytical result reported by the laboratory. The MNA shall also regularly update ISAF and WADA on the status and findings of any review or proceedings

conducted pursuant to in Regulation 21.7 through 21.7.3 - (Results Management), Regulation 21.8 - 21.8.6 (Right to a Fair Hearing) or Regulation 21.13 through 21.13.4 - (Appeals), and comparable information shall be provided to ISAF and WADA within 14 days of the notification described in Regulation 21.7(i), with respect to other violations of these Anti-Doping Rules. In any case in which the period of *ineligibility* is eliminated under Regulation 21.10.4(a) (*No Fault or Negligence*) or reduced under Regulation 21.10.4(b) (*No Significant Fault or Negligence*), ISAF and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither ISAF nor WADA shall disclose this information beyond those *persons* within their organizations with a need to know until the MNA has made public disclosure or has failed to make public disclosure as required in Regulation 21.14.2 below.

21.14.2 Public Disclosure

Neither ISAF nor its MNA shall publicly identify *athletes* whose *samples* have resulted in *adverse analytical findings*, or who were alleged to have violated other Regulations of these Anti-Doping Rules until it has been determined in a hearing in accordance with Regulation 21.8 through 21.8.6 (Right to a Fair Hearing) that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged or the *athlete* has been *provisionally suspended*. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days.

21.14.3 Recognition of Decisions by ISAF and MNA's

Any decision of ISAF or a MNA regarding a violation of these Anti-Doping Rules shall be recognized by all MNA's, which shall take all necessary action to render such results effective.

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Recognition of Decisions by Other Organizations

21.15 Subject to the right to appeal provided in Regulation 21.13 through 21.13.4 - (Appeals),

the testing, TUEs and hearing results or other final adjudications of any signatory to the "Code" which are consistent with the "Code" and are within the signatory's authority, shall be recognized and respected by ISAF and its MNA's. ISAF and its MNA's may recognize the same actions of other bodies which have not accepted the "Code" if the rules of those bodies are otherwise consistent with the "Code".

Statute of Limitations

21.16 No action may be commenced under these Anti-Doping Rules against an *athlete* or other

person for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight years from the date the violation occurred.

Amendment and Interpretation of Anti-Doping Rules

21.17 These Anti-Doping Rules may be amended from time to time by the ISAF Executive Committee.

21.17.1 Except as provided in Regulation 21.17.4, these Anti-Doping Rules shall be interpreted as

an independent and autonomous text and not by reference to existing law or statutes.

21.17.2 The headings used for the various Parts and Regulations of these Anti-Doping Rules are

for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

21.17.3 The INTRODUCTION and the DEFINITIONS shall be considered integral parts of these

Anti-Doping Rules.

21.17.4 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the

"Code" and shall be interpreted in a manner that is consistent with applicable provisions of

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

21.17.5 Notice to an *athlete* or other *person* who is a member of a MNA may be accomplished by

delivery of the notice to the MNA.

21.17.6 These Anti-Doping Rules shall not apply retrospectively to matters pending before the

date these Anti-Doping Rules came into effect.

APPENDIX 1 - Acknowledgment and Agreement

I, as a member of [National Club] affiliated to [MNA] and/or a participant in a [MNA or ISAF] authorized or recognized event, hereby acknowledge and agree as follows:

1. I have received and had an opportunity to review the International Sailing Federation Anti-Doping Rules.

2. I consent and agree to comply with and be bound by all of the provisions of the International Sailing Federation Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all *international standards* incorporated in the Anti-Doping Rules.

3. I acknowledge and agree that MNA's and the International Sailing Federation have jurisdiction to impose sanctions as provided in the International Sailing Federation Anti-Doping Rules.

4. I also acknowledge and agree that any dispute arising out of a decision made pursuant to the International Sailing Federation Anti-Doping Rules, after exhaustion of the process expressly provided for in the International Sailing Federation Anti-Doping Rules, may be

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appealed exclusively as provided in Regulation 21.13 through 21.13.4 - (Appeals) of the International Sailing Federation Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of *international-level athletes* is the Court of Arbitration for Sport.

5. I acknowledge and agree that the decisions of the arbitral appellate body referenced above

shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.

