NADO ITALIA
antidoping

RESULTS MANAGEMENT PROCEDURE

Implementing the *WADA International Standard for Results Management*

Version 1.1, in effect as from 23rd November 2026

TABLE OF CONTENTS

INTRODUCTION 3

ARTICLE 1 RESPONSIBILITY FOR CONDUCTING *RESULTS MANAGEMENT* 4

ARTICLE 2 REVIEW AND NOTIFICATION REGARDING POTENTIAL ANTI-DOPING RULE VIOLATIONS 4

2.1 *Adverse Analytical Finding* 4
2.2 *Atypical Finding* 7
2.3 Matters not Involving an *Adverse Analytical Finding* or *Atypical Finding* 7
2.4 Matters Involving an *Adverse Analytical Finding* or *Atypical Finding* 9
2.5 "B" *Sample* Analysis 9

ARTICLE 3 *PROVISIONAL SUSPENSION*S 10

ARTICLE 4 PROCEEDING BY THE NADP 12

ARTICLE 5 LETTER OF CHARGE 14

ARTICLE 6 JURISDICTION CRITERIA 15

ARTICLE 7 AGREEMENTS PURSUANT TO *ADSC* ARTICLES 11.8.1 AND 11.8.2 16

ARTICLE 8 PROCEDURE FOR THE SUSPENSION OF THE PERIODS OF *INELIGIBILITY* OR OTHER *CONSEQUENCES* IMPOSED UNDER *ADSC* ARTICLE 11.7.1 17

ARTICLE 9 PARTIES OF FIRST INSTANCE PROCEEDINGS 17

ARTICLE 10 TERMINATION OF PROCEEDINGS 17

ARTICLE 11 START OF FIRST HEARING PROCEEDINGS 18

ARTICLE 12 SINGLE HEARING BEFORE *CAS* 19

ARTICLE 13 FIRST HEARING PROCEEDING – DISCUSSION 19

ARTICLE 14 FIRST INSTANCE PROCEEDING – DECISION 20

ARTICLE 15 REVIEW OF TUEC'S DECISIONS 21

ARTICLE 16 REVIEW OF THE DECISIONS OF THE NADP REGARDING FILING FAILURE AND/OR MISSED TEST 21

ARTICLE 17 APPEAL AGAINST *PROVISIONAL SUSPENSION* DECISIONS 22

ARTICLE 18 APPEAL AGAINST FIRST INSTANCE DECISIONS 22

ARTICLE 19 CROSS-APPEAL 23

ARTICLE 20 EXCLUSION AND OBJECTION 23

ARTICLE 21 LAPSING AND SUSPENSION OF PROCEDURAL TIME LIMITS 24

ARTICLE 22 NOTICES AND COMMUNICATIONS 24

ANNEX A – REVIEW OF A POSSIBLE FAILURE TO COMPLY 26

ANNEX B – *RESULTS MANAGEMENT* FOR WHEREABOUTS FAILURES 27

ANNEX C – RESULTS MANAGEMENT REQUIREMENTS AND PROCEDURES FOR THE *ATHLETE BIOLOGICAL PASSPORT* 32

DEFINITIONS 39

INTRODUCTION

The *Results Management Procedure* (hereinafter "RMP") implements the *WADA International Standards for Results Management* (hereinafter "ISRM") and it is deemed to form an integral and material part of the NADO Italia's *Anti-Doping Sports Code* (hereinafter "*ADSC*"). In the event of any conflict between the ISRM and the RMP, the ISRM shall prevail.

The comments annotating various provisions of the ISRM are incorporated by reference into the RMP, shall be treated as if set out fully herein, and shall be used to interpret this RMP.

Interpretation

Unless otherwise specified, references to Articles are references to Articles of the RMP.

The Annexes to the RMP have the same mandatory status as the rest of the Document.

Terms used in this RMP that are defined terms from the *Code* and from the *ADSC* are italicized. Terms that are defined in this or another *WADA International Standard* are underlined.

General Principle

Results Management under the RMP and the *ADSC* establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner.

ARTICLE 1 RESPONSIBILITY FOR CONDUCTING *RESULTS MANAGEMENT*

1.1 Except as otherwise provided in Articles 7.6, 7.8 of the *Anti-Doping Sports Code* (*ADSC*) and in *WADA Code* (*Code*) Article 7.1, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of NADO Italia when it is the authority that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, if NADO Italia first provides notice to an *Athlete* or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation). Any dispute between NADO Italia and other *Anti-Doping Organization* over which organization has *Results Management* Authority in respect of a particular matter shall be settled by *WADA* in accordance with *Code* Article 7.1.

1.2 *Results Management* in relation to a potential Whereabouts Failure (a Filing Failure or a Missed Test) shall be administered by NADO Italia if the *Athlete* files whereabouts information with NADO Italia, as provided in the ISRM and in the RMP. If NADO Italia determines a Filing Failure or a Missed Test, it shall submit that information to *WADA* through *ADAMS*, where it will be made available to other relevant *Anti-Doping Organizations*.

1.3 Other circumstances in which NADO Italia shall take responsibility for conducting *Results Management* in respect of anti-doping rule violations involving *Athletes* and other *Persons* under its authority shall be determined by reference to and in accordance with *Code* Article 7.

1.4 *WADA* may direct NADO Italia to conduct *Results Management* in particular circumstances. If NADO Italia refuses to conduct *Results Management* within a reasonable deadline set by *WADA*, such refusal shall be considered an act of non-compliance, and *WADA* may direct another *Anti-Doping Organization* with authority over the *Athlete* or other *Person*, that is willing to do so, to take *Results Management* responsibility in place of NADO Italia or, if there is no such *Anti-Doping Organization*, any other *Anti-Doping Organization* that is willing to do so. In such case, NADO Italia shall reimburse the costs and attorney's fees of conducting *Results Management* to the other *Anti-Doping Organization* designated by *WADA,* and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.

ARTICLE 2 REVIEW AND NOTIFICATION REGARDING POTENTIAL ANTI-DOPING RULE VIOLATIONS

2.1 *Adverse Analytical Finding*

2.1.1 The results from all analyses must be sent to NADO Italia in encoded form, in a report signed by an authorized representative of the Laboratory. All communication must be conducted confidentially.

2.1.2 Upon learning of an *Adverse Analytical Finding* of the A *Sample* analysis, NADO Italia will establish the *Athlete's* identity and check whether: a *Therapeutic Use Exemption* (TUE) was granted or a *TUE* application is pending consistent with the *International Standard*

for *Therapeutic Use Exemptions* (ISTUE); it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route; or whether there is any apparent departure from the *International Standard* for *Testing* and Investigations (ISTI) or *International Standard* for Laboratories (ISL) that caused the *Adverse Analytical Finding*. This may include a review of the Laboratory Documentation Package produced by the Laboratory to support the *Adverse Analytical Finding* (if available at the time of the review) and relevant *Doping Control* form(s) and *Testing* documents.

2.1.3 If the initial review reveals that the *Athlete* has an applicable *TUE*, then NADO Italia shall conduct such follow up review as necessary to determine if the specific requirements of the *TUE* have been complied with.

2.1.4 If the *Adverse Analytical Finding* involves a *Prohibited Substance* permitted through (a) specific route(s) as per the *Prohibited List* (hereinafter the "List"), NADO Italia shall consult any relevant available documentation (e.g. *Doping Control* form) to determine whether the *Prohibited Substance* appears to have been administered through a permitted route and, if so, shall consult an expert to determine whether the *Adverse Analytical Finding* is compatible with the apparent route of ingestion.

2.1.5 If the review of the *Adverse Analytical Finding* does not reveal:

- the existence of a *TUE* or a procedure pending for the granting thereof in accordance with the ISTUE;
- correspondence between the level of the *Prohibited Substance* found in the *Sample* and the *TUE* granted;
- any non-compliance with the ISTI or the ISL that may have caused the *Adverse Analytical Finding*;
- that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through an authorized route,

NADO Italia, through the NADP, will promptly inform the *Athlete*, Club, National Sports Federation/Associated Sports Discipline/Sports Promotion Entity and other relevant sports organizations of:

a. the *Adverse Analytical Finding* (AAF);
b. the fact that the AAF may result in an anti-doping rules violation (*ADSC* Article 2.1 and/or 2.2) and the applicable *Consequences*;
c. the *Athlete's* right to request the analysis of the "B" *Sample* within three (3) days, it being understood that, in the absence of such a request within the indicated period, the analysis of "B" *Sample* shall be considered to have been waived;
d. the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the "B" *Sample* opening and analysis in accordance with the ISL;
e. the *Athlete's* right to request copy of the analytical documentation pertaining to *Samples* "A" and "B", if the analysis of the B *Sample* is required;
f. the opportunity for the *Athlete* to provide a written observations and/or to request

to be heard, within 7 (seven) days from the receipt of the notice, if the "B" Sample Analysis is not requested, or within seven (7) days from the notice set out in Article 2.5.8;

g. the opportunity for the *Athlete* to provide *Substantial Assistance* as set out under *ADSC* Article 11.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility* under *ADSC* Article 11.8.1 of the (if applicable) or to seek to enter into a case resolution agreement under *ADSC* Article 11.8.2 and RMP Article 7;

h. any matters relating to *Provisional Suspension* (including the possibility for the *Athlete* to accept a voluntary *Provisional Suspension*) as per Article 3 (if applicable).

2.1.6 In addition, in the event that the *Adverse Analytical Finding* relates to the *Prohibited Substances* set out below, NADO Italia, through the NADP, shall:

a. Salbutamol or Formoterol: draw the attention of the *Athlete* in the notification letter that the *Athlete* can prove, through a controlled pharmacokinetic study, that the *Adverse Analytical Finding* was the consequence of a Therapeutic dose by inhalation up to the maximum dose indicated under class S3 of the List. The *Athlete*'s attention shall in addition be drawn to the key guiding principles for a controlled pharmacokinetic study and they shall be provided with a list of Laboratories, which could perform the controlled pharmacokinetic study. The *Athlete* shall be granted a deadline of seven (7) days to indicate whether they intend to undertake a controlled pharmacokinetic study, failing which NADO Italia may proceed with the *Results Management*;

b. Urinary human chorionic gonadotrophin: follow the procedures set out at Article 6 of the 2019 Technical Document for the Reporting & Management of Urinary Human Chorionic Gonadotrophin (hCG) and Luteinizing Hormone (LH) Findings in Male *Athlete*s (TD2019CG/LH) or any subsequent version of the Technical Document;

c. Other *Prohibited Substance* subject to specific *Results Management* requirements in a *Technical Document* or other document issued by *WADA*: follow the procedures set out in the relevant *Technical Document* or other document issued by *WADA*.

