

FIL-STATUTEN UND ORDNUNGEN FIL STATUTES AND REGULATIONS

Stand nach Kongress 2008

Stand after the 2008 Congress

FIL-Statuten / *FIL Statutes*

Ordnungen / *Regulations:*

Rechts- und Verfahrensordnung / *Law and Procedure Regulation*

Geschäftsordnung / *Rules of Procedure*

Finanzordnung / *Finance Regulations*

Ehrenordnung / *Code of Honor*

FIL Anti-Doping Code

Fédération Internationale de
Luge de Course
A-5071 Salzburg-Wals

FIL-Office
Rathausplatz 9
D-83471 Berchtesgaden
Tel. 0049 8652 66960
Fax 0049 8652 66969
E-mail: office@fil-luge.org





FIL Statutes

(Stand after the 2008 Congress)

1 Basics

1.1 Name, structure and headquarters

Based on the present Statutes an association named “Fédération Internationale de Luge de Course”, “International Luge Federation”, “Internationaler Rennrodelverband” exists under Austrian Law. The National Luge Federations/National Federations (hereafter named NFs) which agreed to the Statutes and have been accepted as members are thus affiliated with the FIL.

The official abbreviation for the name International Luge Federation shall be FIL in all languages.

The Federation was founded in Davos, Switzerland on January 25, 1957.

The FIL headquarters are located in Salzburg, AUT.

1.2 Responsibility

1.2.1 The FIL is the highest authority in all questions which concern the sport of luge. It is the sole representative of the international sport of luge and represents all interests in the sport of luge worldwide.

1.2.2 The FIL is the sole luge racing federation with all of its disciplines acknowledged by the International Olympic Committee (IOC).

1.2.3 The FIL acknowledges and adheres to the Olympic Charter.

1.3 Purposes of the FIL

The purposes of the FIL are:

- To develop the sport of luge by organizing and promoting sports activity on a worldwide basis;
- To provide assistance in theory and practice for NFs and their aims;
- To promote the exchange of experience and knowledge of the sport of luge on an international level;
- To advertise in favour and by use of the sport of luge;
- To represent the sport of luge within the international Olympic sports movement;
- To co-operate with other international sport and sports science organizations;
- To stage Championships, Continental Championships, World and Continental Cups as well as further competitions in the sport of luge approved by the Congress or the Executive Board;
- To establish rules for all luge disciplines;
- To recognize only such luge competitions which were staged according to the Statutes and Regulations of the FIL and to guarantee that these Statutes and Regulations are observed during such competitions;
- To serve as highest Court of Appeal for protests and other legal issues resulting from international competitions as well as questions which concern the FIL Statutes and Regulations;
- To carry out all measures to prevent accidents most effectively;
- To respect the environment;
- To enforce the principle of “fair play”.

1.4 Neutrality

- 1.4.1 The FIL is neutral.
- 1.4.2 The FIL will not tolerate political, racist, religious, or any other discrimination towards its members.

1.5 Languages

- 1.5.1 The official languages of the FIL are German and English.
- 1.5.2 The Congress can determine further languages as working languages.
- 1.5.3 For the interpretation of the Statutes, Regulations and resolutions as well as for translations in other languages, the German wording is decisive. Regarding the FIL Anti Doping Code and its enclosures the English wording is binding.

2 Membership

2.1 Ordinary membership

- 2.1.1 Each NF with the aim of promoting the sport of luge may become an ordinary member.
- 2.1.2 Only a legal entity may become an ordinary member.
- 2.1.3 A nation may only be represented by a single NF regardless of its internal structure and sphere of activity. The NF must be recognized by its National Olympic Committee or its nation's highest sports authority.
- 2.1.4 A NF, which wishes to become a member of the FIL, has to submit a written letter of application to the FIL Executive Board. The letter of application shall include a copy of the statutes and the luge competition regulations of the NF in German and/or English, in order to prove that these meet the Statutes of the FIL; furthermore a list of the number of associated clubs and the total number of individual members of these associated clubs have to be included.
- 2.1.5 The Congress decides on the acceptance in the FIL. Admission requires a two-thirds majority.

2.2 Extraordinary Members

- 2.2.1 Extraordinary members of the FIL include:
- Supporting members (individuals or organizations);
 - Honorary members.
- 2.2.2 The Congress decides on the admission of the supporting members.
- 2.2.3 Honorary members are nominated in accordance with the FIL Code of Honour.

2.3. Rights and Obligations of Ordinary Members

- 2.3.1 Ordinary members have the same rights and obligations.
- 2.3.2 Ordinary members have the right to participate and vote in the Congress, submit motions to the Executive Board and to the Congress. However, at the request of the Executive Board, the Congress can withdraw the right to vote when membership fees have not been paid over at time period of at least three years.
- 2.3.3 Each ordinary member has only one vote in the Congress. Each NF will designate a single voting candidate to the Congress in writing. The delegate must be a citizen of the member nation.
- 2.3.4 The ordinary members have the right:
- To be heard in all questions regarding their NF and to appeal,
 - To propose members of their NF for a position in the FIL,
 - To register its athletes for all FIL competitions, in agreement with the nomination regulations for these competitions,
 - To organize and stage FIL competitions.

2.3.5 The ordinary members are obliged to obey the FIL Statutes and the respectively binding FIL Regulations and Resolutions. The members are obliged to ensure that the sports clubs and athletes associated with them obey the FIL Statutes and Regulations within the frame of FIL activities. Furthermore they are obliged to stage the competitions awarded by the FIL according to the requirements stipulated by the FIL.

2.3.6 Ordinary FIL members have to pay their annual membership fee in time.

2.3.7 Further rights and obligations of the ordinary members are regulated by the Rules of Procedure.

2.4 Termination of Membership

2.4.1 Ordinary membership terminates

- Upon loss of pre-requisites for membership,
- Upon resignation,
- Upon expulsion.

2.4.2 The expulsion of an ordinary member may be dictated by a two-thirds vote of the Congress upon motion by a national federation or by the FIL Executive Board if a serious violation of the FIL Statutes by the implicated national federation is established. Within two weeks after the Congress Resolution the expelled member can appeal to the FIL Court of Arbitration.

2.4.3 Extraordinary membership ends

- Upon demise or liquidation,
- Upon resignation,
- Upon deprivation.

2.5 Provisional Membership

2.5.1 A provisional member can be a NF which is in the process of formation and still has no associated clubs or individual athletes. Its goal must be to build up the sport of luge and train athletes for participation in FIL competitions.

2.5.2 Based on criteria established by the Executive Board, the admission of provisional members will be decided by the Executive Board.

3 Organization of the FIL

3.1 In accordance with the regulations of the IOC, the FIL is a voluntary, non-profit, international organization of national federations of individual states.

3.2 The NFs abide by their own statutes. They are autonomous; however they are bound to the Statutes and Regulations of the FIL as well as to the resolutions of the FIL Congresses and the Executive Board.

3.3 The FIL may not interfere with the internal operations of the NFs nor may the FIL interfere with the relationship between individual NFs beyond the context of the FIL Statutes and Regulations.

3.4 Any membership of the FIL in another federation requires congressional approval.

3.5 If the appointment to organs or other bodies of the FIL depends on the affinity of the official with a NF, then he/she belongs to that NF of which he/she is a member or for which he/she is active in an honorary or paid function. If he/she does not belong to a NF and is not working for it in an honorary or paid function, the nationality is decisive. With multiple nationalities his/her actual official place of residence is decisive.

4 Executive Bodies of the FIL

4.1 The FIL includes the following executive bodies:

- 4.1.1 The Congress
- 4.1.2 The Executive Board
- 4.1.3 The Expert Commissions
- 4.1.4 The Control Commission
- 4.1.5 The Court of Arbitration
- 4.1.6 The Legal Committee
- 4.1.7 Working Groups and Commissions established by the Congress

4.2 The Congress

4.2.1 The Congress is the highest authority of the FIL and consists of:

- The ordinary members;
- The members of the Executive Board;
- The Members of the Control Commission;
- The Chairpersons of the Expert Commissions and of the Commissions and/or Working Groups established by the Congress;
- The Chairperson of the Legal Committee;
- The Chairperson of the Court of Arbitration.

The right to a voice at the Congress is limited to those specified in this Section, in Section 4.1, and to those invited by the Executive Board to make a report.

4.2.2 Ordinary Congresses are held annually, if possible in June. Motions regarding changes of the IRO are only discussed every two years (in even years).

4.2.3 NFs are entitled to vote. NFs which have not paid their membership fees for at least three years can have their right to vote withdrawn (2.3.2).

4.2.4 If the preceding Congress failed to make a decision as to the time, agenda, and place of the next Congress, this decision will be made by the Executive Board. The President summons the Ordinary Congress by written notice at least three months before the date of its meeting.

4.2.5 The Congress concerns itself with general issues and elects the Executive Board, the Court of Arbitration and the number of members of Commissions and Working Groups specified in these Statutes every fourth year.