6. I have read and understand this Acknowledgment and Agreement.

Date Print Name (Last Name, First Name)

Date of Birth Signature (or, if a minor, signature of (Day/Month/Year) legal guardian)

WORLD ANTI-DOPING CODE

PROHIBITED LIST

Note: The World Anti-Doping Code Prohibited List of Substances and Methods is normally updated every

year. The following list is effective from 1 January 2006. However, please always check the ISAF website -

www.sailing.org/medical - in case there have been any emergency changes and to ensure you have the most

recent information. This information is also available on the WADA website - www.wada-ama.org

The use of any drug should be limited to medically justified indications

SUBSTANCES AND METHODS PROHIBITED AT ALL TIMES

(IN- AND OUT-OF-COMPETITION)

PROHIBITED SUBSTANCES

S1. ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

a. Exogenous* AAS including:

1-androstendiol (5 α -androst-1-ene-3 β ,17 β -diol); **1-androstenedione** (5 α -androst-1-ene-3,17-dione); **bolandiol** (19-norandrostenediol); **bolasterone**; **boldenone**; **boldione** (androsta-1,4-diene-3,17-dione); **calusterone**; **clostebol**; **danazol** (17 α -ethynyl-17 β -hydroxyandrost-4-eno[2,3-d]isoxazole); **dehydrochlormethyltestosterone** (4-chloro-17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **desoxymethyltestosterone** (17 α -methyl-5 α -androst-2-en-17 β -ol); **drostanolone**; **ethylestrenol** (19-nor-17 α -pregn-4-en-17-ol); **fluoxymesterone**; **formebolone**; **furazabol** (17 β -hydroxy-17 α -methyl-5 α -androstando[2,3-c]-furazan); **gestrinone**; **4-hydroxytestosterone** (4,17 β -dihydroxyandrost-4-en-3-one); **mestanolone**; **mesterolone**; **metenolone**; **methandienone** (17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **methandriol**; **methasterone** (2 α , 17 α -dimethyl-5 α -androstande-3-

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one-17 β -ol); **methyldienolone** (17 β -hydroxy-17 α -methylestra-4,9-dien-3-one); **methyl-1-testosterone** (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one); **methylnortestosterone** (17 β -hydroxy-17 α -methylestr-4-en-3-one); **methyltrienolone** (17 β -hydroxy-17 α -methylestra-4,9,11-trien-3-one); **methyltestosterone**; **mibolerone**; **nandrolone**; **19-norandrostenedione** (estr-4-ene-3,17-dione); **norboletone**; **norclostebol**; **norethandrolone**; **oxabolone**; **oxandrolone**; **oxymesterone**; **oxymetholone**; **prostanazol** ([3,2-c]pyrazole-5 α -etioallocholane-17 β -tetrahydropyranol); **quinbolone**; **stanozolol**; **stenbolone**; **1-testosterone** (17 β -hydroxy-5 α -androst-1-en-3-one); **tetrahydrogestrinone** (18ahomo-pregna-4,9,11-trien-17 β -ol-3-one); **trenbolone** and other substances with a similar chemical structure or similar biological effect(s).

b. Endogenous** AAS:

androstenediol (androst-5-ene-3 β ,17 β -diol); **androstenedione** (androst-4-ene-3,17-dione); **dihydrotestosterone** (17 β -hydroxy-5 α -androstand-3-one) ; **prasterone** (dehydroepiandrosterone, DHEA); **testosterone**

and the following metabolites and isomers:

5 α -androstande-3 α ,17 α -diol; **5 α -androstande-3 α ,17 β -diol**; **5 α -androstande-3 β ,17 α -diol**; **5 α -androstande-3 β ,17 β -diol**; **androst-4-ene-3 α ,17 α -diol**; **androst-4-ene-3 α ,17 β -diol**; **androst-4-ene-3 β ,17 α -diol**; **androst-5-ene-3 α ,17 α -diol**; **androst-5-ene-3 α ,17 β -diol**; **androst-5-ene-3 β ,17 α -diol**;

4-androstenediol (androst-4-ene-3 β ,17 β -diol); **5-androstenedione** (androst-5-ene-3,17-dione); **epi-dihydrotestosterone**; **3 α -hydroxy-5 α -androstand-17-one**; **3 β -hydroxy-5 α -androstand-17-one**; **19-norandrosterone**; **19-noretiocholanolone**.

Where an anabolic androgenic steroid is capable of being produced endogenously, a *Sample* will be deemed to contain such *Prohibited Substance* where the concentration of such *Prohibited Substance* or its metabolites or markers and/or any other relevant ratio(s) in the *Athlete's Sample* so deviates from the range of values normally found in humans that it is unlikely to be consistent with normal endogenous production. A *Sample* shall not be deemed to contain a *Prohibited Substance* in any such case where an *Athlete* proves that the concentration of the *Prohibited Substance* or its metabolites or markers and/or the relevant ratio(s) in the *Athlete's Sample* is attributable to a physiological or pathological condition.