2.1.7 The *Athlete's* own Club shall be required to promptly notify the *Athlete* of the *Adverse Analytical Finding* if this needs to be delivered to its location as well as the National Sports Federations (NSF)/ Associated Sports Disciplines (ASD)/ Sports Promotion Entities (SPE) concerned, ensuring and checking with the *Athlete* and the Club that the aforesaid notice has been received and, if not, arrange for such notice to be served directly. In any event, for the purposes of calculating the time limit under Article 2.5 the *Athlete* shall be deemed to have been notified of the *Adverse Analytical Finding* upon notice being served on the Club.

2.1.8 The NADP, in the event that it considers not to consider the *Adverse Analytical Finding* as an infringement of the anti-doping legislation, shall so notify the *Athlete*, the *Athlete's* International Federation, the *Athlete's* National Federation, the National *Anti-Doping Organization* if different from NADO Italia, and *WADA*.

2.2 *Atypical Finding*

2.2.1 Upon learning of an *Atypical Finding* of the "A" *Sample*, NADO Italia will identify the *Athlete* ex-officio and check whether a *TUE* was granted or a *TUE* application is pending consistent with the ISTUE or whether such *Atypical Finding* was caused by failure to comply with the ISTI or the ISL and/or it is apparent that the ingestion of the *Prohibited Substance* was through a permitted route.

2.2.2 If that review does not reveal an applicable *TUE*, an apparent departure from the ISTI or the ISL that caused the *Atypical Finding* or an ingestion through a permitted route, the NADP shall conduct the required investigation, also according to the relevant *WADA Technical Documents*.

NADO Italia, through the NADP, will notify the *Atypical Finding* before completing the investigations as aforesaid under the following circumstances:

a) if NADP determines the "B" *Sample* should be analyzed but only after notifying the *Athlete* with such notice to include a description of the *Atypical Finding* and the information described in Article 2.1.5, (c) to (e);
b) if NADO Italia receives a request, either from a *Major Event Organisation* shortly before one of its *International Events* or a request from a sport organisation responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *Major Event Organisation* or sport organisation has a pending *Atypical Finding*, NADO Italia, through the NADP, shall so identify any such *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*;
c) if the *Atypical Finding* is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.

2.2.3 If after the investigation is completed NADO Italia decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, then the procedure shall follow the provisions of Article 2.1 mutatis mutandis.

2.3 Matters not Involving an *Adverse Analytical Finding* or *Atypical Finding*

2.3.1 Specific cases

2.3.1.1 Report of a potential Failure to Comply

The pre-adjudication phase of *Results Management* of a possible Failure to Comply shall take place as provided in Annex A – Review of a Possible Failure to Comply.

2.3.1.2 Whereabouts Failures

The pre-adjudication phase of *Results Management* of potential Whereabouts Failures shall take place as provided in Annex B – *Results Management* for Whereabouts Failures.

2.3.1.3 *Athlete Biological Passport* Cases

The pre-adjudication phase of *Results Management* of *Atypical Passport Finding*s or Passports submitted to an Expert by the *Athlete* Passport Management Unit when there is no *Atypical Passport Finding* shall take place as provided in Annex C – *Results Management* Requirements and Procedures for the *Athlete Biological Passport*.

2.3.2 Notification for specific cases under Article 2.3 and other anti-doping rules violations

Anyone who in any way whatsoever becomes aware of any doping violation shall be required to notify the NADP thereof forthwith.

At such time as NADO Italia considers that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s), it, through the NADP, shall promptly notify the *Athlete* or other *Person* of:

a) the relevant anti-doping rule violation(s) and the applicable *Consequences*;
b) the relevant factual circumstances upon which the allegations are based;
c) the relevant evidence in support of those facts that NADP considers demonstrate that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s);
d) the *Athlete* or other *Person's* right to provide written observations and/or to request to be heard within seven (7) days from the receipt of the notice;
e) the opportunity for the *Athlete* or other *Person* to provide *Substantial Assistance* as set out in *ADSC* Article 11.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility* in *ADSC* Article 11.8.1 (if applicable) or seek to enter into a case resolution agreement in *ADSC* Article 11.8.2 and RMP Article 7; and
f) any matters relating to *Provisional Suspension* (including the possibility for the *Athlete* or other Person to accept a voluntary *Provisional Suspension*) as per Article 3 (if applicable).

In the event that an *Athlete* or other Person is suspected to have violated the prohibition against participation during *Ineligibility* pursuant to *ADSC* Article 11.14, the NADP shall proceed accordingly.

2.4 Matters Involving an *Adverse Analytical Finding* or *Atypical Finding*

If the review of the *Adverse* or *Atypical Finding*s shows such irregularities as to affect the validity of the analyses of Laboratory results, then the NADO Italia, through the NADP, will start further investigations lying within its jurisdiction, notifying the NSF/ASD/SPE, *WADA*, the International Federation concerned and the *Athlete's* NADO (if different from NADO Italia).

If the decision of the National Anti-Doping Tribunal (NADT) concerns an *Adverse Analytical Finding* or *Atypical Finding*, and after any deadline to appeal has elapsed and no appeal has been filed against the decision, NADO Italia, through the NADP, shall promptly notify the relevant Laboratory that the matter has been finally disposed of.

2.5 "B" *Sample* Analysis

2.5.1 Within three (3) days of the date of the adverse finding notification the *Athlete* has the right to request that a "B" *Sample* Analysis be conducted at his/her own expenses. Under penalty of rejection, the request for "B" *Sample* Analysis must be submitted to NADO Italia together with receipt of payment of the relevant administrative fees according to the Financial Schedule of Fees available on NADO Italia's website (www.nadoitalia.it).

Upon the waiving of such right being notified or upon three (3) days having expired to no effect, NADO Italia will start the applicable disciplinary proceedings.

2.5.2 Further to a request for the "B" *Sample* Analysis, NADO Italia will inform the *Athlete*, his/her Club, the NSF/ASD/SPE, the International Federation concerned and the *Athlete's* NADO (if different from NADO Italia) and *WADA* about the place, time and date of commencement of operations so that no more than seven (7) days elapse between the latter and the date of the aforesaid request.

2.5.3 The B *Sample* analysis will be performed by the same Laboratory that analyzed the "A" *Sample*, unless there are exceptional circumstances, as determined by *WADA* and with *WADA's* prior written approval, which prevent the "B" *Sample* analysis from being performed in the same Laboratory.

2.5.4 As early as the phase of identification of the "B" *Sample*, the *Athlete* is entitled to attend the "B" *Sample* Analysis process either in person or through his/her representative whose proxy must be sent to NADO Italia within twenty-four (24) hours prior to the date set for such operation, together with the appointment of an expert, if appropriate.

The "B" *Sample* Analysis process may also be attended by a representative of the NSF/ASD/SPE concerned and a NADO Italia officer, an interpreter (if necessary), a representative of *WADA* or an Independent Witness.

2.5.5 If the *Athlete* requests the "B" *Sample* analysis but claims that they and/or their representative is not available on the scheduled date indicated by NADO Italia, it shall liaise with the Laboratory and propose (at least) two (2) alternative dates, taking into

account the reasons for the *Athlete's* unavailability and the need to avoid any degradation of the *Sample* and ensure timely *Results Management*.

If the *Athlete* and their representative claim not to be available on the alternative dates proposed, the *Results Management* Authority shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the "B" *Sample* container shows no signs of *Tampering* and that the identifying numbers match that on the collection documentation.

In any case the procedure described in the ISL Article 5.3.6.2.3 will be followed.

2.5.6 During the "B" *Sample* Analysis phase, the instructions of the Laboratory must be strictly followed. The Laboratory has the right to expel any *Person*, including the *Athlete* and/or his/her representative, if he/she does not follow the instructions given, disturbs or interferes with the "B" *Sample* opening or the Analytical testing process.

Any behavior that has determined or attempted to determine the incorrect performance of the procedure, will be reported by the Laboratory to NADO Italia, for the evaluation and possible configurability of the violation of *ADSC* Article 2.5.

2.5.7 The *Athlete* is entitled to request the NADP to provide copy of the Laboratory documents pertaining to "A" and – if "B" *Sample* Analysis is conducted – "B" *Sample*s, together with receipt of the applicable administrative fees according to the Financial Schedule of Fees available on NADO Italia's website (www.nadoitalia.it).

2.5.8 If the "B" *Sample* Analysis confirms the "A" *Sample* findings, NADO Italia will, after receiving notice from the Laboratory, promptly inform the individuals as under Article 2.1.5, a), b), e), f), g), h).

2.5.9 If the "B" *Sample* Analysis does not confirm the adverse findings of the first analysis, it will be considered to be negative. Moreover, in the absence of further evidence and in the light of the specific circumstances of the case at hand, NADO Italia may declare the proceedings to have ended, notifying the individuals as under Article 2.1.5.

2.6 Identification of Prior *Anti-Doping Rule Violations*

Before giving an *Athlete* or other *Person* notice of a potential anti-doping rule violation, NADO Italia shall refer to *ADAMS* and contact *WADA* and other relevant *Anti-Doping Organizations* to determine whether any prior anti-doping rule violation exists.

ARTICLE 3 *PROVISIONAL SUSPENSION*S

3.1 Mandatory *Provisional Suspension* after an *Adverse Analytical Finding* or *Adverse Passport Finding*

Following an *Adverse Analytical Finding* or an *Adverse Passport Finding* related to any Non Specified

Substance or *Prohibited Method* included in the List, NADO Italia, through the NADP, shall apply with the NADT for the infliction of a *Provisional Suspension* on the *Athlete*.

A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to the NADT that the violation is likely to have involved a *Contaminated Product,* or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under *ADSC* Article 11.2.4.1. The decision of the NADT not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

3.2 Optional *Provisional Suspension* Based on an *Adverse Analytical Finding* for *Specified Substances*, *Specified Methods, Contaminated Products*, or Other Anti-Doping Rule Violations

Following an *Adverse Analytical Finding* related to any *Specified Substance* in the *List*, NADO Italia, through the NADP, may apply with the NADT for the infliction of a *Provisional Suspension* on the *Athlete*.