4.2.6 The agenda of the Congress must include the following items:

- opening of the Congress
- confirmation of members entitled to vote (roll call)
- awards
- approval of the minutes from the previous Congress
- reports by the Executive Board members
- annual closing of accounts and budget proposal
- report by the Control Commission
- discussion of reports and release of the Executive Board
- elections (in every fourth year; the substitute member of the Control Commission every second year)
 - election of the members of the Executive Board (4.5.1) (with the exception of the Executive Director)
 - election of the chairperson, his/her representative and the members of the Court of Arbitration (4.9.4)
 - election of the substitute members of the Control Commission (4.8)
 - election of the chairperson and the members of the Commissions (4.7) and Working Groups (4.10) to be elected by the Congress

- determination of membership fees
 - motions
 - awarding of FIL Championships for a maximum of four years in advance
 - determination of time and place of the next Congress
 - admission of new members
- 4.2.7 Motions for the Congress may be brought forth by the NFs, the Executive Board, the Expert Commissions according to 4.7.1, and by the Control Commission according to 4.8.3. They must be submitted to the President in writing and with substantiation at least ten weeks prior to the Congress with the exception of motions by the Executive Board, the Control Commission, and the Expert Commissions. Motions regarding IRO changes and supplements to the IRO can be regulated differently by the IRO. At least four weeks prior to the opening of the Congress, a summary of the motions will be sent to the members in German and English by the Secretary General; for the FIL Anti Doping Code and its' enclosures forwarding in English is sufficient.
- 4.2.8 Motions regarding changes to the IRO, as far as they do not concern §§ 1, 6, 7, 12, 13 and the Enclosures 4 and 5 for the IRO Artificial Track and the Enclosure 5 for the IRO Natural Track may be presented to the Congress only after approval by the appropriate commission according to Section 4.7.1. If the appropriate commission has rejected a motion regarding an IRO change, the entity submitting the proposal may appeal to the Executive Board for submitting it to the Congress for the passing of a resolution, citing convincing reasons. The Executive Board may determine that the proposal to change the IRO should be included on the agenda of the next Congress.
- 4.2.9 Motions regarding changes to §§ 1, 6, 7, 12, 13 and the Enclosures 4 and 5 for the IRO Artificial Track and the Enclosure 5 for the IRO Natural Track may be presented to the Congress by the Executive Board for the passing of a resolution. NFs are entitled to propose changes to the quoted paragraphs of the IRO to the Executive Board.
- 4.2.10 The Congress does not decide on amendments of the FIL Anti Doping Code and its enclosures, as far as these amendments are restricted to adjustments to the WADA World Anti Doping Code and its' enclosures.
- 4.2.11 The Congress can allow athletes to participate in its meeting, if necessary.
- 4.3 Extraordinary Congress**
- 4.3.1 An Extraordinary Congress may be called by petition of at least one tenth of the NFs or upon a resolution by the Executive Board.
- 4.3.2 The Executive Board determines the time, place, and agenda of the Extraordinary Congress which must be held within six weeks of receipt of the petition. Written notice of the meeting must be sent to the members at least four weeks prior to the Extraordinary Congress.
- 4.4 No Confidence Vote**
- Upon a motion by an ordinary member or by the Executive Board which passes by a two -thirds majority of the Congress, a vote of no confidence may be expressed against a member of an executive body which results in that person's dismissal from duties.
- 4.5 Executive Board**
- 4.5.1 The Executive Board includes:
- with seat and vote and elected by the Congress;
 - the President (*)
 - the Secretary General (*)
 - the Vice President for Finance (*)
 - the Vice President for Sport - Artificial Track
 - the Vice President for Technical Affairs - Artificial Track
 - the Vice President for Sport - Natural Track
 - the Vice President for Technical Affairs - Natural Track
 - two members-at-large

- the Chairperson of the following Commissions and Bodies:
 - Sport Commission in Artificial Track
 - Technical Commission in Artificial Track
 - Sport Commission in Natural Track
 - Technical Commission in Natural Track
- with seat but without vote and elected by the Congress
 - a Vice President for those continents which are actively engaged in luge and are not represented by at least one member on the Executive Board
- with seat only
 - the Executive Director

(*) No National Federation will be able to have a member of its National Federation elected to more than one of these three positions.

- 4.5.2 The members of the Executive Board serve in a voluntary capacity (exception: Executive Director).
- 4.5.3 The members of the Executive Board (exception: Executive Director) are elected for a period of four years corresponding to the Olympic Winter Games. Candidate proposals have to be mailed to the Executive Director no later than four weeks prior to the opening of the election Congress. After expiration of the deadline, the Executive Director will then inform the NFs in writing of the candidate proposals received. If there are no candidates for functions, the Congress can – upon motion of the President or a NF – pass a resolution, that those candidates for the election into the Executive Board can be admitted who are proposed by a NF in writing during the election Congress and within a certain extension of time.
- 4.5.4 Should a person resign from an elected position during the course of the term of office, a successor will be elected at the next Congress for the remainder of the term until the next statutory election.
- 4.5.5 The Executive Board fulfils its duties in accordance with the Statutes. It carries out the resolutions made by the Congress and takes care of all other tasks of the FIL, as far as these are not explicitly reserved for the Congress or another body of the FIL and as far as the Congress did not regulate them by means of a resolution. The Executive Board passes a resolution regarding the award of the FIL competitions (with the exception of FIL Championships), and regarding amendments of the FIL Anti Doping Code including its enclosures, as far as the Congress has no authority of resolution according to 4.2.10, and confirms the Events Schedules. Regarding the assignment of tasks the Executive Board issues the business responsibilities' overview, on which the NFs have to be informed.
- 4.5.6 If required, the Executive Board can consult athletes during its meetings.

4.6 Presidium

- 4.6.1 The Presidium consists of the President, the Secretary General, the Vice-President for Finance (with vote), and the Executive Director (with no vote).
- 4.6.2 The Presidium carries out all day-to-day business of the FIL and takes care of additional tasks assigned by the Executive Board.
- 4.6.3 All members of the Presidium, who are entitled to vote, individually represent the FIL in public. Limits on this authorization can be decided internally.

In order to be valid, written FIL documents require the signature of a member of the Presidium, who is entitled to vote. The Executive Director can be authorized by the members of the Presidium, who are entitled to vote, to sign individual or all business correspondence.

Accounts payable for an amount up to Euro 10,000 must be signed by a member of the Presidium, who is entitled to vote. However, the Executive Director can be authorized by the members of the Presidium, who are entitled to vote, to sign for accounts payable up to Euro 10,000.

Accounts payable representing an amount of more than Euro 10,000 must be signed by the Vice-President of Finance and a further member of the Presidium (including the Executive Director). Should the Vice-President of Finance be indisposed, another member of the Presidium may stand in his place. In this case the permission of the Vice-President of Finance has to be obtained immediately (by telephone, fax or e-mail).

Any agreement between a member or members of the Presidium and the FIL requires the consent of a non-engaged member of the Presidium.

Authorization for parties to represent the FIL externally on its behalf is issued exclusively by the Presidium. The authorization can be revoked at any time by the Presidium. This also includes the authorization granted the Executive Director according to paragraph 2 and 3.

- 4.6.4 In emergencies and when time is of essence the President is authorized to make unilateral decisions in matters normally under the sphere of the Congress and Executive Board. However, approval from the respective FIL body is required.

4.7 Expert Commissions

- 4.7.1 The tasks of the following Expert Commissions arise amongst others from their areas of responsibility as specified below:

Sport - Artificial Track

- IRO
- Events Schedule
- Statistics
- Training of Judges
- Training programs, courses, solidarity
- Youth

Technical - Artificial Track

- Sleds
- Equipment
- Tracks
- Safety and medicine

Sport - Natural Track

- IRO
- Events Schedule
- Statistics
- Training of Judges
- Training programs, courses, solidarity
- Youth

Technical - Natural Track

- Sleds
- Equipment
- Tracks
- Safety and medicine

The Expert Commissions deal with all motions regarding IRO changes except for §§ 1, 6, 7, 12, 13 and the Enclosures 4 and 5 for the IRO Artificial Track and the Enclosure 5 for the IRO Natural Track, and within this scope are entitled to present motions regarding IRO changes to the Congress for the passing of a resolution. For this purpose, a two thirds majority within the respective Expert Commission is required.

- 4.7.2 The members of the Sport Commission Artificial Track will be:
- a Chair who shall be elected by the Congress
 - five members elected by the Congress
 - up to five additional members which upon the recommendation of the Vice President for Sport Artificial Track and the Chairperson for the Sports Commission Artificial Track and approval of the NFs will be nominated by the Executive Board
 - an athletes representative in accordance with section 4.12
- 4.7.3 The members of the Technical Commission Artificial Track will be:
- a Chair who shall be elected by the Congress
 - five members elected by the Congress
 - up to five additional members which upon recommendation of the Vice President for Technical Affairs Artificial Track and the Chairperson for the Technical Commission Artificial Track and approval of the NFs will be nominated by the Executive Board
 - an athletes representative in accordance with section 4.12
- 4.7.4 The members of the Sport Commission Natural Track will be:
- a Chair who shall be elected by the Congress
 - five members elected by the Congress
 - up to five additional members which upon the recommendation of the Vice President Sport for Natural Track and the Chairperson for the Sports Commission Natural Track and approval of the NFs will be nominated by the Executive Board
 - an athletes representative in accordance with section 4.12
- 4.7.5 The members of the Technical Commission Natural Track will be:
- a Chair who shall be elected by the Congress
 - five members elected by the Congress
 - up to five additional members which upon the recommendation of the Vice President Technical Affairs for Natural Track and the Chairperson for the Technical Commission Natural Track and approval of the NFs will be nominated by the Executive Board
 - an athletes representative in accordance with Section 4.12
- 4.7.6 A maximum of two persons per NF may become members of an Expert Commission, regardless whether the persons will be elected by the Congress or appointed by the Executive Board. The Executive Board can also dismiss the members appointed by itself. A dismissal does not require the approval of the respective NF. Those members whose NF affinity is to be determined according to 3.5 may exclusively remain in the expert commission in question until the next elections take place, even if their NF affinity should change during their term of office.
- 4.7.7 The Commissions may not propose IRO changes to a Congress held in odd years (1999, 2001, 2003, etc).
- 4.8 Control Commission**
- 4.8.1 The Congress elects a Control Commission, consisting of two ordinary members and a substitute, who belong to three different NFs which do not have members in the Executive Board
- 4.8.2 The longest serving member of the Control Commission retires after two years. Automatically the substitute member becomes an ordinary member of the Control Commission. The new substitute member has to be elected by the Congress. A retired member can be re-elected. At least one of the three members elected must be a professional accountant or auditor.
- 4.8.3 The duties of the Control Commission are to:
- Provide for the auditing of the budget and the examination of the annual records,

- Report to the Congress on the annual audit of the financial records,
- Present the motion to release the Executive Board.

4.9 Legal Bodies

- 4.9.1 The Court of Arbitration and the Legal Committee are the legal bodies. The members of the Court of Arbitration are elected for four years for the same time period as the members of the Executive Board.
- 4.9.2 Upon motion by a NF, the Executive Board, the Presidium, or a person concerned, the Court of Arbitration makes a decision in the case of violations by the members of the FIL bodies and the settlement of disputes. Furthermore it decides on all other cases provided in the Statutes as well as in the case of complaints against sanctions and penalties of the Executive Board.
- 4.9.3 The Court of Arbitration decides under exclusion of ordinary legal proceedings.
- 4.9.4 The Court of Arbitration includes one Chairperson, his representative and three assessors who are elected by the Congress. The Chairperson should have completed a juristic education. The members of the Court of Arbitration must not be members of the Executive Board and the Legal Committee. In general, the Court of Arbitration decides with two assessors. In special urgent cases, the Chairperson can make decisions by himself/herself for preliminary measures.
- 4.9.5 Under exclusion of ordinary legal proceedings an appeal can be made to the IOC Court of Arbitration against the decision of the FIL Court of Arbitration.
- 4.9.6 The Law and Procedure Regulation which as enclosure is a component of the Statutes, regulates the Court of Arbitration proceedings to be adhered to.
- 4.9.7 In the Law and Procedure Regulations it is determined in detail, that the members, bodies and authorized representatives (for example coaches and judges) of the FIL, all participants in FIL Competitions as well as all other persons, who are - according to membership law or contractual law - subordinated to the Statutes, Regulations, Resolutions and Rulings of FIL bodies, can be punished in the case of violation against the mentioned FIL Regulations and Resolutions.