In all cases, and at any concentration, the *Athlete's* sample will be deemed to contain a *Prohibited Substance* and the laboratory will report an *Adverse Analytical Finding* if, based on any reliable analytical method (e.g. IRMS), the laboratory can show that the *Prohibited Substance* is of exogenous origin. In such case, no further investigation is necessary.

If a value in the range of levels normally found in humans is reported and the reliable analytical method (e.g. IRMS) has not determined the exogenous origin of the substance, but if there are serious indications, such as a comparison to

reference steroid profiles, of a possible *Use of a Prohibited Substance*, further investigation shall be conducted by the relevant *Anti-Doping Organization* by reviewing the results of any previous test(s) or by conducting subsequent test(s), in order to determine whether the result is due to a physiological or pathological condition, or has occurred as a consequence of the exogenous origin of a *Prohibited Substance*.

When a laboratory has reported a T/E ratio greater than four (4) to one (1) and any reliable analytical method (e.g. IRMS) applied has not determined the exogenous origin of the substance, further investigation may be conducted by a review of

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previous tests or by conducting subsequent test(s), in order to determine whether the result is due to a physiological or pathological condition, or has occurred as a consequence of the exogenous origin of a *Prohibited Substance*. If a laboratory reports, using an additional reliable analytical method (e.g. IRMS), that the *Prohibited Substance* is of exogenous origin, no further investigation is necessary and the *Sample* will be deemed to contain such *Prohibited Substance*.

When an additional reliable analytical method (e.g. IRMS) has not been applied and a minimum of three previous test results are not available, the relevant *Anti-Doping Organization* shall test the *Athlete* with no advance notice at least three times within a three-month period. If the longitudinal profile of the *Athlete* that is subject to the subsequent tests is not physiologically normal, the result shall be reported as an *Adverse Analytical Finding*.

In extremely rare individual cases, boldenone of endogenous origin can be consistently found at very low nanograms per milliliter (ng/mL) levels in urine. When such a very low concentration of boldenone is reported by a laboratory and any reliable analytical method (e.g. IRMS) applied has not determined the exogenous origin of the substance, further investigation may be conducted by a review of previous tests or by conducting subsequent test(s). When an additional reliable analytical method (e.g. IRMS) has not been applied, a minimum of three no advance notice tests in a period of three months shall be conducted by the relevant *Anti-Doping Organization*. If the longitudinal profile of the *Athlete* who is subject to the subsequent tests is not physiologically normal, the result shall be reported as an *Adverse Analytical Finding*.

For 19-norandrosterone, an *Adverse Analytical Finding* reported by a laboratory is considered to be scientific and valid proof of exogenous origin of the *Prohibited Substance*. In such case, no further investigation is necessary.

Should an *Athlete* fail to cooperate in the investigations, the *Athlete's Sample* shall be deemed to contain a *Prohibited Substance*.

2. Other Anabolic Agents, including but not limited to:

Clenbuterol, tibolone, zeranol, zilpaterol.

For purposes of this section:

* "exogenous" refers to a substance which is not ordinarily capable of being produced by the body naturally.

** "endogenous" refers to a substance which is capable of being produced by the body naturally.

S2. HORMONES AND RELATED SUBSTANCES

The following substances, including other substances with a similar chemical structure or similar biological effect(s), and their releasing factors, are prohibited:

- 1. Erythropoietin (EPO);**
- 2. Growth Hormone (hGH), Insulin-like Growth Factor (eg IGF-1), Mechano Growth Factors (MGFs);**
- 3. Gonadotrophin (LH, hCG), prohibited in males only;**
- 4. Insulin;**
- 5. Corticotrophins.**

Unless the *Athlete* can demonstrate that the concentration was due to a physiological or pathological condition, a *Sample* will be deemed to contain a *Prohibited Substance* (as **ISAF REGULATIONS**

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listed above) where the concentration of the *Prohibited Substance* or its metabolites and/or relevant ratios or markers in the *Athlete's Sample* so exceeds the range of values normally found in humans so as not to be consistent with normal endogenous production. If a laboratory reports, using a reliable analytical method, that the *Prohibited Substance* is of exogenous origin, the *Sample* will be deemed to contain a *Prohibited Substance* and shall be reported as an *Adverse Analytical Finding*.