NADO Italia, through the NADP, may also apply with the NADT to seek *Provisional Suspension* of individuals considered as responsible for other anti-doping rule violations.

3.3 Common rules – Mandatory and Optional *Provisional Suspension*

3.3.1 In the cases of the Article 3.1 and 3.2, the NADT will, as a matter of urgency as well as *ex parte*, reach its decision serving immediate notice to the NADP, the individual concerned, the Club, the NSF/ASD/SPE as well as the relevant *International Federation*, *National Anti-Doping Organization* (if different from NADO Italia) and *WADA*. By the same decision, a mandatory period of three (3) days is granted to the individual concerned to produce evidence in order to possible withdrawal of the *Provisional Suspension*.

3.3.2 The Party shall, within three (3) days, request the NADT which adopted the *Provisional Suspension*, to review the decision enclosing the supporting evidence. The NADT shall immediately and in any case no later than four (4) days hold the hearing, in order to hear the individual concerned. At the end of the hearing, the NADT decides, giving immediate notice to the NADP, to the individual concerned, to the Club, to the National Sports Federation/Associated Sports Discipline/Sports Promotion Entity and other relevant Sports Organizations and to *WADA*. This is without prejudice to the right of the *Athlete* or of any other *Person* to appeal against the *Provisional Suspension* decision, within the deadline set out in Article 17.1.

3.3.3 All suspension measures are effective until the date on which it is notified (or deemed to be notified). The period of *Provisional Suspension* shall end with the final decision of the hearing panel, unless earlier lifted under Article 3.3.2. However, the period of *Provisional Suspension* shall not exceed the maximum length of the period of *Ineligibility* that may be imposed on the *Athlete* or other *Person* based on the relevant anti-doping rule violation(s). A *Provisional Suspension* means that an *Athlete* or other *Person* is barred temporarily from

participating in any capacity in any *Competition* or activity as per *ADSC* Article 11.14.1, prior to the final decision at a hearing.

3.3.4 Suspension measure will lapse if the "B" *Sample* analysis does not confirm the "A" *Sample* analysis result, in the event the case is dismissed or if the *Athlete* and/or other individual concerned is acquitted or if a decision not to proceed against him/her is adopted. In any such circumstances, the *Athlete*, Club and/or any other individuals concerned shall not be entitled to any right of offset of whatsoever kind. In circumstances where the *Athlete* or the *Athlete's* team has been removed from an *Event* based on a violation of *ADSC* Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, then, if it is still possible for the *Athlete* or team to be reinserted, without otherwise affecting the *Event*, the *Athlete* or team may continue to take part in the *Event*.

3.3.5 The period of *Provisional Suspension* already served must be deducted in the event a disciplinary sanction is imposed.

3.3.6 The *Athlete* and/or other *Person* shall have the right to file an appeal against a measure pursuant to Article 17.

3.4 Voluntary Acceptance of *Provisional Suspension*

As per *Code* Article 7.4.4, *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension*, giving written notice to the NADP and the NADT, if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B *Sample* (or waiver of the B *Sample*) or ten (10) days from notification of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notification.
Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension*, giving notice to the NADP, if done so within ten (10) days from notification of the anti-doping rule violation. Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other Person may withdraw such acceptance, giving written notice to the NADP, in which event the *Athlete* or other Person shall not receive any credit for time previously served during the *Provisional Suspension*.

ARTICLE 4 PROCEEDING BY THE NADP

4.1 Upon learning of alleged anti-doping rule violations, the NADP may start disciplinary proceedings immediately or reflect this information in an appropriate register called "*Related Deeds*" if the facts are deemed to be generic, the offenders cannot be identified or if any other reason presently prevents proceedings from starting.

4.2 When establishing the facts pertaining to a potential anti-doping rule violation, the NADP will start disciplinary proceedings against the person under investigation by serving notice as per Article 2.1.5, Article 2.2.3, Article 2.3.2 and 2.5.8.

4.3 The notice provided to the *Athlete* or other *Person* shall simultaneously be provided by the NADP

to the *Athlete's* or other *Person's* National *Anti-Doping Organization*(s) (if different from NADO Italia), International Federation and *WADA* and shall promptly be reported into *ADAMS*, if applicable. Every NSF/ASD/SPE and their registered and affiliated members shall be required to provide assistance, if so requested, in the service of process for the individuals summoned to appear before the NADP and in the investigations started by the latter.

4.4 The disciplinary proceedings against the *Athlete* or other Person may take place remotely according to the indications provided by the NADP. During the hearing, the person under investigation shall have the right to rely on the aid of his/her own legal counsel or person of age enjoying his/her trust and, where necessary, an interpreter at his/her own expense. If the person under investigation is a *Minor* or a *Protected Person*, then the hearing must be attended by the holders of parental responsibility.

4.5 Within twenty-four (24) hours prior to the date of the hearing, the person under investigation shall be required to confirm his/her presence and notify the NADP office of the personal details of those attending the hearing.

4.6 Failure to personally appear at the hearing or claiming the right to silence by the person under investigation shall not result in the investigation being interrupted and/or postponed.

4.7 The person under investigation shall have the right to request the postponement of the hearing by filing an appropriate application containing the specific grounds thereof to be submitted to the NADP office at least two (2) days prior to the date set for the summons. The NADP shall promptly reach a decision notifying the person under investigation thereof. The postponement of the hearing may also be decided ex-officio by the NADP for logistic and/or organizational reasons.

4.8 Upon receipt of the *Athlete*'s or other *Person's* explanation, the NADP may, without limitation, request further information and/or documents from the *Athlete* or other *Person* within a set deadline or liaise with third parties in order to assess the validity of the explanation.

4.9 The NADP shall have the power to likewise summon any other person, including a non-registered person, considered as witness of fact. Should such other person fail to appear or to provide written observations without providing any lawful and well-grounded reason for his/her impediment, then the provisions under *ADSC* Article 3.1 shall apply. For the purpose of pursuing its own investigation goals, the NADP may also instruct that witness statements be compared between the individuals that have been summoned.

4.10 Should the person summoned as witness of fact be found to be liable the relevant charges shall be immediately notified to him/her, as per article 2.3, and the hearing, if any, shall be interrupted and postponed to a later date in order to start investigations, provided that he/she shall have the right to waive such postponement as well as the appointment of a legal counsel so that he/she may be heard on the alleged charges forthwith.

4.11 If an *Athlete* or other *Person* retires and ceases sports activities while NADO Italia is conducting the results management process, NADO Italia retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires and ceases sports activities before any

results management process has begun, and NADO Italia would have had results management authority over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, NADO Italia has authority to conduct results management in respect of that anti-doping rule violation.

ARTICLE 5 LETTER OF CHARGE

5.1 If, after receipt of the *Athlete* or other *Person's* explanation, in writing or during a personal hearing, or expiry of the deadline to provide such explanation, the NADP is satisfied that the *Athlete* or other *Person* has committed one or more anti-doping rule violation(s), the NADP shall promptly notify, in writing, the *Athlete* or other *Person* and/or the lawyer, if appointed, whose address they have elected for service, of the letter of charge, including:

a) the provision(s) of its anti-doping rules asserted to have been violated by the *Athlete* or other *Person*;
b) a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 2 and granting the *Athlete*/other *Person* the right to request copies of the documents contained in the investigation file at its own expense;
c) the indication of the specific *Consequences* being sought in the event that the asserted antidoping rule violation(s) is/are upheld and that such *Consequences* shall have binding effect on all *Signatories* in all sports and countries pursuant to *Code* Article 15;
d) a deadline of twenty (20) days from receipt of the letter of charge (which may be extended only in exceptional cases) to admit the asserted anti-doping rule violation(s) and to accept the proposed *Consequences* by signing, dating and returning an acceptance of *Consequences* form, which shall be enclosed with the letter of charge;
e) a notice communicating that if the *Athlete* or other *Person* does not accept the proposed *Consequences* within twenty (20) days as mentioned in point d), the *Athlete* or other *Person* shall have the right to challenge in writing the NADP's assertion of an anti-doping rule violation and/or request an oral hearing to be held before the relevant hearing panel;
f) a notice communicating that if the Athlete or other Person does not challenge the NADP's assertion of an anti-doping rule violation or proposed *Consequences* nor request a hearing within twenty (20) days, the NADP shall be entitled to deem that the Athlete or other Person has waived their right to a hearing and admitted the anti-doping rule violation as well as accepted the *Consequences* set out by the NADP in the letter of charge;
g) information on the possibility to: (i) obtain a suspension of *Consequences* if they provide *Substantial Assistance* under *ADSC* Article 11.7.1, (ii) admit the anti-doping rule violation(s) within twenty (20) days from receipt of the notice and potentially benefit from a one-year reduction in the period of Ineligibility under ADSC Article 11.8.1 (if applicable) and/or benefit from a one-year reduction in the period of *Ineligibility* under *ADSC* Article 11.8.1 (if applicable) and/or (iii) seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under *ADSC* Article 11.8.2 and under RMP Article 7.
h) any matters relating to *Provisional Suspension* as per Article 3 (if applicable).

5.1.1 If the *Athlete* or other *Person* is subject to a *Provisional Suspension* pursuant to Article 3, the letter of charge shall be notified in writing to the *Athlete* or other *Person*, or to his/her lawyer's elected address for service, if appointed, within thirty (30) days from notification of the *Provisional Suspension*, unless there are additional preliminary needs, such as the request to analyze a "B" *Sample*, an additional deadline for the submission of defense briefs or the pending appeal against the *Provisional Suspension*.

5.2 The letter of charge indicated in Article 5.1 shall be promptly filed by the NADP to the NADT with a copy of the relevant case file.
The letter of charge shall also be notified by NADO Italia to the *National Anti-Doping Organization*(s) of the *Athlete* or other *Person*, if different from NADO Italia, International Federation, NSF/ASD/SPE, Club and *WADA*, and it shall be promptly reported into *ADAMS*.
The *Athlete* or other *Person* charged, *WADA* and the International Federation have the right to: (i) access the case file filed with the NADT and (ii) obtain a copy at their own expense, except for *WADA* and the competent International Federation, which will not be required to pay any administrative charges.

5.3 In the event that the *Athlete* or other *Person* admits the anti-doping rule violation(s) and accepts the *Consequences* put forward through the letter of charge, the NADP shall promptly issue the decision and notify the charged individual, *WADA* and the International Federation, since they have the right to appeal under *Code* Article 13.