The following punishments are permitted:

- Reprimand
- Bans from half a month to up to two years
- Expulsion of athletes from official training or from competition effective immediately
- Suspension from being a Judge for the period of half a month up to two years
- Deletion from the Judge list
- limited ban from six months up to twenty-four months or permanent ban of the right to hold an official function with the Federation
- Fines of minimum € 100 up to € 7.000,00
- Expulsion

For doping infractions solely the elements of offence and sanctions regulated by the FIL Anti Doping Code and its enclosures are valid.

By the decision of all procedures carried out according to the Law and Procedure Regulations or the FIL Anti Doping Code, the costs of all procedures may be imposed on the persons involved in them either completely or partially.

- 4.9.8 In the first place, the Executive Board decides on violations against FIL Regulations and against resolutions and rulings of FIL bodies. An appeal against the Executive Board's decision can be made to the FIL Court of Arbitration, unless according to 4.9.2 an immediate appeal to the Court of Arbitration is stipulated.

4.9.9 The Legal Committee includes one Chairperson and two other members. The members of the Legal Committee are appointed by the Executive Board. The FIL Executive Board has to obtain the consent of each corresponding national federation before appointing any person into the Legal Committee. The regular term of office is 4 years corresponding to the term of office of the Executive Board. The Chairperson must have completed a juristic education, and he is to be nominated by the Executive Board. The special tasks of the Legal Committee include the consultation of the Executive Board in all legal affairs as well as the legal judgement of Congress resolutions.

4.10. Development/Youth Working Group

The „Development/Youth“ Working Group is chaired by an Executive Board member. In addition to the Chairperson, the Working Group consists of a minimum of two members who will be elected by the Congress. Further experts (with vote) can be proposed by the Chairperson. These experts are to be appointed by the Executive Board.

4.11. Medical Commission

The Medical Commission is a body appointed by the FIL Executive Board with the aim to advise, support and control the sport of luge, represented by the FIL, regarding any medical matters. The FIL Executive Board has to obtain the consent of each corresponding national federation before appointing any person into the Medical Commission. The Medical Commission elects a chairperson from its midst at its first meeting. The tasks of the Medical Commission are stipulated in the „Regulations for the Medical Commission“ to be confirmed by the Executive Board.

4.12 Athletes' Representatives

4.12.1 The athletes participating in FIL competitions in Artificial Track sport and Natural Track sport can respectively nominate one candidate as athlete representative for each of the Sport Commission in Artificial Track and Natural Track and one for each of the Technical Commission in Artificial Track and Natural Track. However, it is the undisputed right of the athletes to propose candidates from their own country or from another country.

4.12.2 By the closing date of the first World Cup of the particular season, each athlete will be asked to nominate one candidate for the election positions according to section 4.12.1 in writing and to send or give to either the FIL office or to the FIL representative for this World Cup. The list of candidates will then be put in circulation by the FIL prior to January 1st of the election year. The election will take place at the World Championships of the post-olympic season and will come into effect if at least 50 % of the athletes participating in the World Championships take part in the election. In the area of Natural Track, each athlete has a vote during the election of the athlete representative for the Sport Commission as well as a vote during the election of the athlete representative for the Technical Commission. In the area of Artificial Track, each NF has a vote during the election of the athlete representative for the Sport Commission as well as a vote during the election of the athlete representative for the Technical Commission. The athlete with the highest number of votes for the respective Commission is the athlete representative for the entire election period. Should an athlete withdraw from office for whatever reasons, the athlete with the second highest number of votes will take over the position in the respective Commission.

4.12.3 The election will take place in writing and votes will be accounted for by the FIL representative or Chairperson of the Jury attending the competition. The term of office for the respective athletes' representatives is four years starting with his election.

4.12.4 The athletes' representatives will be invited to the respective Commission meetings and the FIL Congress with their expenses paid by the FIL.

5 Finances of the FIL

5.1 The finances of the FIL include

5.1.1 Annual membership fees paid by the NFs

5.1.2 Donations

5.1.3 Revenue of FIL competitions

5.1.4 Other income

5.2 Management of finances is governed by the Financial Regulations.

5.3 Use of Financial Means

5.3.1 Possible profits may only be used for purposes according to the Statutes. The NFs do not receive shares of the profit and in their capacity as members they do not receive other financial payments by the FIL; this is also applicable for the work of the Executive Board members and members of other FIL bodies.

5.3.2 Upon retirement or in case of dissolution of the FIL, no member has a right to obtain shares of the Federation's assets.

5.3.3 No person may benefit from administration expenses, which are unrelated to the purpose of the Federation or from reimbursements which are disproportionately high.

5.3.4 Within the frame of the purpose of the Federation cash expenses made by the members of the Executive Board and other executive bodies are reimbursed according to receipts or lump sum amounts permitted by law.

6 Dissolution of the FIL

6.1 The Congress may dissolve the FIL with a four-fifths majority vote with at least half of the NFs present.

6.2 In case of dissolution of the FIL or in case that its purposes so far no longer exist, the assets will fall to a similar, non-profit sports organization, which has to use them immediately and exclusively for non-profit purposes. Resolutions on the future use of the assets may only be realized after obtaining the approval of the competent Financial Authorities.

7 Voting

7.1 Resolutions in all bodies of the FIL will be decided with more than one half of the valid votes (simple majority) as long as one half of the members of the bodies are present. If the alternatives provided do not receive the simple majority during a vote, then at the next voting process, the alternative which receives the least votes will be rejected.

Exceptions:

7.1.1 Acceptance of a National Federation (2.1.5) or expulsion of a National Federation (2.4.2) may only be enacted by the Congress and requires a two-thirds majority with at least half of the NFs present.

7.1.2 Changes in the Statutes may only be decided by the Congress and need a two thirds majority with at least half of the NFs present. This does not apply for amendments of the FIL Anti Doping Code and its enclosures in terms of 4.2.10.

7.1.3 Proposed changes to the IRO with the exception of §§ 1, 6, 7, 12, 13 and the Enclosures 4 and 5 for the IRO Artificial Track and the Enclosure 5 for the IRO Natural Track require a two thirds majority of the according to 4.7.1 appropriate Commission before they may be submitted to the Congress for the passing of a resolution (4.2.8).

- 7.2** All votes are open. If one third of the voting members request a secret ballot, this request must be granted.
- 7.3** Upon determination of a quorum the subsequent invalid votes and abstentions do not eliminate the quorum.

8 Elections

- 8.1** Basically, elections must be held in the order stipulated under 4.5, 4.7, 4.8, 4.9, and 4.10.
- 8.2** Only NFs are authorized to make proposals for all elective functions.
- 8.3** The procedure for elections is regulated by the General Rules of Procedure.

9 Enclosures and by-laws

- 9.1** **Coequal part of the Statutes** is the FIL Anti Doping Code (FIL Anti Doping Rules) including its enclosures, especially the List of Prohibited Substances and Methods (Prohibited List), the Standards for Doping Controls (International Standard for Testing), and the Standards for the sample analysis and reporting (International Standard for Laboratory Analysis).

9.2 Supplemental regulations to the Statutes are:

- 9.2.1 The IRO - International Luge Regulations for Artificial Track and Natural Track – including supplements
- 9.2.2 The General Rules of Procedure
- 9.2.3 The Finance Regulations
- 9.2.4 The Code of Honor
- 9.2.5 The Law and Procedure Regulations

- 9.3** **The Business Responsibilities' Overview** is passed by the Executive Board and is to be announced to the NFs.

10 FIL Emblem

Only upon written approval by the FIL Executive Board, are all individual and legal entities associated with the FIL by means of their membership or by contract, allowed to use the FIL Emblem.

11 Amendments to the Statutes

- 11.1** Amendments to the Statutes can only be enacted by an Ordinary Congress. This is not valid for amendments of the FIL Anti Doping Code including its enclosures in the terms of 4.2.10.
- 11.2** Amendments are to be announced on the agenda in advance.
- 11.3** Motions of urgency concerning changes in the Statutes (excluding IRO changes) and regarding dissolution of the FIL are not possible.

12 Date of Validation

These Statutes take effect upon resolution by the Congress.

LAW AND PROCEDURE REGULATIONS of the International Luge Federation (FIL)

1. Violations

Members (NFs), bodies including their members and authorized persons (for example coaches and judges) of the FIL, all athletes and other participants in FIL competitions as well as all other persons, who are - according to membership law or contractual law - subordinated to the Statutes, Resolutions and Rulings of FIL bodies, can be punished in the case of a violation against the Statutes, including the Regulations, Resolutions or Rulings by FIL bodies. In case of doping infractions for the elements of offence to be sanctioned and the sanctions to be imposed solely the FIL Anti Doping Code and its enclosures are valid.

2. Limitation of Time

Violations which in some cases would only be punished with a reprimand, can no longer be prosecuted after the expiration of three months since the deed. All other violations are barred after one year. The initiation of a procedure in sports law (fig. 4) and each action in sports law interrupts the limitation of time. If a person concerned avoids such proceedings or the initiation of such proceedings by resignation, these proceedings will be continued or initiated if the person acquires a new membership. The resignation suspends the limitation of time up to this point of time.

The limitation of doping infractions solely depend on the FIL Anti Doping Code.

3. Degree of Punishment

3.1 The following punishments are permitted:

- a) Reprimand,
- b) Bans for NFs and their members as well as athletes, managers, coaches, medical doctors, judges or other persons described in Section 1 from half a month to up to two years,
- c) Disqualification of the participation of athletes in official training or in competition runs effective immediately,
- d) Deletion from the Judge list,
- e) limited deprivation from six months up to twenty-four months at the most or permanent deprivation of the right to hold an official function with the Federation,
- f) Fines from € 100,00 up to € 7.000,00,
- g) Expulsion.