The presence of other substances with a similar chemical structure or similar biological effect(s), diagnostic marker(s) or releasing factors of a hormone listed above or of any other finding which indicate(s) that the substance detected is of exogenous origin, will be deemed to reflect the use of a *Prohibited Substance* and shall be reported as an *Adverse Analytical Finding*.

S3. BETA-2 AGONISTS

All beta-2 agonists including their D- and L- isomers are prohibited.

As an exception, formoterol, salbutamol, salmeterol and terbutaline, when administered by inhalation, require an abbreviated Therapeutic Use Exemption.

Despite the granting of any form of Therapeutic Use Exemption, a concentration of salbutamol (free plus glucuronide) greater than 1000 ng/mL will be considered an *Adverse Analytical Finding* unless the athlete proves that the abnormal result was the consequence of the therapeutic use of inhaled salbutamol.

S4. AGENTS WITH ANTI-ESTROGENIC ACTIVITY

The following classes of anti-estrogenic substances are prohibited:

- 1. Aromatase inhibitors including, but not limited to, anastrozole, letrozole, aminoglutethimide, exemestane, formestane, testolactone.**
- 2. Selective Estrogen Receptor Modulators (SERMs) including, but not limited to, raloxifene, tamoxifen, toremifene.**
- 3. Other anti-estrogenic substances including, but not limited to, clomiphene, cyclofenil, fulvestrant.**

S5. DIURETICS AND OTHER MASKING AGENTS

Masking agents include but are not limited to:

Diuretics*, epitestosterone, probenecid, alpha-reductase inhibitors (e.g. finasteride, dutasteride), plasma expanders (e.g. albumin, dextran, hydroxyethyl starch).

Diuretics include:

acetazolamide, amiloride, bumetanide, canrenone, chlortalidone, etacrynic acid, furosemide, indapamide, metolazone, spironolactone, thiazides (e.g. bendroflumethiazide, chlorothiazide, hydrochlorothiazide), triamterene, and other substances with a similar chemical structure or similar biological effect(s) (except for drosperinone, which is not prohibited).

*A Therapeutic Use Exemption is not valid if an *Athlete's* urine contains a diuretic in association with threshold or sub-threshold levels of a *Prohibited Substance(s)*.

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PROHIBITED METHODS

M1. ENHANCEMENT OF OXYGEN TRANSFER

The following are prohibited:

- Blood doping, including the use of autologous, homologous or heterologous blood or red blood cell products of any origin.
- Artificially enhancing the uptake, transport or delivery of oxygen, including but not limited to perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin products (e.g. haemoglobin-based blood substitutes, microencapsulated haemoglobin products).

M2. CHEMICAL AND PHYSICAL MANIPULATION

- a. *Tampering*, or attempting to tamper, in order to alter the integrity and validity of *Samples* collected during *Doping Controls* is prohibited. These include but are not limited to catheterization, urine substitution and/or alternation.
- b. Intravenous infusions are prohibited, except as a legitimate acute medical treatment.

M3. GENE DOPING

The non-therapeutic use of cells, genes, genetic elements, or of the modulation of gene expression, having the capacity to enhance athletic performance, is prohibited.

SUBSTANCES AND METHODS

PROHIBITED IN-COMPETITION

In addition to the categories **S1 to S5** and **M1 to M3** defined above, the following categories

are prohibited in competition:

PROHIBITED SUBSTANCES

S6. The following stimulants are prohibited, including both their optical (D- and L-) isomers where relevant:

Adrafinil, adrenaline, amfepramone, amiphenazole, amphetamine, amphetaminil, benzphetamine, bromantan, carphedon, cathine, clobenzorex, cocaine, cropropamide, crotetamide, cyclazodone, dimethylamphetamine, ephedrine***, etamivan, etilamphetamine, etilefrine, famprofazone, fenbutrazate, fencamfamin, fencamine, fenetylline, fenfluramine, fenproporex, furfenorex, heptaminol, isometheptene, levmethamphetamine, meclufenoxate, mefenorex, mephentermine, mesocarb, methamphetamine (D-), methylenedioxyamphetamine, methylenedioxymethamphetamine, p-methylamphetamine, methylephedrine***, methylphenidate, modafinil, nikethamide, norfenefrine, norfenfluramine, octopamine, ortetamine, oxilofrine, parahydroxyamphetamine, pemoline, pentetrazol, phendimetrazine, phenmetrazine, phenpromethamine, phentermine, prolintane, propylhexedrine, selegiline, sibutramine, strychnine** and other substances with a similar chemical structure or similar biological effect(s)****.