5.4 At the request of the Judicial Authorities, the NADP shall provide a copy of the letter of charge and the relevant case file.

ARTICLE 6 JURISDICTION CRITERIA

6.1 The NADT has the authority to pass first instance judgement for all *ADSC* violations committed by *Athletes* who are not included in the NADO Italia's RTP and in the RTP of the relevant International Federation or are not *International-Level Athlete*s as well as *ADSC* violations committed by other registered and not registered individuals.

6.2 The NADT has also the authority to pass first instance judgement for *ADSC* violations committed by *Athlete*s who are included in the NADO Italia's RTP and in the RTP of the relevant International Federation or are *International-Level Athlete*s, or violations arising from participating in an International sports *Event*, as well as judgements connected therewith. It also has the authority to pass first instance judgement on disciplinary proceedings lying within the province of another ADO if the latter has delegated such proceedings to NADO Italia.

6.3 The NADT has the exclusive authority to review the decisions adopted by NADO Italia with respect to Failures due to "Filing Failure" and/or "Missed Test" if so requested by the *Athlete*.

6.4 The *CAS* has the authority to decide on appeal against *Provisional Suspension* rulings, as under Article 17, issued by the NADT.

6.5 Appeals against the decisions of the TUEC whereby the latter rejects the granting of a *TUE* may be lodged to *CAS*.

6.6 Appeals against first instance decisions adopted by the NADT may be lodged according to the Article 18.

ARTICLE 7 AGREEMENTS PURSUANT TO *ADSC* ARTICLES 11.8.1 AND 11.8.2

7.1 Pursuant to *ADSC* Article 11.8.1, if the anti-doping rule violation carries an asserted period of Ineligibility of four (4) or more years, the *Athlete* or other *Person* can admit the anti-doping rule violation no later than twenty (20) days after receiving the letter of charge and thus may benefit from a one (1) year reduction of the period of *Ineligibility* by signing, dating and returning the form attached to the letter of charge to the NADP. The form must contain the mere admission of the asserted violation(s), without further arguments.

7.2 Pursuant to *ADSC* Article 11.8.2, the *Athlete* or other *Person* can admit the violation asserted and waive their right to a hearing by submitting a specific relevant application to the NADP. In this application, the factual elements underlying the violation must be fully and truthfully indicated, being not enough to merely admit the liability. The NADP examines the application and, where it decides to reach an agreement, submits this proposed agreement, including its evaluations and the case file, to *WADA* for its assessment.

WADA's decision to agree or to propose amendments to the agreement is forwarded to the NADP, which then promptly notifies the *Athlete* or other *Person*. Within the mandatory time-limit of three (3) days from such notification, the *Athlete* or other *Person* shall return the agreement duly signed for acceptance to the NADP.

Failure to reply within the time-limit indicated above constitutes a waiver of the agreement, leading to the application of all consequences regarding the proceedings which follow from it. The *Athlete* or other *Person* is entitled to request a "without prejudice agreement" to be drafted and signed.

If the *Ineligibility* period agreed upon is backdated, the *Athlete* or other *Person* shall in any case serve at least half of the agreed *Ineligibility* period starting from the earlier of: (i) the date on which the *Athlete* or other *Person* has accepted the *Consequence(s)* or (ii) the commencing date of the *Provisional Suspension*, if duly complied with. Any decision adopted by NADO Italia or WADA to reach an agreement under this Article, as well as the agreement itself, cannot be appealed.

7.3 News of agreements entered into under Articles 7.1 and 7.2 is subject to the provisions of *ADCS* Article 19, unless a "without prejudice agreement" is signed.

ARTICLE 8 PROCEDURE FOR THE SUSPENSION OF THE PERIODS OF *INELIGIBILITY* OR OTHER *CONSEQUENCES* IMPOSED UNDER *ADSC* ARTICLE 11.7.1

8.1 Before the Decision Becomes Final

Before the disciplinary action taken against him or her becomes final, the *Athlete* or other *Person* being subject to sanctions may benefit from a suspension of a part of the *Ineligibility* period as under *ADSC* Article 11.7.1.

The application for suspension, signed personally by the individual concerned and containing the reasons upon which it is based, must be submitted to the NADP. Subject to investigations and findings as may be necessary, the NADP shall, within thirty (30) days which may be extended to additional thirty (30) days in the event of particularly complex investigations, may approve the application for suspension.

The suspension of *Consequences* for *Substantial Assistance* may also be adopted *ex-officio* by the NADP where substantial assistance was provided before the NADP during the investigation phase.

8.2 After the Decision Becomes Final

Once the disciplinary measure taken against him or her becomes final, the individual being subject to sanctions may benefit from a suspension of a part of the *Ineligibility* period as under *ADSC* Article 11.7.1.2 by applying with the NADP, subject to approval by *WADA* and the relevant International Federation.

The application for suspension, duly signed and containing the reasons upon which it is based, must be submitted to the NADP. Subject to investigations and findings as may be necessary, the NADP shall, within thirty (30) days which may be extended to additional thirty (30) days in the event of particularly complex investigations, submit the suspension proposal to *WADA* and the relevant International Federation for their evaluation and opinion, expressly stating the measure deemed as applicable or a motivated request for rejection.

8.3 Common Rules

For the purposes of identifying the procedure as outlined here above, reference shall be made to the date on which the application for suspension is submitted.

ARTICLE 9 PARTIES OF FIRST INSTANCE PROCEEDINGS

9.1 The following entities shall be deemed to be parties to first instance proceedings: person under investigation and NADO Italia, through the NADP.

ARTICLE 10 TERMINATION OF PROCEEDINGS

If, following the review and notification pursuant to Article 2, the PNA considers not to proceed with the charge, it shall send the documents, with a request for filing, to the NADT. The NADT shall, *ex-parte*:

a) uphold the request and cause the case to be dismissed;

b) reject the request and send the documents back to the NADP for further investigations, stating the additional investigations deemed as necessary;
c) reject the request, asking the NADP to proceed *ex* Article 5.

The decisions under Article 10 a) shall be sent to *WADA*, the relevant International Federation, the *National Anti-Doping Organization* of the *Person's* country of residence (if different from NADO Italia), the International Olympic Committee, and International Paralympic Committee (where applicable) and notified to the relevant NSF/ASD/SPE and Club.

ARTICLE 11 START OF FIRST HEARING PROCEEDINGS

11.1 If the *Athlete* or other *Person* requests a hearing within twenty (20) days from the date of receipt of the letter of charge, the NADT shall schedule the hearing within forty (40) days, that shall be held in a reasonable timeframe to ensure the *Results Management* (including the Hearing Process at first instance) will be concluded within six (6) months from the notification as per Article 2. If the *Athlete* does not request the hearing within the indicated deadline, the hearing will be conducted, in chamber of council and without the *Athlete* or other *Person* having been heard, within a reasonable timeframe as above from the submission of the investigation file according to Article 5.

The timeliness is assured, save for cases involving complex issues or delays not in the control of NADO Italia.

The charged person shall have the right to formally waive the requested hearing or refrain from disputing the disciplinary charges pressed against him/her. Such waiver must be submitted to the NADT and the other parties to the case within ten (10) days prior to the date set for the hearing. In this event, the NADT shall decide in chamber of council and without the *Athlete* or other *Person* having been heard. The decision shall be notified as pursuant to Article 14.

11.2 The date of the hearing must be notified to the parties to the case at least twenty (20) days in advance.

11.3 In the event that the order concerns an *Athlete* or other *Person* subject to *Provisional Suspension* pursuant to Article 3, the term to set the hearing is seven (7) days and the date of the hearing must fall within the following thirty (30) days.

11.4 Within and not later than ten (10) days prior to the date of the hearing, the parties may file a defence brief with the NADT containing their own, evidentiary allegations, arguments and defense submissions and, under penalty of cancellation, any measures of enquiry (e.g. admission of witnesses, opinions by experts appointed by the court, appointment of defense experts, if any). The aforesaid brief shall, under penalty of exclusion, be notified to the other parties to the case within the same deadline of ten (10) days prior to the date of the hearing according to the same terms and conditions as under Article 22.

11.5 Within and not later than five (5) days prior to the date of the hearing, the parties shall have the power to file a reply brief to those referred to in Article 11.4. The aforesaid reply brief shall, under penalty of exclusion, be notified to the other parties to the case within the same deadline of five (5) days prior to the date of the hearing according to the same terms and conditions as under Article 22.

11.6 The NADT shall be responsible for notifying the procedural briefs to *WADA* and the relevant International Federation, if appropriate.

11.7 No submissions or defence briefs shall be allowed other than those listed above or may be filed after the final deadlines as set forth.

11.8 The parties to the case shall have the right to seek the postponement of the hearing by filing an appropriate application containing specific grounds for such postponement. The application must be sent to the office of the NADT at least seven (7) days prior to the date of the hearing, except in cases of proven emergency. If the application is filed by the *Athlete* or other *Person*, it must be notified to the NADP for its perusal and opinion. The President of the NADT shall reach a final decision within two (2) days after the application is filed. The acceptance of the postponement shall not cause the deadlines set for the submission of the briefs to be postponed if such deadlines have already expired.
The postponement of the hearing may also be ordered *ex parte* by the President of the NADT due to logistic and/or organizational reasons. Again, any such postponement shall not cause the deadlines set for the submission of the briefs to be postponed if such deadlines have already expired.

11.9 Hearings may also take place remotely by the participants joining together using technology, according to the indications provided by the NADT.

ARTICLE 12 SINGLE HEARING BEFORE *CAS*

12.1 Pursuant to *Code* Article 8.5, anti-doping rule violations asserted against *International Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other Person, NADO Italia and *WADA*, be heard in a single hearing directly at *CAS* under *CAS* appellate procedures, with no requirement for a prior hearing, or as otherwise agreed by the parties.

12.2 If the *Athlete* or other Person and NADO Italia agree to proceed with a single hearing before *CAS*, it shall be the responsibility of NADO Italia to liaise in writing with *WADA* to determine whether it agrees to the proposal. Should *WADA* not agree (in its entire discretion), then the case shall be heard by the NADT.