3.2 For doping infractions solely the FIL Anti Doping Code with its enclosures, especially the List of Prohibited Substances and Methods, the Standard for Doping Controls and the Standard for the sample analysis and reporting, are valid. The enclosures to the FIL Anti Doping Code and the World Anti Doping Code are also published in English in the internet on the website of WADA www.wada-ama.org .

4. Procedures

On the violations on the terms of point 1 the Executive Board decides in the first instance, as far as these violations do not concern members of FIL bodies. Within two weeks an appeal can be made to the FIL Court of Arbitration against the decision of the Executive Board under exclusion of ordinary legal proceedings. The time limit starts from the delivery of the decision.

For doping infractions regarding the jurisdiction and the procedure solely the rules of the FIL Anti Doping Code and its enclosures are valid.

4.1. FIL Court of Arbitration

4.1.1 Regarding violations by the members of the FIL bodies, the settlement of disputes as well as in those cases provided in the Statutes, the FIL Court of Arbitration makes a decision on the request of a NF, the Executive Board, the Presidium or a person concerned under exclusion of ordinary legal proceedings. In the final trial it hears both parties and gives a judgement with majority vote.

4.1.2 In general the Court of Arbitration decides with one chairperson and two assessors. The composition of the Court of Arbitration follows a plan in which the tasks are distributed amongst the members. The Court of Arbitration decides on this plan with a simple majority vote at the beginning of the election period. In very urgent cases the Chairperson decides alone on intermediate measures and/or interim rulings, in general after hearing the parties concerned. In case of a protest by the aggrieved party, the Court of Arbitration decides with its normal composition. The protest has no postponing effect. At the latest, the protest has to be submitted to the FIL Court of Arbitration four weeks after the announcement, or alternatively after delivery of the complete decision in writing.

4.1.3 The Court of Arbitration is authorized to demand written statements from the parties, to invite witnesses, to hear experts, to make visits to the scene, as well as to use federations' or associations' files or other seemingly appropriate material and to make it a subject of the proceedings. In order to speed up the proceedings, the Court of Arbitration can determine deadlines for testimonies and summons at its approved discretion. In case of culpable default, the Court of Arbitration can reject means of attack and defence and decide in accordance with the records. The Court of Arbitration may conduct oral hearings also via conference call.

4.1.4 The decisions of the Court of Arbitration are based on the Statutes, the Regulations of the FIL and other rulings passed by the FIL bodies within their competence, as well as on relevant contracts.

4.1.5 An appeal against the final decisions of the FIL Court of Arbitration can be made at the Tribunal Arbitral du Sport (TAS) under exclusion of the due process of law. The time limit for appeal is two months; it starts from the delivery of the completely written decision. With respect to the formal requirements regarding the filing of an appeal, the procedure regulations of TAS are applicable.

For appeals to the Tribunal Arbitral du Sport in doping cases solely the rules of the FIL Anti Doping Code, its enclosures and its references are valid.

4.2 Further competence of the Tribunal Arbitral du Sport

Disputes within the FIL which can neither be settled by the Executive Board nor by the FIL Court of Arbitration, can be submitted by the parties to the Tribunal Arbitral du Sport (TAS) for decision under exclusion of ordinary legal proceedings. The decision of TAS is binding and final.

5. Exclusion of Liability of the FIL Courts

The FIL and the members of its bodies and their subdivisions are not liable for damage which originates for National Federations including their bodies and members, for the participants in FIL events and for all other persons and institutions that are effected by the procedures and decisions of the FIL's legal bodies, due to decisions or omissions of these legal bodies and their members.

6. Enforcement

The filing of a complaint, an appeal or a legal remedy does not have a postponing effect. The enforcement of the disputable decision, however, can be postponed on well-founded exceptions upon the request of the person concerned or officially by the chairman of the now competent higher court.

7. Costs of the proceedings

The party which loses the case or which caused the costs is liable to pay the expenses. This is also valid in case of a withdrawal of the charge, the motion, or the legal remedy; in these cases only half of the determined fee can be charged. In well-founded exceptional cases the competent higher court can determine a different distribution of costs according to its dutiful discretion. FIL bodies and their members do not have the duty to bear the costs. According to its dutiful discretion the competent higher court decides on the duty of costs reimbursement amongst the litigant parties.

RULES OF PROCEDURE

of the International Luge Federation (FIL)

1 Area of application – Participation in meetings

- 1.1 These Rules of Procedure apply to the conduct of International Luge Federation Congresses, meetings, and other sessions, herein-after called meetings.
- 1.2 The Congress is open to the public. Upon the adoption of a resolution based on a motion, the public can be excluded.
- 1.3 All other meetings are not open to the public. Meetings may be deemed open if the members at the meeting agree to permit such.
- 1.4 The members of the Presidium are authorized to participate in all meetings.
- 1.5 During open meetings, an individual or individual groups may not be excluded unless the maintenance of order is jeopardized.
- 1.6 The audio and visual recording of meetings and sessions of FIL bodies and committees is not permitted unless the respective FIL body and committee have passed a resolution to allow the recording of the meeting based on a motion by a member of the respective FIL body or committee. The Congress is taped on audio equipment.

2 Call to meeting

- 2.1 The calling of Congress must be in accordance with Sections 4.2 and 4.3 of the Statutes and must be in written form. The invitation for other meetings must be made by the chairpersons at least eight weeks prior to the meetings. The agenda must be enclosed with the invitation.
- 2.2 At the same time the Presidium is to be informed on the mailing of the invitations and the agenda.
- 2.3 A meeting must be held if more than one-third of the members request it.

3 Quorum

- 3.1 A meeting has a quorum if, after a duly published invitation, at least one-half of the members authorized to vote are present. Proxy voting is not permitted.
- 3.2 A meeting no longer has a quorum if more than one-half of the voting members are no longer present.
- 3.3 If a meeting is dissolved due to lack of a quorum, within four weeks a new meeting is to be called. At this meeting, only the remaining agenda items are considered.

4 Chairmanship of a meeting

- 4.1 The Congress and the Executive Board meetings are convened, presided over and closed by the FIL President, the other meetings are convened, presided over and closed by the chairperson.
- 4.2 If the chairperson and his statutory substitute are unable to attend, the members present select a meeting chairperson among themselves. The same procedure applies to discussions and consultations which personally concern the usual chairperson.
- 4.3 The chairperson may take all necessary steps in order to preserve order. If the orderly conduct of the meeting is threatened, the chairperson may rule someone out of order, expel individual members temporarily or for the duration of the meeting, or order a break in or termination of the meeting.
- 4.4 Objections, which must be raised immediately and without substantiation, are decided upon by the meeting with a simply majority vote and without discussion.
- 4.5 After the opening of a meeting, the chairperson verifies the convening of the meeting, the roll call, the rights to vote and announces the agenda. These verifications may be delegated. Objections or proposals for changes in the agenda are decided by the members at the meeting with a simple majority vote without debate.
- 4.6 Objections against the agenda or motions to change something are decided by the meeting with a simple majority.
- 4.7 The agenda items are discussed and voted upon in the stipulated order.

5 Granting or permission to speak and order of speakers

- 5.1 In principle, each participant invited to the meeting has the right to speak. At the Congress, this applies to a maximum of two invited delegates per National Federation (NF) and to each member of the Executive bodies of the FIL. Additional requests for permission to speak are at the discretion of the chairperson in agreement with the meeting.
- 5.2 A speaker list is to be drawn up for each agenda item. Speakers are listed in order of their requests for permission to speak. This list may not be initiated before discussion has begun.
- 5.3 Permission to speak is given by the chairperson. Speaking then occurs in the order noted in the speaker's list.
- 5.4 Meeting participants must leave the meeting room if agenda items are covered which concern them personally even if the assembly loses its quorum with the person's departure.

- 5.5 Members giving reports and proposers of motions may speak at the beginning of the discussion of their agenda item. They may also request to speak without regard to the order of the speaker list; their request to speak is to be honored by the chairperson.
- 5.6 The chairperson may speak without regard to the order of the speaker list at all times.

6 Rising to order

- 6.1 If a participant wishes to rise to a point of order, he may do so without regard to the order of the list of speakers, after the preceding speaker has finished.
- 6.2 Only one proponent and one opponent may rise to a point of order.
- 6.3 The chairperson may rise to a point of order at any time, if necessary, and may also interrupt speakers.

7 Motions

- 7.1 Persons permitted to bring forward motions at the Congress are specified in Sections 4.2.7, 4.2.8, and 4.2.9 of the Statutes. Motions to other bodies and meetings may be proposed by the voting members or by members of the respective bodies and meetings.
- 7.2 As long as a deadline for the submission of motions is not given in the Statutes, motions must be submitted not later than one week before the date of the meeting.
- 7.3 All motions have to be submitted in writing and with substantiation. Unsigned motions will not be considered.
- 7.4 Motions which result from the consideration of another motion and improve upon, shorten or expand upon it, are accepted without establishment of urgency.
- 7.5 Motions regarding amendments to the Statutes are considered in accordance with Section 11 of the Statutes.

8 Motions of urgency

- 8.1 Motions, which are not on the agenda, are considered motions of urgency and are only discussed and voted upon with the consent of a two-thirds majority. Motions of urgency must be presented to the chairperson in writing.
- 8.2 The urgency of a motion is voted upon immediately and without regard to the order of the list of speakers, after the proponent of the motion has spoken. One opposing speaker is permitted.
- 8.3 Motions of urgency to change the Statutes (with the exception of IRO changes) and to dissolve the FIL are not possible.

9 Motions regarding the Rules of Procedure

- 9.1 Motions regarding rules of procedure, for closure of the debate or limitation of speaking time must be voted upon immediately without regard to the order of the speaker list and after the proponent and opponent have spoken.
- 9.2 Speakers who have spoken on the subject already may not move for closure of the debate or limitation of speaking time.
- 9.3 Before voting on a motion for closure of the debate or limitation of speaking time, the remaining names on the list of speakers must be announced.
- 9.4 If the motion is adopted, upon request the chairperson will ask only the proponent or the member giving the report to speak.
- 9.5 Motions to close the list of speakers are not permitted.