* Adrenaline associated with local anaesthetic agents or by local administration (e.g. nasal, ophthalmologic) is not prohibited.

** **Cathine** is prohibited when its concentration in urine is greater than 5 micrograms per milliliter.

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*** Each of **ephedrine** and **methylephedrine** is prohibited when its concentration in urine is greater than 10 micrograms per milliliter.

**** The following substances included in the 2006 Monitoring Programme (bupropion, caffeine, phenylephrine, phenylpropanolamine, pipradol, pseudoephedrine, synephrine) are not considered as *Prohibited Substances*.

S7. NARCOTICS

The following narcotics are prohibited:

buprenorphine, dextromoramide, diamorphine (heroin), fentanyl and its derivatives, hydromorphone, methadone, morphine, oxycodone, oxymorphone, pentazocine, pethidine.

S8. CANNABINOIDS

Cannabinoids (e.g. hashish, marijuana) are prohibited.

S9. GLUCOCORTICOSTEROIDS

All glucocorticosteroids are prohibited when administered orally, rectally, intravenously or intramuscularly. Their use requires a Therapeutic Use Exemption approval.

Except as indicated below, other routes of administration require an abbreviated Therapeutic Use Exemption.

Topical preparations when used for dermatological, aural/otic, nasal, buccal cavity and ophthalmologic disorders are not prohibited and do not require any form of Therapeutic Use Exemption.

SUBSTANCES PROHIBITED IN PARTICULAR SPORTS

P.1 ALCOHOL

Alcohol (ethanol) is prohibited *in-competition* only, in the following sports. Detection will be conducted by analysis of breath and/or blood. The doping violation threshold for each Federation is reported in parenthesis.

- Aeronautic (FAI) (0.20 g/L) Karate (WKF) (0.10 g/L)
- Archery (FITA) (0.10 g/L) Modern Pentathlon (UIPM) for disciplines involving shooting (0.10 g/L)
- Automobile (FIA) (0.10 g/L) Motorcycling (FIM) (0.00 g/L)
- Billiards (WCBS) (0.20 g/L) Powerboating (UIM) (0.10 g/L)
- Boules (CMSB, IPC

Bowls)

(0.10 g/L)

P.2 BETA-BLOCKERS

Unless otherwise specified, beta-blockers are prohibited *in-competition* only, in the following sports.

- Aeronautic (FAI) Gymnastics (FIG)
- Archery (FITA) (also prohibited *out-of-competition*)
- Motorcycling (FIM)
- Automobile (FIA) Modern Pentathlon (IUPM) (for disciplines involving shooting)
- Billiards (WCBS) Nine-pin bowling (FIQ)
- Bobsleigh (FIBT) Sailing (ISAF) for match race helms

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only

- Boules (CMSB, IPC bowls) Shooting (ISSF, IPC) (also prohibited *out-of-competition*)
- Bridge (FMB) Skiing/Snowboarding (FIS) in ski jumping, freestyle aerials/halfpipe and snowboard halfpipe/big air
- Chess (FIDE) Wrestling (FILA)
- Curling (WCF)

Beta-blockers include, but are not limited to, the following:

acebutolol, alprenolol, atenolol, betaxolol, bisoprolol, bunolol, carteolol, carvedilol, celiprolol, esmolol, labetalol, levobunolol, metipranolol, metoprolol, nadolol, oxprenolol, pindolol, propranolol, sotalol, timolol.

SPECIFIED SUBSTANCES*

“Specified Substances”* are listed below:

- All inhaled Beta-2 Agonists, except clenbuterol;
- Probenecid;
- Cathine, cropropamide, crotetamide, ephedrine, etamivan, famprofazone, heptaminol, isometheptene, levmethamphetamine, meclofenoxate, p-methylamphetamine, methylephedrine, nikethamide, norfenefrine, octopamine, ortetamine, oxilofrine, phenpromethamine, propylhexedrine, selegiline, sibutramine;
- Cannabinoids;
- All Glucocorticosteroids;
- Alcohol;
- All Beta Blockers.

* “*The Prohibited List may identify specified substances which are particularly susceptible to unintentional anti-doping rule violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents.*” A doping violation involving such substances may result in a reduced sanction provided that the

“...Athlete can establish that the Use of such a specified substance was not intended to enhance sport performance...”