ARTICLE 13 FIRST HEARING PROCEEDING – DISCUSSION

13.1 Disputes shall be discussed in closed session, unless the *Athlete* or other *Person* requests a public hearing, or unless NADO Italia requests a public hearing and the *Athlete* or other *Person* agrees to the same, and recording thereof, by filing a motivated motion with the NADT within seven (7) days of the date set for the hearing. After receipt of the written consent of the *Athlete* or other *Person*, the NADT shall uphold the motion unless the need for confidentiality and/or protection of the individuals involved in the proceedings otherwise requires, in accordance with the ISRM.

13.2 The *Athlete* or other *Person* shall have the right to (i) appear in person, if not a *Protected Person*, or through the holder of parental responsibility, if a *Minor or a Protected Person*, (ii) be aided by his/her own counsel during the hearing and (iii) seek the support of an interpreter, if necessary, whose personal details must be notified to the NADT within twenty-four (24) hours prior to the date set for the hearing so that accreditation papers may be issued.

13.3 Failure to appear at the hearing by the party and/or his/her counsel shall not result in the proceedings being suspended, interrupted or postponed inasmuch as proceedings shall continue in their absence.

13.4 Failure to appear at the hearing by the accused without a sound reason may constitute a conduct which may be considered when reaching a decision.

13.5 The NADP shall attend the proceedings with one or more members; the International Federation and *WADA* may attend the hearing through their own representatives.

13.6 The Chairman of the Panel or a member appointed by him/her shall report on the case and then the parties shall be heard, keeping the discussion as brief as possible.

13.7 The Chairman of the Panel may ask questions to the parties or dispute facts stated by the accused or witnesses during the preliminary phase.

13.8 If a new fact or a fact that proves different compared to the way it is stated in the referral deed is brought to light during the hearing, the NADP shall change the accusation and charge the accused, if in attendance, who shall have the right to either accept cross examination immediately or request a postponement of the hearing. If the accused is not in attendance, the NADP may ask the Chairman of the Panel to cause any such different charge to be reflected in the hearing report and that such report be sent to the accused. In this event, the Chairman of the Panel shall suspend the hearing and set a new hearing for the continuation of proceedings.

13.9 A brief report of the hearing shall be drawn up by the Office of the NADT.

13.10 Measures of Enquiry

13.10.1 The Panel shall either accept or reject the measures of enquiry requested by the party by resolution adopted during the hearing.

13.10.2 To the extent as it shall deem necessary, the Panel may seek the opinion of an expert. To this end, it shall define the (i) questions to be dealt with, including on an *inter partes* basis, (ii) deadline by which the expert opinion must be filed, and the parties' memos must be submitted, and (iii) the date of the next hearing. The parties may also rely on the aid of their own expert, whose personal details must be notified as pursuant to Article 13.2.

13.10.3 The Panel shall be vested with the broadest preliminary investigation powers and may likewise entrust the NADP with the performance of specific investigations or further appraisals.

ARTICLE 14 FIRST INSTANCE PROCEEDING – DECISION

14.1 Following the hearing, the text of the decision shall be immediately read out to the parties, unless the complexity or magnitude of the matters to be decided upon or the need to renew individual deeds lead

the Chairman of the Panel to deem it appropriate to postpone such reading to another hearing or arrange for such text to be notified in writing without reading it out during the hearing.

14.2 If it is not possible to draft the grounds immediately during the closed session meeting, it shall be done within thirty (30) days after the text of the decision has been notified.

14.3 The operative part and the decision with grounds shall be notified to the parties pursuant to Article 22. The operative part with the former also being notified to the relevant NSF/ASD/SPE and Club.

ARTICLE 15 REVIEW OF TUEC'S DECISIONS

15.1 The *Athlete* shall have the right to file an appeal with the *CAS*, in accordance with the applicable procedural rules, against any decision of rejection of a *TUE* by the TUEC of NADO Italia.

15.2 Appeals shall not cause a stay of a rejection decision adopted by the TUEC of NADO Italia.

ARTICLE 16 REVIEW OF THE DECISIONS OF THE NADP REGARDING FILING FAILURE AND/OR MISSED TEST

16.1 The *Athlete* may, within and not later than ten (10) days of receipt of notice of Failure by the NADP, apply with the NADT for a review of the decisions adopted regarding Filing Failure or Missed Test. Under penalty of exclusion, the *Athlete* shall be required to produce receipt of payment of the administrative fees as per Financial Schedule of Fees available on NADO Italia's website (www.nadoitalia.it).

16.2 The request for review must also be notified to the NADP within the same deadline. The NADP will, within five (5) days, submit the case file to the NADT together with an accompanying note, if appropriate.

16.3 The Panel shall proceed with the review in closed session based on the documents acquired, without prejudice to the right to seek further information from the *Athlete* and NADP.

16.4 The review shall end fourteen (14) days after receipt of the *Athlete*'s request and the decision shall be notified to the *Athlete* and NADP no later than seven (7) days after the date of the decision.

16.5 If the request for review is upheld, the Panel shall cause for the NADP's decision to be cancelled, stating the grounds and notifying the *Athlete*, NADP, WADA and the relevant *International Federation*.

16.6 In the event the request for review is rejected, the Panel shall inform the *Athlete* and NADP thereof, with the latter discharging the resulting formalities.

16.7 The decision whereby the Panel confirms the measures taken by the NADP shall be final. If the decision of the Panel is to revoke the measures taken by the NADP, *WADA* and the *International Federation* shall have the right of appeal against that decision, in accordance with *Code* Article 13.

ARTICLE 17 APPEAL AGAINST *PROVISIONAL SUSPENSION* DECISIONS

17.1 The rules governing appeal rights and avenues are set out at *Code* Article 13 (and ADSC Article 18).
Except as otherwise provided in Article 3.1, any decision to impose or lift a *Provisional Suspension* as a result of a *Provisional Hearing* shall be appealable by any *Person* with a right of appeal under *Code* (and ADSC) exclusively to the *CAS*.
All parties to any *CAS* appeal must ensure that *WADA* and all other parties with a right to appeal have been given timely notice of the appeal.
Any appeal challenging a *Provisional Suspension* shall not justify any delay in the underlying case on the merits. The appeal must be filed with the *CAS* according to the applicable procedural rules, within and not later than the deadlines set out in ADSC Article 18.5.

ARTICLE 18 APPEAL AGAINST FIRST INSTANCE DECISIONS

18.1 The rules governing appeal rights and avenues are set out at *Code* Article 13 (and ADSC Article 18)..

18.2 With respect to appeals before *CAS*:

a) The appeal procedure shall be governed by *Code* Article 13 (and ADSC Article 18) and the Code of Sports-related Arbitration;

b) Except if agreed otherwise, all appeal proceedings before *CAS* involving *WADA*, an *International Federation* and/or a *Major Event Organization* as a party shall be conducted in English or French in accordance with *Code*. Such proceedings may only be conducted in a language other than French or English if *WADA*, the International Federation and/or the *Major Event Organization* (all) agree with such request at their entire discretion;

c) As a condition to the admissibility of the appeal, an appealing party shall have provided notice of the appeal to *WADA* and all other parties with a right of appeal;

d) No settlement embodied in an arbitral award rendered by consent of the parties as per *Code* of Sports-related Arbitration Article R56 shall be entered into by an *Anti- Doping Organization* without *WADA's* written approval. Where the parties to the *CAS* proceedings are envisaging settling the matter by way of a settlement embodied in an arbitral award rendered by consent of the parties, the *Anti-Doping Organization* that is a party to the proceedings shall immediately notify *WADA* and provide it with all necessary information in this respect. The same applies to matters settled out-of-court by parties whilst a *CAS* appeal is pending;

e) Any *Anti-Doping Organization* that is a party to an appeal before *CAS* shall promptly provide the *CAS* award to the other *Anti-Doping Organizations* that would have been entitled to appeal under *Code*; and

f) The requirements of ISRM Article 9 shall apply mutatis mutandis.

ARTICLE 19 CROSS-APPEAL

19.1 If one of the parties has filed an appeal against a first instance decision, the other parties may file an incidental appeal according to the applicable procedural rules of *CAS*, and the *ADSC* Article 18.2.4.

ARTICLE 20 EXCLUSION AND OBJECTION

20.1 The judge shall be required to abstain from attending proceedings if:

a) he/she or one of his/her close relatives has an interest in the case he/she brought before him/her;
b) he/she or his/her spouse is a next of kin of one of the parties or counsels in the case brought before him/her;
c) he/she holds serious enmity towards or has conflicts with one of the parties or any of the counsels in the case brought before him/her;
d) he/she carried out investigation tasks with respect to the case brought before him/her or related cases or acted as legal or technical expert in such cases.

20.2 In all other cases where serious grounds exist, including those indicated in the ISRM, the judge shall be required to abstain from attending proceedings.

20.3 A decision on the request for abstention submitted by the member shall be reached by the Panel, excluding the member submitting such request, *ex parte* within fifteen (15) days of the request being submitted. The decision so adopted shall be final.

20.4 If each party believes that the conditions under a), b), c) or d) of Article 20.1 (obligation for the judge to abstain) are fulfilled, they may seek the challenge of the members of NADT by submitting a written request, to be signed personally by the party or his/her own counsel holding appropriate proxy. The request must contain the specific grounds for the challenge as well as the evidence provided within three (3) days of the reason warranting the challenge being disclosed. The office of the NADT shall cause a notice to be served on the other parties to the case and the challenged member, who may submit his/her own comments within the following three (3) days.

20.5 A decision on the request for challenge submitted by the party shall be reached by the Panel, excluding the challenged member, *ex parte* within fifteen (15) days of the request being submitted. The decision so adopted shall be final.

20.6 A challenge will cause disciplinary proceedings to be suspended, without prejudice to the effects of any *Provisional Suspension* inflicted under Article 3, unless such measure has already expired.

20.7 The order upholding the request for challenge shall exclude the challenged judge from the case. The challenge shall be declared inadmissible if the request is not submitted as specified under the previous paragraph.

20.8 If the challenge is deemed to be inadmissible or rejected, the challenged judge may take part in the proceedings.

20.9 Under the order whereby the challenge is deemed to be inadmissible or rejected, the Panel may rule that the unsuccessful party should bear the cost of proceedings as per Financial Schedule of Fees available on NADO Italia's website (www.nadoitalia.it).

20.10 The order whereby the request for challenge is upheld or rejected shall be notified by the office of the NADT to the applicant, the judge being challenged as well the other parties to the case.