10 Voting

- 10.1 The order of motions to be voted upon must be announced clearly before the vote.
- 10.2 Every motion has to be read once again by the chairperson before the vote.
- 10.3 If several motions have been submitted on the same item, the most extensive one must be voted on first. If doubt exists as to which motion is the most extensive, the meeting makes a decision without discussion.
- 10.4 Substitute motions, expanded motions, and subordinate motions must be voted upon separately following the motion regarding the respective issue.
- 10.5 Voting is open. If voting cards have been issued, they have to be used. The chairperson may nevertheless require a secret ballot or roll call vote; the chairperson must do so if such a motion has been adopted. Such motions have to be supported by at least 1/3 of the persons authorized to vote.
- 10.6 In case of a roll call vote, the names of the voting participants and their decisions must be recorded in the minutes.
- 10.7 After voting has begun, speaking on the issue is no longer permitted.
- 10.8 However, if questions arise about the vote, the chairperson may speak and relay information.
- 10.9 In all voting, as long as the Statutes do not dictate otherwise, a simple majority of votes cast determines the outcome. An equal number of votes requires rejection. Abstentions and invalid votes are not counted.
- 10.10 Upon the passing of a motion, open votes called in question must be repeated in the form of a secret ballot or a roll call vote.
- 10.11 For voting, the following order is binding: asking for approval, opposition, abstention.

11 Elections

- 11.1 Elections must only be conducted if they are required according to the Statutes, are on the agenda, and have been announced upon the calling of the assembly.
- 11.2 In principle, elections must be conducted in written form, in secrecy, and in the order prescribed in the Statutes, if the meeting does not decide otherwise.
- 11.3 Before the elections, an election committee with at least three members is to be appointed. Its duty is to count and verify the votes.
- 11.4 The election committee has to appoint a chief election official, who has the rights and obligations of a chairperson during the election procedure.
- 11.5 Before the election, the election committee must verify whether the nominated candidates fulfil the qualifications stipulated in the Statutes.
- 11.6 Absent persons may be elected if a written statement of the candidate indicating their willingness to accept the office has been submitted to the chief election official before the election. This is not valid for the election of the members of the four expert commissions, according to Point 4.7 of the Statutes, and of the members of the working group "Development/Youth", according to Point 4.10 of the Statutes. The confirmation of the delegate of the corresponding National Federation is sufficient here.
- 11.7 Before the election, candidates must be asked whether they are willing to assume the office if they are elected.
- 11.8 The results of the election must be ascertained by the election committee, reported to the chairperson; its validity must be explicitly confirmed in the minutes.

12 Minutes

- 12.1 Minutes must be kept of all meetings. Copies of the minutes must be delivered within four weeks to the meeting participants, to the members of the appropriate Executive bodies and to the Executive Board.
- 12.2 The NFs must be informed about resolutions by the Executive Board promptly in German and English.
- 12.3 The minutes are considered accepted if within four weeks after delivery no written objection to the dispatched version is raised (with the exception noted in Section 4.2.6 of the Statutes).

13 Effective Date

These Rules of Procedure are in effect upon acceptance by the 46th FIL Congress on June 6, 1998.

FINANCE REGULATIONS of the International Luge Federation (FIL)

1 Applicability

These Financial Regulations govern the business affairs of the FIL in accordance with Section 5 of the FIL Statutes.

2 Use of funds

The funds standing at the disposal of the FIL are to be used in a cost effective manner.

3 Vice-President for Finance

3.1 The Vice-President for Finance is responsible to the Executive Board and to the Congress for all economic matters.

3.2 The Vice-President for Finance has to pay attention to adherence to financial obligations by members and has to remind them of overdue accounts.

4 Legal Matters

4.1 Entering into legally binding matters basically remains the province of the Executive Board. In urgent cases, the Vice-President for Finance may make a decision. An Executive Board resolution is the final authority.

4.2 In all current business affairs, the Presidium may enter legally binding arrangements pertaining to the budget.

5 Budget

5.1 The budget forms the basis for the conduct of business. For one fiscal year (April 1 - March 31) the draft for the budget is made by the Vice-President Finance and three weeks before the Congress it is mailed to the NFs. It will be submitted by the Executive Board for approval by the Congress.

5.2 If the planned funding does not fully suffice for the current fiscal year, a supplemental budget is to be submitted by the Vice-President for Finance for approval by the Executive Board.

5.3 Transfers within individual sections of the budget may be made by the Vice-President for Finance.

5.4 Congress establishes the membership fees. Payment of annual dues must take place by April 30 at the latest for the current fiscal year.

6 Annual Statement of Accounts

- 6.1 Budgetary income and expenses are to be verified and accounts receivable and accounts payable entered in the annual statement of accounts. In addition, an overview of assets must be included. It is to be sent to the NFs three weeks before the Congress at the latest.
- 6.2 After examination by the Control Commission, the Vice-President for Finance files a report with the Executive Board on its findings. Based on the Annual Statement of Accounts the Control Commission submits a motion to the Congress to release the Executive Board.

7 Management of Accounts

- 7.1 As much as possible, financial transactions involving FIL accounts are to be transacted without the use of cash. The Presidium has the right of disposal for the accounts.
- 7.2 Payments are made on the basis of the approved budget as well as upon Executive Board resolution.
- 7.3 Before checks are prepared for payment, all bills of a value of more than €5,000 are to be examined by two members of the Presidium (one of whom should be the Vice-President for Finance) as to factual and mathematical accuracy. In banking, bank transfers, drawings and other dispositions of more than € 10.000,-- have to be signed by two members of the Presidium.

8 Meetings and travel

- 8.1 Conferences, meetings, participation in events, etc., will be covered as provided by funding allocated in the budget.
- 8.2 Reimbursement of travel costs will be made in accordance with travel regulations in effect at the time.
- 8.3 Official trips generally require approval of the FIL President. This does not pertain to trips which the Congress has authorized.

9 Control

Control will be undertaken by the Control Commission according to Section 4.7 of the Statutes.

10 Concluding regulations

- 10.1 Upon the proposal of the Vice-President for Finance, the Executive Board is the authority in all financial and accounting questions which are not covered by these Financial Regulations.
- 10.2 The Finance Regulations take effect as of the acceptance of the 46th FIL Congress on June 6, 1998.

CODE OF HONOR

of the International Luge Federation (FIL)

1 Distinguished Medal of Honor of the FIL without Wreath

1.1 Bestowal

- 1.1.1 On persons, who have demonstrated merit worthy of honor during the staging of FIL Competitions, Congresses, meetings and other events.
- 1.1.2 On Persons for long-term service in the national federation (hereafter named NFs) or in a club.

1.2 Right of Nomination

- 1.2.1 Via organizing committees of FIL competitions, congresses, etc.
- 1.2.2 Via NFs
- 1.2.3 Via clubs via NFs

1.3 Confirmation

Via the highest ranking FIL official present.

1.4 Award

Award of the medal of honor and a certificate in a worthy ceremony at the end of the respective event by the highest ranking FIL official present.

1.5 Registration

All persons awarded with a FIL medal of honor are to be recorded in a list, indicating the full name, the year of the award and the NF responsible.

2 Distinguished Medal of Honor of the FIL with Wreath

2.1 Bestowal

- 2.1.1 On FIL officials, who have been active on the Executive Board for at least two election periods.
- 2.1.2 On officials of the NFs, sponsors, promoters.

2.2 Right of Nomination

- 2.2.1 Via the NFs
- 2.2.2 Via the FIL Executive Board

2.3 Confirmation

- 2.3.1 By the Executive Board
- 2.3.2 In urgent cases, by the President
- 2.3.3 By the Congress (for diamond)

2.4. Guidelines for the proposals for FIL and NF officials

2.4.1 Bronze 10 years of service

2.4.2 Silver 15 years of service

2.4.3 Gold 20 years of service

2.4.4 Diamond over 20 years of service or upon special merits

2.5 Award of Medal of Honor and Certificate

2.5.1 At Congresses and Executive Board meetings

2.5.2 At the close of FIL competitions

2.5.3 At celebrative events of the FIL and the NFs

2.6 Certificate

It has to show:

- The first and family names of the recipient
- Place and date of the location during which the award was confirmed
- Level of award (bronze, silver, gold, diamond)
- Signature of the President
- Official seal of the FIL

2.7 Registration

This is carried out by the FIL-Office and is to be completed with current data; the following items must be entered in the official register:

- The complete name of the recipient
- The level of the award
- The applicable NF
- The year of the award

2.8 Dispossession of an award

This takes place by motion and decision of Congress.

3 Honorary Membership

3.1 Title

3.1.1 Honorary Member

- On FIL officials with many years of service at the end of, or retirement from, active participation
- On sponsors, promoters
- Posthumous award

3.1.2 Honorary Vice-President

- On Vice-Presidents who have carried out this function for at least three election periods and are retiring from active participation.
- Posthumous award

3.1.3 Honorary President

- On Presidents who are retiring from active participation and who have carried out this function for at least three election periods.
- Posthumous award

3.2 Right of Nomination

3.2.1 Via the Executive Board

3.2.2 Via the NFs

3.3 Confirmation

By the Congress

3.4 Nomination

At the beginning of the Congress with awarding of the Certificate and the Medal of Honor.

3.5 The Certificate has to contain:

3.5.1 Family and first name of the person to receive the award

3.5.2 Place and date of the Congressional resolution

3.5.3 Notation of title

3.5.4 Signature of the President

3.5.5 FIL seal

3.6 Medal of Honor – Design

Like the FIL Medal of Honor in gold with additional gold wreath. The title granted must be engraved upon it.

3.7 Registration

3.7.1 All persons on whom honorary membership has been bestowed are to be cited in a list in which their full names, the titles awarded, the year of bestowal and the applicable NF are to be entered.

3.7.2 The FIL Office has to establish and update the list.

3.7.3 The list of persons who possess an honorary membership should appear in special official FIL publications, e.g., special bulletins, magazines, etc.

3.7.4 On the FIL address register, honorees' name and home addresses are to be noted.

3.8 Privileges of Honorary Members

3.8.1 Forwarding of FIL informational publications

3.8.2 Free admission to all FIL events and special attention at all FIL events

3.8.3 Invitation to special FIL events

3.8.4 Invitation of the Honorary Presidents to the Congress

3.9 Dispossession

Honorary membership may be removed by Congressional resolution for substantiated claims.

4 Concluding Regulations

The FIL Code of Honor takes effect upon acceptance by the 46th FIL Congress on June 6, 1998.



FIL Anti-Doping-Code

FADC

(English Version)

August 2008

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FIL ANTI-DOPING RULES

INTRODUCTION

Preface

At the FIL Congress held on 27/June/2008 in Calgary, FIL accepted the World Anti-Doping Code (the "*Code*"). These Anti-Doping Rules are adopted and implemented in conformance with FIL's responsibilities under the *Code*, and are in furtherance of FIL's continuing efforts to eradicate doping in the sport of luge.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Athletes* or other *Persons* accept these rules as a condition of participation and shall be bound to these rules. These sport specific rules and procedures aimed at enforcing anti-doping rules in a global and harmonized way are distinct in nature and are, therefore, not intended to be subject to or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters. When revising the facts and the law of a case all courts, arbitral tribunals and other adjudicating bodies should be aware and respect the distinct nature of the anti-doping rules in the *Code* and the fact that the latter represents the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

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

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; 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 FIL, each *National Federation* of FIL, and each *Participant* in the activities of FIL or any of its *National Federations* by virtue of the *Participant's* membership, accreditation, or participation in FIL, its *National Federations*, or their activities or *Events*. Any *Person* who is not a member of a National Federation and who fulfills the requirements to be part of the FIL Registered Testing Pool, must become a member of the *Person's National Federation*, and must make himself or herself available for *Testing*, at least six months before participating in *International Events* or *events of his/her National Federation*.

To be eligible for participation in FIL events, a competitor must have an FIL licence issued by his or her National Federation. The FIL licence will only be issued to competitors who have personally signed the Appendix 1, in the actual form approved by the FIL Executive. All forms from under-age applicants must be counter-signed by their legal guardians.

The National Federation must guarantee that all athletes registered for a FIL Licence accept the Rules of the FIL, including these FIL Anti-Doping Rules compiled in accordance with the World Anti-Doping Code.

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

These Anti-Doping Rules shall apply to all *Doping Controls* over which FIL and its *National Federations* have jurisdiction.

ARTICLE 1 DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of these Anti-Doping Rules.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Athletes or other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.

The following constitute anti-doping rule violations:

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

2.1.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping violation under Article 2.1.

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by either of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*.

2.1.3 Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

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

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

2.2.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. 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 for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

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

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

2.4 Violation of the requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to file required whereabouts information set forth in Article 5.5 (*Athlete* whereabouts requirements) and missed tests which are declared based on rules which comply with the *International Standard for Testing*. Any combination of three missed tests and/or filing failures within an eighteen-month period shall constitute an anti-doping rule violation.

2.5 *Tampering or Attempted Tampering* with any part of *Doping Control*.

2.6 *Possession of Prohibited Substances and Methods*

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

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

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

2.8 Administration or Attempted administration to any *Athlete In-Competition* of any *Prohibited Method* or *Prohibited Substance*, or administration or *Attempted* administration to any *Athlete Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* that is prohibited in *Out-of-Competition Testing*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* anti-doping rule violation.

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

FIL and its *National Federations* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether FIL or its *National Federation* has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these 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, except as provided in Articles 10.4 and 10.6 where the *Athlete* must satisfy a higher burden of proof.

3.2 Methods of Establishing Facts and Presumptions

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

3.2.1 WADA-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Athlete* or other *Person* may rebut this presumption by establishing a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*, then FIL or its *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2 Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* occurred, then FIL or its *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

3.2.3 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrefutable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.

3.2.4 The tribunal in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the tribunal) and to answer questions either from the tribunal or from FIL or its *National Federation* asserting the anti-doping rule violation.

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

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

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 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 FIL. As described in Article 4.2 of the *Code*, FIL may request that WADA expand the *Prohibited List* for the sport of luge. FIL may also request that WADA include additional substances or methods, which have the potential for abuse in the sport of luge, in the monitoring program described in Article 4.5 of the *Code*. As provided in the *Code*, WADA shall make the final decision on such requests by FIL.

4.2.2 All *Prohibited Substances*, except substances in the classes of anabolic agents and hormones and those stimulants so identified on the *Prohibited List*, shall be "Specified Substances" for purposes of the application of Article 10 (Sanctions on Individuals). *Prohibited Methods* shall not be Specified Substances.

4.2.3 In the event WADA expands the *Prohibited List* by adding a new class of *Prohibited Substances* in accordance with Article 4.1 of the *Code*, WADA's Executive Committee shall determine whether any or all *Prohibited Substances* within the new class of *Prohibited Substances* shall be considered Specified Substances under Article 4.2.2.

4.3 Criteria for Including Substances and Methods on the Prohibited List

As provided in Article 4.4.3 of the *Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* is final and shall not be subject to challenge by an *Athlete* or other *Person*.

4.4 Therapeutic Use

4.4.1 *Athletes* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a Therapeutic Use Exemption ("TUE"). The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 2.1), *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (Article 2.2), *Possession* of *Prohibited Substances* and *Methods* (Article 2.6) or *Administration* of a *Prohibited Substance* or *Prohibited Method* (Article 2.8) consistent with the provisions of an applicable therapeutic use exemption and issued pursuant to the *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

4.4.2 *Athletes* included by FIL in its *Registered Testing Pool* and other *Athletes* prior to their participation in any *International Event* must obtain a TUE from FIL (regardless of whether the *Athlete* previously has received a TUE at the national level). TUE's granted by FIL shall be reported to the *Athlete's National Federation* and to WADA. Other *Athletes* subject to *Testing* may obtain a TUE from their *National Anti-Doping Organization* or other body designated by their *National Federation*. *National Federations* shall promptly report any such TUE's to FIL and WADA.

4.4.3 The FIL Executive shall appoint a panel of physicians to consider requests for TUE's (the "TUE Panel"). Upon FIL'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 FIL.

4.4.3.1 *International-Level Athletes* who are included in the FIL's *Registered Testing Pool*, should apply to FIL for the TUE at the same time the *Athlete* first provides whereabouts information to FIL and, except in emergency situations, no later than 21 days before the *Athlete's* participation at an *International Event*.

4.4.3.2 *Athletes* participating in *International Events* who are not included in the FIL *Registered Testing Pool* must, except in emergency situations, request a TUE from FIL no later than 21 days before the *Athlete's* participation at an *International Event*.

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

ARTICLE 5 TESTING

5.1 Authority to Test

All *Athletes* affiliated with a *National Federation* shall be subject to *In-Competition Testing* by FIL, the *Athlete's National Federation*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* affiliated with a *National Federation* shall also be subject to *Out-of-Competition Testing* at any time or place, with or without advance notice, by FIL, WADA, the *Athlete's National Federation*, 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.

5.2 Responsibility for FIL Testing

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

5.3 Testing Standards

Testing conducted by FIL and its *National Federations* shall be in substantial conformity with the *International Standard* for *Testing* in force at the time of *Testing*.

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

5.4 Coordination of Testing

FIL and *National Federations* shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in *Testing*.

5.5 Athlete Whereabouts Requirements

5.5.1 FIL shall identify a *Registered Testing Pool* of those *Athletes* who are required to provide up-to-date whereabouts information to FIL and shall publish the criteria for *Athletes* to be included in this *Registered Testing Pool* as well as a list of the *Athletes* meeting those criteria for the period in question. FIL may review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool* as well as revise its *Registered Testing Pool* from time to time as appropriate.

Each *Athlete* in the *Registered Testing Pool* shall file quarterly reports with FIL on forms provided by FIL 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. In addition to this information, each *Athlete* shall also specify for each day during the following quarter one specific location and one specific 60-minute time-slot during the day where the *Athlete* will be available and accessible for *Testing* at that location. This does not limit in any way the possibility to test the *Athlete* at any time or place outside the 60-minute time-slot. The ultimate responsibility for providing whereabouts information rests with each *Athlete*, however, it shall be the responsibility of each *National Federation* to use its best efforts to assist FIL in obtaining whereabouts information as requested by FIL.

5.5.2 Any *Athlete* in the FIL *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 Article 2.4. For each attempt, the Doping Control Officer shall visit the specified location during the 60-minute time-slot and do what is reasonable in the circumstances to try to locate the *Athlete*. Notification shall be sent to the *Athlete* between each attempt which is to be counted as an unavailable test.

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

5.5.4 Each *National Federation* 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 FIL's *Registered Testing Pool*. The *National Federation/National Anti-Doping Organization* may establish its own whereabouts reporting requirements and criteria for Article 2.4 violations applicable to those *Athletes*.

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

5.6 Retirement and Return to Competition

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

5.6.2 An *Athlete* who has given notice of retirement to FIL may not resume competing unless he or she notifies FIL at least six months before he or she expects to return to competition and is available for unannounced *Out-of-Competition Testing*, at any time during the period before actual return to competition.

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

5.7 Selection of Athletes to be Tested

5.7.1 At *International Events*, FIL 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*.

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

5.7.1.2 (For Team Sports or other sports in which awards are given to teams). . . One *Athlete* selected at random from each of the top three finishing teams, plus one *Athlete* selected at random from a randomly-selected team outside the top three finishing teams.

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

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

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

5.8 *National Federations* and the organizing committees for *National Federation Events* shall provide access to *Independent Observers* at *Events* as directed by FIL.

ARTICLE 6 ANALYSIS OF SAMPLES

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

6.1 Use of Approved Laboratories

FIL 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 laboratory or method approved by *WADA*) used for the *Sample* analysis shall be determined exclusively by FIL.

6.2 Purpose of Collection and Analysis of Samples

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 Program described in Article 4.5 of the *Code* or to assist FIL in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

6.3 Research on Samples

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

6.4 Standards for Sample Analysis and Reporting

Laboratories shall analyze *Doping Control Samples* and report results in conformity with the *International Standard for Laboratories*.

6.5 Retesting Samples

A *Sample* may be reanalyzed for the purpose of Article 6.2 at any time exclusively at the direction of FIL or *WADA*. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *International Standard for Laboratories*.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for *Tests* Initiated by FIL

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

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

7.1.2 Upon receipt of an *A Sample Adverse Analytical Finding*, the FIL Anti-Doping Administrator shall conduct a review to determine whether: (a) an applicable therapeutic use exemption has been granted or will be granted as provided in the *International Standard for Therapeutic Use Exemptions*, or (b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

7.1.2.1 The FIL Executive may appoint at its discretion an Independent Doping Review Panel consisting of a Chair and 3 other members with experience in anti-doping. All members of the panel shall be otherwise independent from FIL. Each panel member shall serve a term of four years. In each case the Chair of the panel shall appoint 1 or more members of the panel (which may include the Chair) to conduct the review discussed in Articles 7.1.2, 7.1.8, 7.1.9 and 7.1.10 and to review any other potential violations of these Anti-Doping Rules as may be requested by FIL.