20.11 To the extent as applicable, the foregoing paragraphs shall also apply to any expert appointed by the court.

ARTICLE 21 LAPSING AND SUSPENSION OF PROCEDURAL TIME LIMITS

21.1 The lapsing of procedural time limits relating to proceedings started before the NADT shall be suspended *ipso facto* for a summer period not exceeding thirty (30) days per year or in other periods of the year to be identified by decision of the President of NADT and shall become effective again as of the end of the suspension period. The decision shall be published on NADO Italia's website (www.nadoitalia.it). If the lapsing of procedural time limits starts during the suspension period, then time limits shall be deemed to start at the end of such period.

21.2 Limited to the periods during which NADO Italia office is closed, the operations of organizations providing support to anti-doping bodies may suffer disruptions.

21.3 When calculating procedural time limits, the starting day shall not be calculated, whereas the final day will. If the day of expiry of time limits falls on a holiday, then the expiry shall be postponed *ipso facto* to the first working day thereafter. The time limits expressly defined as final under the ADSRs shall be considered as such.

ARTICLE 22 NOTICES AND COMMUNICATIONS

22.1 NADO Italia shall notify *Athletes*, other *Persons* and other *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3 and *WADA* of the decisions as provided in *Code* Article 14 and in the ISRM Article 9.2.

22.2 Without prejudice to the provisions as under 22.3 here below, notices to be served by the NADP and the NADT shall be delivered either by registered mail with acknowledgement of receipt, fax, cable, courier or email as follows:

- if sent to private individuals: to the address chosen for the purposes of the proceedings or, failing which, to the address shown in the anti-doping *Sample* collection report as well as the address filed with the records at the time of registering with the relevant NSF/ASD/SPE; to the place of residence or such other place as specified by the judicial authorities for non-registered individuals;
- if sent to clubs: to the registered office as filed with the records at the time of registration with the relevant NSF/ASD/PSE.

22.3 Notices to be served by the NADP for Filing Failure and Missed Test shall be delivered by registered email or registered letter.

22.4 The NSF/ASD/PSE, relevant sports organizations and/or club the *Athlete* is registered with shall, where requested, be required to ensure that the individual concerned has received the foregoing notices and, if not, see to it forthwith.

22.5 In the event of a registered individual being unavailable, notification shall be deemed to have been served by delivering the deed to the relevant NSF/ASD/PSE and/or Club.

22.6 In the event of a non-registered individual being unavailable, notification shall be deemed to have been served by filing the deed with the NADP's office or the NADT to the extent as lying within their respective province.

22.7 For the purposes of checking the timely service of process, reference shall be made solely to the date shown on the postmark set by the Post Office accepting the registered mail with acknowledgement of receipt or certifying delivery to the courier or receipt by fax, cable or email.

22.8 During the hearing held before the NADP or, failing which, in the first act of defence, the parties shall be required to state the email address where they wish to receive communications. Failing this, communications may be forwarded to any personal email address of the *Athlete* already known to the relevant NSF/ASD/SPE and/or International Federation.

ANNEX A – REVIEW OF A POSSIBLE FAILURE TO COMPLY

A.1 Responsibility

A.1.1 NADO Italia is responsible for ensuring that:

a) When the possible Failure to Comply comes to its attention, it notifies *WADA*, and instigates review of the possible Failure to Comply based on all relevant information and documentation;

b) The *Athlete* or other *Person* is informed of the possible Failure to Comply in writing and has the opportunity to respond in accordance with Article 2.3.2;

c) The review is conducted without unnecessary delay and the evaluation process is documented; and

d) If it decides not to move forward with the matter, its decision is notified in accordance with Article 10.

A.1.2 The DCO is responsible for providing a detailed written report of any possible Failure to Comply.

A.2 Requirements

A.2.1 Any potential Failure to Comply shall be reported by the DCO to NADO Italia and/or followed up by the *Testing* Authority and reported to the *Results Management* Authority as soon as practicable.

A.2.2 If NADO Italia determines that there has been a potential Failure to Comply, the *Athlete* or other *Person* shall be promptly notified in accordance with Article 2.3.2 and further *Results Management* shall be conducted as per Article 2 *et seq*.

A.2.3 Any additional necessary information about the potential Failure to Comply shall be obtained from all relevant sources (including the *Athlete* or other *Person*) as soon as possible and recorded.

A.2.4 NADO Italia shall establish a system for ensuring that the outcomes of its reviews into potential Failures to Comply are considered for *Results Management* action and, if applicable, for further planning and *Target Testing*.

ANNEX B – *RESULTS MANAGEMENT* FOR WHEREABOUTS FAILURES

B.1 Determining a Potential Whereabouts Failure

B.1.1 Three (3) Whereabouts Failures by an *Athlete* within any 12-month period amount to an anti-doping rule violation under *Code* Article 2.4. The Whereabouts Failures may be any combination of Filing Failures and/or Missed Tests declared in accordance with Article B.3 and adding up to three (3) in total.

B.1.2 The 12-month period referred to in *Code* Article 2.4 starts to run on the date that an *Athlete* commits the first Whereabouts Failure being relied upon in support of the allegation of a violation of *Code* Article 2.4. If two (2) more Whereabouts Failures occur during the ensuing 12-month period, then *Code* Article 2.4 anti-doping rule violation is committed, irrespective of any *Samples* successfully collected from the *Athlete* during that 12-month period. However, if an *Athlete* who has committed one (1) Whereabouts Failure does not go on to commit a further two (2) Whereabouts Failures within the 12-months, at the end of that 12-month period, the first Whereabouts Failure "expires" for purposes of *Code* Article 2.4, and a new 12-month period begins to run from the date of their next Whereabouts Failure.

B.1.3 For purposes of determining whether a Whereabouts Failure has occurred within the 12-month period referred to in *Code* Article 2.4:

a) A Filing Failure will be deemed to have occurred (i) where the *Athlete* fails to provide complete information in due time in advance of an upcoming quarter, on the first day of that quarter, and (ii) where any information provided by the *Athlete* (whether in advance of the quarter or by way of update) transpires to be inaccurate, on the (first) date on which such information can be shown to be inaccurate; and

b) A Missed Test will be deemed to have occurred on the date that the *Sample* collection was unsuccessfully attempted.

B.1.4 Whereabouts Failures committed by the *Athlete* prior to retirement as defined in ISTI Article 4.8.7.3 may be combined, for purposes of *Code* Article 2.4, with Whereabouts Failures committed by the *Athlete* after the *Athlete* again becomes available for *Out-of-Competition Testing*.

B.2 Requirements for a Potential Filing Failure or Missed Test

B.2.1 An *Athlete* may only be declared to have committed a Filing Failure where NADO Italia establishes each of the following:

a) That the *Athlete* was duly notified: (i) that they had been designated for inclusion in a *Registered Testing Pool*; (ii) of the consequent requirement to make Whereabouts Filing; and (iii) of the *Consequences* of any Failure to Comply with that requirement;

b) That the *Athlete* failed to comply with that requirement by the applicable deadline;

c) In the case of a second or third Filing Failure, that they were given notice, in accordance with Article B.3.2(d), of the previous Filing Failure, and (if that Filing Failure revealed deficiencies in the Whereabouts Filing that would lead to further Filing Failures if not rectified) was advised in

the notice that in order to avoid a further Filing Failure they must file the required Whereabouts Filing (or update) by the deadline specified in the notice (which must be within 48 hours after receipt of the notice) and yet failed to rectify that Filing Failure by the deadline specified in the notice; and

d) That the *Athlete's* failure to file was at least negligent. For these purposes, the *Athlete* will be presumed to have committed the failure negligently upon proof that they were notified of the requirements yet did not comply with them. That presumption may only be rebutted by the *Athlete* establishing that no negligent behavior on their part caused or contributed to the failure.

B.2.2 While *Code* Article 5.2 specifies that every *Athlete* must submit to *Testing* at any time and place upon request by an *Anti-Doping Organization* with *Testing* Authority over them, in addition, an *Athlete* in a *Registered Testing Pool* must specifically be present and available for *Testing* on any given day during the 60-minute time slot specified for that day in their Whereabouts Filing, at the location that the *Athlete* has specified for that time slot in such filing. Where this requirement is not met by the *Athlete*, it shall be pursued as an apparent Missed Test. If the *Athlete* is tested during such a time slot, the *Athlete* must remain with the DCO until the *Sample* collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of *Code* Article 2.3 (refusal or failure to submit to *Sample* collection).

B.2.3 To ensure fairness to the *Athlete*, where an unsuccessful attempt has been made to test an *Athlete* during one of the 60-minute time slots specified in their Whereabouts Filing, any subsequent unsuccessful attempt to test that *Athlete* (by the same or any other *Anti-Doping Organization*) during one of the 60-minute time slots specified in their Whereabouts Filing may only be counted as a Missed Test (or, if the unsuccessful attempt was because the information filed was insufficient to find the *Athlete* during the time slot, as a Filing Failure) against that *Athlete* if that subsequent attempt takes place after the *Athlete* has received notice, in accordance with Article B.3.2(d), of the original unsuccessful attempt.

B.2.4 An *Athlete* may only be declared to have committed a Missed Test where NADO Italia can establish each of the following:

a) that when the *Athlete* was given notice that they had been designated for inclusion in the *Registered Testing Pool*, they were advised that they would be liable for a Missed Test if they were unavailable for *Testing* during the 60-minute time slot specified in their Whereabouts Filing at the location specified for that time slot;

b) that a DCO attempted to test the *Athlete* on a given day in the quarter, during the 60-minute time slot specified in the *Athlete's* Whereabouts Filing for that day, by visiting the location specified for that time slot;

c) that during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the *Athlete*, short of giving the *Athlete* any advance notice of the test;

d) that Article B.2.3 does not apply or (if it applies) was complied with; and

e) that the *Athlete's* non-availability for *Testing* at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the *Athlete* will be presumed to have

been negligent upon proof of the matters set out at sub-Articles B.2.4 (a) to (d). That presumption may only be rebutted by the *Athlete* establishing that no negligent behavior on their part caused or contributed to their failure (i) to be available for *Testing* at such location during such time slot, and (ii) to update their most recent Whereabouts Filing to give notice of a different location where they would instead be available for *Testing* during a specified 60-minute time slot on the relevant day.

B.3 *Results Management* for a Potential Whereabouts Failure

B.3.1 In accordance with *Code* Articles 7.1.6, NADO Italia is the *Results Management* Authority in relation to potential Whereabouts Failures committed by an *Athlete* that files whereabouts information towards NADO Italia.