7.1.3 If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable therapeutic use exemption or entitlement to a therapeutic use exemption as provided in the *International Standard for Therapeutic Use Exemptions*, or departure from the *International Standard for Testing* or the *International Standard for Laboratories* in force at the time of *Testing* or analysis that undermines the validity of the *Adverse Analytical Finding*, FIL shall promptly notify the *Athlete* of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated; (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived; (d) the scheduled date, time and place for the *B Sample* analysis if the *Athlete* or FIL chooses to request an analysis of the *B Sample*; (e) the right of the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis within the time period specified in the *International Standard for Laboratories* if such analysis is requested; and (f) the *Athlete's* right to request copies of the *A* and *B Sample* laboratory documentation package which includes information as required by the *International Standard for Laboratories*. FIL shall also notify the *Athlete's National Anti-Doping Organization* and WADA. If FIL decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*, the *Athlete's National Anti-Doping Organization* and WADA.

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

7.1.5 The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard for Laboratories*. Also a representative of the *Athlete's National Federation* as well as a representative of FIL shall be allowed to be present.

7.1.6 If the B *Sample* proves negative, the entire test shall be considered negative and the *Athlete*, his *National Federation*, and FIL shall be so informed.

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

7.1.8 For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, FIL shall conduct any necessary follow-up investigation and as such time as it is satisfied that an anti-doping rule violation has occurred, it shall then promptly notify the *Athlete* of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.2 Results Management for Tests Initiated During Other *International Events*

Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a Major Event Organization, shall be managed, as far as sanctions beyond Disqualification from the Event or the results of the Event, by FIL.

7.3 Results Management for Tests initiated by *National Federations*

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

7.4 *Provisional Suspensions*

The FIL Executive, after consultation with the FIL 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 Article 7.1. If a *Provisional Suspension* is imposed, either the hearing in accordance with Article 8 shall be advanced to a date which avoids substantial prejudice to the *Athlete*, or the *Athlete* shall be given an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*. *National Federations* may impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.3.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 When it appears, following the results management process described in Article 7, 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 National Federation* 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 timely hearing;
- fair and impartial hearing panel;
- the right to be represented by counsel at the *Person's* own expense;
- the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);
- 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
- a timely, written, reasoned decision specifically including an explanation of the reason(s) for any period of *Ineligibility*.

8.2 Hearings pursuant to this Article shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with *Events* may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, FIL 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*, FIL may elect to bring the case directly to the national level appellate body referenced in Article 13.2.2. In either case, the hearing shall proceed at the responsibility of and the expense of the *National Federation*. In either case the appeal from such decision shall be to the Court of Arbitration for Sport.

8.3 *National Federations* shall keep FIL fully apprised as to the status of pending cases and the results of all hearings.

8.4 FIL shall have the right to attend hearings as an observer.

8.5 The *Athlete* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *National Federation*. Where no hearing occurs, the *National Federation* shall submit to the persons described in Article 13.2.3 a reasoned decision explaining the action taken.

8.6 Decisions by *National Federations*, whether as the result of a hearing or the *Athlete* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.

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

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

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

ARTICLE 10 SANCTIONS ON INDIVIDUALS

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

An *Anti-Doping Rule* violation occurring during or in connection with an *Event* may lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

10.1.1 If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competition* shall not be *Disqualified* unless the *Athlete's* results in *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.

10.2 *Imposition of Ineligibility for Prohibited Substances and Prohibited Methods*

The period of *Ineligibility* imposed for a violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use* or *Attempted Use* of *Prohibited Substance* or *Prohibited Method*) and Article 2.6 (*Possession* of *Prohibited Substances* and *Methods*) shall be as follows, unless the conditions for eliminating or reducing the period of *Ineligibility*, as provided in Articles 10.4 and 10.5, or the conditions for increasing the period of *Ineligibility*, as provided in Article 10.6, are met:

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

10.3 *Ineligibility for Other Anti-Doping Rule Violations*

The period of *Ineligibility* for violations of these Anti-Doping Rules other than as provided in Article 10.2 shall be as follows:

10.3.1 For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering* with *Doping Control*), the *Ineligibility* period shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in Article 10.6, are met.

10.3.2 For violations of Article 2.7 (*Trafficking*) or Article 2.8 (Administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* unless the conditions provided in Article 10.5 are met. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than Specified Substances referenced in Article 4.2.2, shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, significant violations of such Articles which also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

10.3.3 For violations of Article 2.4 (whereabouts filing failure and/or missed tests), the period of *Ineligibility* shall be:

First violation: One (1) year to two (2) years *Ineligibility* based on the *Athlete's* degree of fault.

10.4 Elimination or Reduction of the Period of *Ineligibility* for Specified Substances under Specific Circumstances

Where an *Athlete* or other *Person* can establish how a Specified Substance entered his or her body or came into his or her possession and that such Specified Substance was not intended to enhance the *Athlete's* sport performance or mask the use of a performance-enhancing substance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) years' *Ineligibility*.

To justify any elimination or reduction, the *Athlete* or other *Person* must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or mask the use of a performance enhancing substance. The *Athlete* or other *Person's* degree of fault shall be the criteria considered in assessing any reduction of the period of *Ineligibility*.

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

10.5.1 If an *Athlete* establishes in an individual case that he or she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Sample* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.7.

10.5.2 If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may

be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the 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 Sample* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

10.5.3 The FIL Executive may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to FIL which results in FIL discovering or establishing an anti-doping rule violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another *Person*. After a final appellate decision under Article 13 or the expiration of time to appeal, FIL may only suspend a part of the applicable period of *Ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than 8 years. If FIL suspends any part of the period of *Ineligibility* under this Article, it shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If FIL subsequently reinstates any part of the suspended period of *Ineligibility* because the *Athlete* or other *Person* has failed to provide the *Substantial Assistance* which was anticipated, the *Athlete* or other *Person* may appeal the reinstatement pursuant to Article 13.2.

10.5.4 Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

10.5.5 Before applying any reductions under Articles 10.5.2, 10.5.3 or 10.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 10.5.2, 10.5.3 or 10.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.

10.6 Aggravating Circumstances Which May Increase the Period of Ineligibility

If FIL establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (Trafficking) and 2.8 (Administration) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly violate the anti-doping rule.

An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by FIL.

10.7 Multiple Violations

10.7.1 For an *Athlete* or other *Person's* first anti-doping rule violation, the period of *Ineligibility* is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction or suspension under Articles 10.4 or 10.5, or to an increase under Article 10.6). For a second anti-doping rule violation the period of *Ineligibility* shall be within the range set forth in the table below.

Second Violation	RS	FFMT	NSF	St	AS	TRA
First Violation						
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	life	life	life	life

Definitions for purposes of the second anti-doping rule violation table:

RS (Reduced sanction for Specified Substance under Article 10.4): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.4 because it involved a Specified Substance and the other conditions under Article 10.4 were met.

FFMT (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Article 10.3.3 (Filing Failures and/or Missed Tests).

NSF (Reduced sanction for *No Significant Fault or Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.5.2 because *No Significant Fault or Negligence* under Article 10.5.2 was proved by the *Athlete*.

St (Standard sanction under Article 10.2 or 10.3.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two years under Article 10.2 or 10.3.1.

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.6 because the *Anti-Doping Organization* established the conditions set forth under Article 10.6.

TRA (*Trafficking* and Administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.3.2 for *Trafficking* or Administration.

10.7.2 Where an *Athlete* or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 10.5.3 or Article 10.5.4, the hearing panel shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

10.7.3 A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4 or involves a violation of Article 2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of *Ineligibility* shall be from eight years to life ban.

10.7.4 Additional Rules for Certain Potential Multiple Violations

- For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if FIL (or its *National Federation*) can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7 (Results Management), or after FIL (or its *National Federation*) made reasonable efforts to give notice, of the first anti-doping rule violation; if FIL (or its *National Federation*) cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Article 10.6).

- If, after the resolution of a first anti-doping rule violation, FIL discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then FIL shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 10.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the *Athlete* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for

which he or she is first charged. The same rule shall also apply when FIL discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

10.7.5 For purposes of Article 10.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

10.8 *Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation*

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (*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 anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

10.8.1 As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the *Athlete* must first repay all prize money forfeited under this Article.

10.8.2 Allocation of Forfeited Prize Money.

Forfeited prize money shall be allocated first to reimburse the collection expenses incurred by FIL in order to perform the necessary steps to collect the prize money back, then to reimburse the expenses incurred by FIL in order to conduct results management in the case, with the balance, if any, allocated in accordance with FIL's specific policy.

10.9 Commencement of *Ineligibility* Period

Except as provided below, 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.

10.9.1 Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, FIL or *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- or the date on which another anti-doping rule violation last occurred.

10.9.2 Where the *Athlete* promptly (which, in all events, means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by FIL, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction or the date of a hearing decision imposing a sanction.

10.9.3 If a *Provisional Suspension* is imposed and respected by the *Athlete*, then the *Athlete* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

10.9.4 If an *Athlete* voluntarily accepts a *Provisional Suspension* in writing from FIL and thereafter refrains from competing, the *Athlete* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 14.3.

10.9.5 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension* regardless of whether the *Athlete* elected not to compete or was suspended by his or her team.

10.10 Status During *Ineligibility*

10.10.1 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 programs) authorized or organized by FIL or any *National Federation* or a club or other member organization of FIL or any *National Federation*, or in *Competitions* authorized or organized by any professional league or any international or national level *Event* organization.

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 FIL and its *National Federations*, 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*.

A *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

10.10.2 Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.10.1, the results of such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation. The new period of *Ineligibility* may be reduced under Article 10.5.2 if the *Athlete* or other *Person* establishes he or she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by FIL.

10.10.3 In addition, for any anti-doping rule violation not involving a reduced sanction for *Specified Substances* as described in Article 10.4, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by FIL and its *National Federations*.

10.11 Reinstatement Testing

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by FIL, the applicable *National Federation*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must provide current and accurate whereabouts information as provided in Article 5.5. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified FIL and the applicable *National Federation* and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in Article 5.6 or the period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, a minimum of 3 tests must be conducted on the *Athlete* with at least three months between each test. The *National Federation* 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 FIL. In addition, immediately prior to the end of the suspension period, an *Athlete* must undergo *Testing* by FIL for the *Prohibited Substances and Methods* for *Out-of-Competition Testing*. Once the period of an *Athlete's* suspension has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Federation* will then be necessary.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 If a member of a team is found to have committed a violation of these Anti-Doping Rules during an *Event*, the team shall be *Disqualified* from the *Event*.

ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS

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

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

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

12.3.1 Four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period in testing conducted by FIL or Anti-Doping Organizations other than the *National Federation* or its *National Anti-Doping Organization*. In such event FIL may in its discretion elect to: (a) ban all officials from that *National Federation* for participation in any FIL activities for a period of up to two years and/or (b) fine the *National Federation* in an amount up to

\$ 100'000 U.S. Dollars. (For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)

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

12.3.2 More than one *Athlete* or other *Person* from a *National Federation* commits an *Anti-Doping Rule* violation during an *International Event*. In such event FIL may fine that *National Federation* in an amount up to \$ 100'000 U.S. Dollars.

12.3.3 A *National Federation* has failed to make diligent efforts to keep FIL informed about an *Athlete's* whereabouts after receiving a request for that information from FIL. In such event FIL may fine the *National Federation* in an amount up to \$25'000 U.S. Dollars per *Athlete* in addition to all of FIL costs incurred in *Testing* that *National Federation's Athletes*.

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 13.2 through 13.4 or as otherwise provided in these Anti-Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in Article 8 must be exhausted (except as provided in Article 13.1.1).

13.1.1 Where *WADA* has a right to appeal under Article 13 and no other party has appealed a final decision within the FIL or its *National Federation's* process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in the FIL or its *National Federation's* process.

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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed ; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Article 10.10.2 (prohibition of participation during *Ineligibility*); a decision that FIL or its *National Federation* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision by any *National Federation* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Article 7.4; and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 7.4 may be appealed exclusively as provided in this Article 13.2. Notwithstanding any other provision herein, the only *Person* that may appeal from a

Provisional Suspension is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

13.2.1 In cases arising from competition in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to the CAS in accordance with the provisions applicable before such court.

13.2.2 In cases involving *Athletes* that do not have a right to appeal under Article 13.2.1, each *National Federation* shall have in place an appeal procedure that respects the following principles: a timely hearing, a fair and impartial hearing panel; the right to be represented by a counsel at the person's expense; and a timely, written, reasoned decision. FIL's rights of appeal with respect to these cases are set forth in Article 13.2.3 below.

13.2.3 In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) FIL and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) WADA. In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *National Federation's* rules but, at a minimum, shall include the following parties: (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) FIL; and (d) WADA. For cases under Article 13.2.2, WADA and FIL shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

13.3 Failure to Render a Timely Decision by FIL and its *National Federations*

Where, in a particular case, FIL or its *National Federations* fail to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if FIL or its *National Federations* had rendered a decision finding no anti-doping rule violation. If the CAS panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorneys fees in prosecuting the appeal shall be reimbursed to WADA by FIL or its *National Federations*.

13.4 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*, FIL, or *National Anti-Doping Organization* or other body designated by a *National Federation* which granted or denied the exemption. Decisions to deny therapeutic use exemptions, and which are not reversed by WADA, may be appealed by *International-Level Athletes* to CAS and by other *Athletes* to the national level reviewing body described in Article 13.2.2. If the national level reviewing body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by WADA.

When FIL, *National Anti-Doping Organizations* or other bodies designated by *National Federations* fail to take action on a properly submitted therapeutic use exemption application within a reasonable time, their failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

13.5 Appeal from Decisions Pursuant to Article 12

Decisions by FIL pursuant to Article 12 may be appealed exclusively to CAS by the *National Federation*.

13.6 Time for Filing Appeals

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

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

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

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

ARTICLE 14 NATIONAL FEDERATIONS INCORPORATION OF FIL RULES, REPORTING AND RECOGNITION

14.1 Incorporation of FIL Anti-Doping Rules

All *National Federations* shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each *National Federations* Rules. All *National Federations* shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each *National Federation* 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 *National Federation* shall specifically provide that all *Athletes*, *Athlete Support Personnel* and other *Persons* under the jurisdiction of the *National Federation* shall be bound by these Anti-Doping Rules.

14.2 Statistical Reporting

National Federations shall report to FIL at the end of every quarter (March 31, June 30, September 30, and December 31) results of all *Doping Controls* within their jurisdiction sorted by *Athlete* and identifying each date on which the *Athlete* was tested, the entity

conducting the test, and whether the test was *In-Competition* or *Out-of-Competition*. FIL may periodically publish *Testing* data received from *National Federations* as well as comparable data from *Testing* under FIL's jurisdiction.

14.3 Doping Control Information Clearinghouse

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

14.4 Public Disclosure

14.4.1 Neither FIL nor its *National Federation* shall publicly identify *Athletes* whose *Samples* have resulted in *Adverse Analytical Findings*, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged or the *Athlete* has been *Provisionally Suspended*. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days. FIL or its *National Federation* must also report within 20 days appeal decisions on an Anti-Doping Rule violation. FIL or its *National Federation* shall also, within the time period for publication, send all hearing and appeal decisions to WADA.

14.4.2 In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the *Athlete* or other *Person* who is the subject of the decision. FIL or its *National Federation* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.

14.4.3 Neither FIL nor its *National Federation* or WADA accredited laboratory, or official of either, shall publicly comment 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 *Athlete*, other *Person* or their representatives.

14.5 Recognition of Decisions by FIL and *National Federations*

Any decision of FIL or a *National Federation* regarding a violation of these Anti-Doping Rules shall be recognized by all *National Federations*, which shall take all necessary action to render such results effective.

ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

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

ARTICLE 16 STATUTE OF LIMITATIONS

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

ARTICLE 17 FIL COMPLIANCE REPORTS TO WADA

FIL will report to *WADA* on the FIL's compliance with the *Code* every second year and shall explain reasons for any noncompliance.

ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

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

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

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

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

18.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The comments annotating various provisions of the *Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.

18.6 Notice to an *Athlete* or other *Person* who is a member of a *National Federation* may be accomplished by delivery of the notice to the *National Federation*.

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

APPENDIX 1 - DEFINITIONS

Adverse Analytical Finding. A report from a laboratory or other approved *Testing* entity that identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

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

Athlete. Any *Person* who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each *National Anti-Doping Organization*, including but not limited to those *Persons* in its *Registered Testing Pool*), and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organization accepting the *Code*. All provisions of the *Code*, including, for example, *Testing*, and therapeutic use exemptions must be applied to international and national-level competitors. Some *National Anti-Doping Organizations* may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. *National Anti-Doping Organizations* are not required, however, to apply all aspects of the *Code* to such *Persons*. Specific national rules may be established for Doping Control for non-international-level or national-level competitors without being in conflict with the *Code*. Thus, a country could elect to test recreational-level competitors but not require therapeutic use exemptions or whereabouts information. In the same manner, a *Major Event Organization* holding an *Event* only for masters-level competitors could elect to test the competitors but not require advance therapeutic use exemptions or whereabouts information. For purposes of Article 2.8 (Administration or *Attempted Administration*) and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

Athlete Support Personnel. Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* participating in or preparing for sports competition.

Attempt. Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the attempt prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding: A report from a laboratory or other WADA-approved entity which requires further investigation as provided by the *International Standard for Laboratories* or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

CAS: The Court of Arbitration for Sport.

Code. The World Anti-Doping Code.

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

Consequences of Anti-Doping Rules Violations. An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; and (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

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

Doping Control. All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, sample collection and handling, laboratory analysis, therapeutic use exemptions, results management and hearings.

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

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*.

In-Competition. Unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, "*In-Competition*" means the period commencing twelve hours before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

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

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

Ineligibility. See *Consequences of Anti-Doping 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. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.

Major Event Organizations. This term refers to the continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

Marker. A compound, group of compounds or biological parameter(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Metabolite. Any substance produced by a biotransformation process.

Minor. A natural *Person* who has not reached the age of 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. This includes an entity which may be designated by multiple countries to serve as regional *Anti-Doping Organization* for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event. A sport *Event* involving international or national-level Athletes that is not an *International Event*.

National Federation. A national or regional entity which is a member of or is recognized by FIL as the entity governing the FIL's sport in that nation or region.

National Olympic Committee. The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

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

No Fault or Negligence. The *Athlete's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method*.

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

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

Participant. Any Athlete or Athlete Support Personnel.

Person. A natural Person or an organization or other entity.

Possession. The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the person does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the person knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have possession and has renounced possession by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes possession by the *Person* who makes the purchase.

[Comment: Under this definition, steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the steroids were in the cabinet and that the Athlete intended to exercise control over the steroids.]

Prohibited List. The List identifying the *Prohibited Substances* and *Prohibited Methods*.

Prohibited Method. Any method so described on the *Prohibited List*.

Prohibited Substance. Any substance so described on the *Prohibited List*.

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

Provisional Suspension. See *Consequences* above.

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

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

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

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

Substantial Assistance: For purposes of Article 10.5.3, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

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

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

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

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

Trafficking. Selling, giving, transporting, sending, delivering or distributing a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Personnel* or any other *Person* subject to the jurisdiction of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes.

UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

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

WADA. The World Anti-Doping Agency.

APPENDIX 2 - Acknowledgment and Agreement

I, as a member of the National Luge Federation of..... or one of its associated clubs, hereby acknowledge and agree as follows:

1. I have received and had the opportunity to review the FIL Anti-Doping Code including all of its enclosures.
2. I consent and agree to comply with and be bound by all of the provisions of the FIL Anti-Doping Code, including but not limited to, all amendments and supplementations and all International Standards incorporated in this Code.
3. I acknowledge and agree that the FIL, the National Federations and WADA may store electronically medical and other personal data as far as these data might be useful for the fight against doping, the determination of whereabouts, the assessment of applications for a TUE as well as the assessment and sanction of doping violations.
4. I acknowledge and agree that National Federations and FIL have jurisdiction to impose sanctions as provided in the FIL Anti-Doping Code.
5. I acknowledge and agree that any dispute arising out of a decision made pursuant to the FIL Anti-Doping Code, after exhaustion of the process provided for in the FIL Anti-Doping Rules, may be appealed exclusively as provided in Article 13 to an appellate body for final and binding arbitration, which in the case of International-Level Athletes is the Tribunal Arbitral du Sport.
6. 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.
7. I have read and understand this Acknowledgement and Agreement.

Date

Print Name (Last Name, First Name)

Date of Birth
(Day/Month/Year)

Signature (or, if a minor, signature of
legal guardian)