B.3.2 When a Whereabouts Failure appears to have occurred, NADO Italia shall proceed as follows:

a) If the apparent Whereabouts Failure has been uncovered by an attempt to test the *Athlete*, NADO Italia shall timely obtain an Unsuccessful Attempt Report from the DCO. If the *Testing* Authority is different from the *Results Management* Authority, it shall provide the Unsuccessful Attempt Report to the *Results Management* Authority without delay, and thereafter it shall assist the *Results Management* Authority as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.

b) NADO Italia shall timely review the file (including any Unsuccessful Attempt Report filed by the DCO) to determine whether all of the Article B.2.1 requirements (in the case of a Filing Failure) or all of the Article B.2.4 requirements (in the case of a Missed Test) are met. It shall gather information as necessary from third parties (e.g., the DCO whose test attempt uncovered the Filing Failure or triggered the Missed Test) to assist it in this task.

c) If NADO Italia concludes that any of the relevant requirements have not been met (so that no Whereabouts Failure should be declared), it shall so advise *WADA*, the International Federation, and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, if different from NADO Italia, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.

d) If NADO Italia concludes that all of the relevant requirements as set out in B.2.1 (Filing Failure) and B.2.4 (Missed Test) have been met, it should notify the *Athlete* within fourteen (14) days of the date of the apparent Whereabouts Failure. The notice shall include sufficient details of the apparent Whereabouts Failure to enable the *Athlete* to respond meaningfully, and shall give the *Athlete* a reasonable deadline to respond, advising whether they admit the Whereabouts Failure and, if they do not admit to the Whereabouts Failure, then an explanation as to why not. The notice should also advise the *Athlete* that three (3) Whereabouts Failures in any 12-month period is a *Code* Article 2.4 anti-doping rule violation, and should note whether they had any other Whereabouts Failures recorded against them in the previous twelve (12) months. In the case of a Filing Failure, the notice must also advise the *Athlete* that in order to avoid a further Filing Failure they must file the missing whereabouts information by the deadline specified in the notice, which must be within 48 hours after receipt of the notice.

e) If the *Athlete* does not respond within the specified deadline, NADO Italia shall record the notified Whereabouts Failure against them.

If the *Athlete* does respond within the deadline, NADO Italia shall consider whether their response changes its original decision that all of the requirements for recording a Whereabouts Failure have been met.

i. If so, it shall so advise the *Athlete*, *WADA*, the International Federation, and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, if different from NADO Italia, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.

ii. If not, it shall so advise the *Athlete* (with reasons) and specify a reasonable deadline by which they may request an administrative review of its decision. The Unsuccessful Attempt Report shall be provided to the *Athlete* at this point if it has not been provided to them earlier in the process.

f) If the *Athlete* does not request an administrative review by the specified deadline, NADO Italia shall record the notified Whereabouts Failure against them. If the *Athlete* does request an administrative review before the deadline, it shall be carried out, based on the papers only, by one or more person not previously involved in the assessment of the apparent Whereabouts Failure. The purpose of the administrative review shall be to determine anew whether or not all of the relevant requirements for recording a Whereabouts Failure are met.

g) If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, NADO Italia shall so advise the *Athlete*, *WADA*, the International Federation and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, if different from NADO Italia, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13. On the other hand, if the conclusion is that all of the requirements for recording a Whereabouts Failure are met, it shall notify the *Athlete* and shall record the notified Whereabouts Failure against them.

B.3.3 NADO Italia reports a decision to record a Whereabouts Failure against an *Athlete* to *WADA* and all other relevant *Anti-Doping Organizations*, on a confidential basis, via *ADAMS*.

B.3.4 Where three (3) Whereabouts Failures are recorded against an *Athlete* within any 12-month period, NADO Italia shall notify the *Athlete* and other *Anti-Doping Organizations* in accordance with Article 2.3.2 alleging violation of *Code* Article 2.4 and proceed with *Results Management* in accordance with Article 2 et seq. If NADO Italia fails to bring such proceedings against an *Athlete* within 30-days of *WADA* receiving notice of the recording of that *Athlete's* third Whereabouts Failure in any 12-month period, then NADO Italia shall be deemed to have decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at *Code* Article 13.2.

B.3.5 An *Athlete* asserted to have committed a *Code* Article 2.4 anti-doping rule violation shall have the right to have such assertion determined at a full evidentiary hearing in accordance with *Code* Article 8 and Articles 8 and 10 of the *International Standard* for *Results Management*. The hearing panel shall not be bound by any determination made during the *Results Management* process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden

shall be on the *Anti-Doping Organization* bringing the proceedings to establish all of the requisite elements of each alleged Whereabouts Failure to the comfortable satisfaction of the hearing panel. If the hearing panel decides that one (or two) Whereabouts Failure(s) have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no *Code* Article 2.4 anti-doping rule violation shall be found to have occurred. However, if the *Athlete* then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with *Code* Article 3.2.3) and the Whereabouts Failure(s) subsequently committed by the *Athlete*.

B.3.6 A finding that an *Athlete* has committed a *Code* Article 2.4 anti-doping rule violation has the following *Consequences*: (a) imposition of a period of *Ineligibility* in accordance with *Code* Article 10.3.2 (first violation) or *Code* Article 10.9 (subsequent violation(s)); and (b) in accordance with *Code* Article 10.10 (*Disqualification*, unless fairness requires otherwise) of all individual results obtained by the *Athlete* from the date of the *Code* Article 2.4 anti-doping rule violation through to the date of commencement of any *Provisional Suspension* or *Ineligibility* period, with all of the resulting *Consequences*, including forfeiture of any medals, points and prizes. For these purposes, the anti-doping rule violation shall be deemed to have occurred on the date of the third Whereabouts Failure found by the hearing panel to have occurred. The impact of any *Code* Article 2.4 anti-doping rule violation by an individual *Athlete* on the results of any team for which that *Athlete* has played during the relevant period shall be determined in accordance with *Code* Article 11.

ANNEX C – RESULTS MANAGEMENT REQUIREMENTS AND PROCEDURES FOR THE *ATHLETE BIOLOGICAL PASSPORT*

C.1 Administrative Management

C.1.1 The requirements and procedures described in this Annex apply to all modules of the *Athlete Biological Passport* except where expressly stated or implied by the context.

C.1.2 These processes shall be administered and managed by an *Athlete* Passport Management Unit on behalf of the Passport Custodian. The *Athlete* Passport Management Unit will initially review profiles to facilitate targeting recommendations for the Passport Custodian when appropriate or refer to the Experts as required. Management and communication of the biological data, *Athlete* Passport Management Unit reporting and Expert reviews shall be recorded in *ADAMS* and be shared by the Passport Custodian with other *Anti-Doping Organizations* with *Testing* Authority over the *Athlete* to coordinate further Passport *Testing* as appropriate. A key element for *Athlete Biological Passport* management and communication is the *Athlete* Passport Management Unit Report in *ADAMS*, which provides an overview of the current status of the *Athlete's* Passport including the latest targeting recommendations and a summary of the Expert reviews.

C.1.3 This Annex describes a step-by-step approach to the review of an *Athlete's* Passport:

a) the review begins with the application of the Adaptive Model.

b) in case of an *Atypical Passport Finding* or when the *Athlete* Passport Management Unit considers that a review is otherwise justified, an Expert conducts an initial review and returns an evaluation based on the information available at that time.

c) in case of a "Likely doping" initial review, the Passport is then subjected to a review by three (3) Experts including the Expert who conducted the initial review.

d) in case of a "Likely doping" consensus of the three (3) Experts, the process continues with the creation of an *Athlete Biological Passport* Documentation Package.

e) an *Adverse Passport Finding* is reported by the *Athlete* Passport Management Unit to the Passport Custodian if the Experts' opinion is maintained after review of all information available at that stage, including the *Athlete Biological Passport* Documentation Package.

f) the *Athlete* is notified of the *Adverse Passport Finding* and offered the opportunity to provide explanations.

g) if after review of the explanations provided by the *Athlete*, the Experts maintain their unanimous conclusion that it is highly likely that the *Athlete Used* a *Prohibited Substance* or a *Prohibited Method*, an anti-doping rule violation is asserted against the *Athlete* by the Passport Custodian.

C.2 Initial Review Phase

C.2.1 Review by the Adaptive Model

C.2.1.1. In *ADAMS*, the Adaptive Model automatically processes data on the biological *Markers* of the *Athlete Biological Passport*. These *Markers* include primary *Markers* that are defined as the most specific to doping and secondary *Markers* that provide supporting evidence of doping in isolation or in combination with other *Markers*. The Adaptive Model predicts for an individual an expected range within which a series of *Marker* values falls assuming a normal physiological condition. Outliers correspond to those values outside of the 99%-range, from a lower limit corresponding to the 0.5^{th} percentile to an upper limit corresponding to the 99.5^{th} percentile (1:100 chance or less that this result is due to normal physiological variation). A specificity of 99% is used to identify *Passport Findings*. In the case of sequence deviations (sequence *Atypical Passport Findings*), the applied specificity is 99.9% (1:1000 chance or less that this is due to normal physiological variation).

C.2.1.2. An *Atypical Passport Finding* is a result generated by the Adaptive Model in *ADAMS* which identifies either:

a) a primary Marker(s) value(s) as being outside the Athlete's intra-individual range, or,

b) a longitudinal profile consisting of (up to) the last five (5) valid primary Marker values as deviating from expected ranges (sequence Atypical Passport Findings), assuming a normal physiological condition.

An *Atypical Passport Finding* requires further attention and review.

C.2.1.3. Primary and Secondary *Markers*

C.2.1.3.1. For the Haematological Module, the Adaptive Model automatically processes in *ADAMS* two primary *Markers*, haemoglobin concentration (HGB) and stimulation index OFF-score (OFFS), and two secondary *Markers,* the reticulocyte percentage (RET%) and the Abnormal Blood Profile Score (ABPS). HGB and RET% are *Markers* measured in blood ABP *Samples* while OFFS and ABPS are calculated using values of *Markers* measured in blood ABP *Samples*.

C.2.1.3.2 The Steroidal Module comprises steroid Markers measured in urine and/or blood (serum) *Samples*. For urine *Samples*, the Adaptive Model automatically processes in ADAMS one primary Marker, the Testosterone to Epitestosterone ratio (T/E), and four (4) secondary Markers: the Androsterone to Testosterone ratio (A/T), the Androsterone to Etiocholanolone ratio (A/Etio), the 5α-Androstane3α,17β-diol to 5β-Androstane-3α,17β-diol ratio (5αAdiol/5βAdiol) and the 5α-Androstane-3α,17β-diol to Epitestosterone ratio (5αAdiol/E). For blood *Samples*, the Adaptive Model automatically processes in ADAMS one primary Marker, the Testosterone to Androstenedione ratio (T/A4).

C.2.1.3.3 For the Endocrine Module, the Adaptive Model automatically processes in *ADAMS* one primary *Marker*, the GH-2000 score calculated using a formula including and two (2) secondary Markers, insulin-like growth factor-I (IGF-I) and N-terminal pro-peptide of type III collagen (P-III-NP) measured in blood (serum) *Samples*.

C.2.1.4. Departure from *WADA Athlete Biological Passport* requirements

C.2.1.4.1 If there is a departure from *WADA Athlete Biological Passport* requirements for *Sample* collection, transport and analysis, the biological *Marker* result obtained from this *Sample* affected by the non-conformity shall not be considered in the Adaptive Model calculations (for example, RET% can be affected but not HGB under certain transportation conditions).

C.2.1.4.2 A *Marker* result which is not affected by the non-conformity can still be considered in the Adaptive Model calculations. In such case, the *Athlete* Passport Management Unit shall provide the specific explanations supporting the inclusion of the result(s). In all cases, the *Sample* shall remain recorded in the *Athlete's* Passport. The Experts may include all results in their review provided that their conclusions may be validly supported when taking into account the effects of the non-conformity.

C.2.2 The Initial Expert Review

C.2.2.1 A Passport generating an *Atypical Passport Finding,* or for which a review is otherwise justified, shall be sent by the *Athlete* Passport Management Unit to an Expert for review in *ADAMS*. This should take place within seven (7) days following the generation of the *Atypical Passport Finding* in *ADAMS*. The review of the Passport shall be conducted based on the Passport and other basic information (e.g. *Competition* schedules), which may be available, such that the Expert is blinded to the identity of the *Athlete*. The Expert shall provide the individual report in ADAMS and this should take place within seven (7) days after receipt of the request.

C.2.2.2 If a Passport has been recently reviewed by an Expert and the Passport Custodian is in the process of executing a specific multi-*Sample Testing* strategy on the *Athlete*, the *Athlete* Passport Management Unit may delay the review of a Passport generating an *Atypical Passport Finding* triggered by one of the *Samples* collected in this context until completion of the planned series of tests. In such situations, the *Athlete* Passport Management Unit shall clearly indicate the reason for delaying the review of the Passport in the *Athlete* Passport Management Unit Report.

C.2.2.3 If the first and unique result in a Passport is flagged as an *Atypical Passport Finding* by the Adaptive Model, the *Athlete* Passport Management Unit may recommend the collection of an additional *Sample* before initiating the initial Expert review.

C.2.2.4 Review in the absence of an *Atypical Passport Finding*

C.2.2.4.1 A Passport may also be sent for Expert review in the absence of an *Atypical Passport Finding* where the Passport includes other elements otherwise justifying a review.

These elements may include, without limitation:

a) Data not considered in the Adaptive Model;

b) Any abnormal levels and/or variations of *Marker(s)*;

c) Signs of hemodilution in the haematological Passport;

d) *Marker* levels below the corresponding Limit of Quantification of the assay; or

e) Intelligence in relation to the *Athlete* concerned.

C.2.2.4.2 An Expert review initiated in the above-mentioned situations may result in the same consequences as an Expert review triggered by an *Atypical Passport Finding*.

C.2.2.5 Expert Evaluation

C.2.2.5.1 When evaluating a Passport, an Expert weighs the likelihood that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* against the likelihood that the Passport is the result of a normal physiological or pathological condition in order to provide one of the following opinions: "Normal", "Suspicious", "Likely doping" or "Likely medical condition". For a "Likely doping" opinion, the Expert shall come to the conclusion that the likelihood that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* outweighs the likelihood that the Passport is the result of a normal physiological or pathological condition.

C.2.2.5.2 To reach a conclusion of "Likely doping" in the absence of an *Atypical Passport Finding*, the Expert shall come to the opinion that it is highly likely that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* and that it is highly unlikely that the Passport is the result of a normal physiological or pathological condition.

C.2.3 Consequences of the Initial Review

Depending on the outcome of the initial review, the *Athlete* Passport Management Unit will take the following action:

Expert Evaluation	**Athlete Passport Management Unit Action**
"Normal"	Continue normal Testing plan.
"Suspicious"	Provide recommendations to the Passport Custodian for Target Testing, Sample analysis and/or requesting further information as required.

"Likely doping"	Send to a panel of three (3) Experts, including the initial Expert, as per section C.2 of this Annex C.
"Likely medical condition"	If recommended by the Expert, inform the *Athlete* as soon as possible via the Passport Custodian (or send to other Experts).

C.3 Review by Three (3) Experts

C.3.1 In the event that the opinion of the appointed Expert in the initial review, pending other explanation to be provided at a later stage, is that of "Likely doping", the Passport shall then be sent by the *Athlete* Passport Management Unit to two (2) additional Experts for review. This should take place within seven (7) days after the reporting of the initial review. These additional reviews shall be conducted without knowledge of the initial review. These three (3) Experts now constitute the Expert Panel, composed of the Expert appointed in the initial review and these two (2) other Experts.

C.3.2 The review by the three (3) Experts must follow the same procedure, where applicable, as presented in section C.2.2 of this Annex. The three (3) Experts shall each provide their individual reports in *ADAMS*. This should take place within seven (7) days after receipt of the request.

C.3.3 The *Athlete* Passport Management Unit is responsible for liaising with the Experts and for advising the Passport Custodian of the subsequent Expert assessment. The Experts can request further information, as they deem relevant for their review, notably information related to medical conditions, *Competition* schedule and/or *Sample(s)* analysis results. Such requests are directed via the *Athlete* Passport Management Unit to the Passport Custodian.

C.3.4 A unanimous opinion among the three (3) Experts is necessary in order to proceed further towards declaring an *Adverse Passport Finding*, which means that all three (3) Experts render an opinion of "Likely doping". The conclusion of the Experts must be reached with the three (3) Experts assessing the *Athlete's* Passport with the same data.

C.3.5 To reach a conclusion of "Likely doping" in the absence of an *Atypical Passport Finding*, the Expert Panel shall come to the unanimous opinion that it is highly likely that the Passport is the result of the *Use* of a *Prohibited Substance* or *Method* and that there is no reasonably conceivable hypothesis under which the Passport is the result of a normal physiological condition and highly unlikely that it is the result of pathological condition.

C.3.6 In the case when two (2) Experts evaluate the Passport as "Likely doping" and the third Expert as "Suspicious", the *Athlete* Passport Management Unit shall promptly confer with the Expert Panel before they finalize their opinion. The group can also seek advice from an appropriate outside Expert, although this must be done while maintaining strict confidentiality of the *Athlete's* Personal Information.

C.3.7 If no unanimity can be reached among the three (3) Experts, the *Athlete* Passport Management Unit shall promptly report the Passport as "Suspicious", update the *Athlete* Passport Management Unit Report, and recommend that the Passport Custodian pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate.

C.4 Conference Call, Compilation of the *Athlete Biological Passport* Documentation Package and Joint Expert Report

C.4.1 If a unanimous opinion of "Likely doping" is rendered by all three (3) Experts, the *Athlete* Passport Management Unit shall promptly declare a "Unanimous likely doping" evaluation in the *Athlete* Passport Management Unit Report in *ADAMS* and should organize a conference call with the Expert Panel to initiate the next steps for the case, including proceeding with the compilation of the *Athlete Biological Passport* Documentation Package (see *Technical Document* for *Athlete* Passport Management Units) and drafting of the joint Expert report. In preparation for this conference call, the *Athlete* Passport Management Unit should coordinate with the Passport Custodian to compile any potentially relevant information to share with the Experts (e.g. suspicious analytical findings, relevant intelligence and relevant pathophysiological information).

C.4.2 Once completed, the *Athlete Biological Passport* Documentation Package shall be sent by the *Athlete* Passport Management Unit to the Expert Panel, who will review it and provide a joint Expert report to be signed by all three (3) Experts. The conclusion within the joint Expert report shall be reached without interference from the Passport Custodian. If necessary, the Expert Panel may request complementary information from the *Athlete* Passport Management Unit.

C.4.3 At this stage, the identity of the *Athlete* is not mentioned but it is accepted that specific information provided may allow to identify the *Athlete*. This shall not affect the validity of the process.

C.4.4 If after review of the *Athlete Biological Passport* Documentation Package, the Expert Panel is no longer unanimous in their opinion of "Likely doping", the Expert Panel shall update their respective opinions in ADAMS and the *Athlete* Passport Management Unit shall update the *Athlete* Passport Management Unit Report accordingly.

C.5 Issuing an *Adverse Passport Finding*

C.5.1 If the Expert Panel confirms their unanimous position of "Likely doping", the *Athlete* Passport Management Unit shall promptly declare an *Adverse Passport Finding* in *ADAMS* that includes a written statement of the *Adverse Passport Finding*, the *Athlete Biological Passport* Documentation Package and the joint Expert report.

C.5.2 After reviewing the *Athlete Biological Passport* Documentation Package and joint Expert report, the Passport Custodian shall:

a) Notify the *Athlete* of the *Adverse Passport Finding* in accordance with Article 2.3.2;

b) Provide the *Athlete* the *Athlete Biological Passport* Documentation Package and the joint Expert report;

c) Invite the *Athlete* to provide their own explanation, in a timely manner, of the data provided to the Passport Custodian.

C.6 Review of Explanation from *Athlete* and Disciplinary Proceedings

C.6.1 Upon receipt of any explanation and supporting information from the *Athlete,* which should be received within the specified deadline, the *Athlete* Passport Management Unit shall forward it to the Expert Panel

for review with any additional information that the Expert Panel considers necessary to render its opinion in coordination with both the Passport Custodian and the *Athlete* Passport Management Unit, and update their recommendation in ADAMS as "*Athlete's* explanation provided to Expert panel". At this stage, the review is no longer anonymous. The Expert Panel shall promptly reassess or reassert the case and reach one of the following conclusions:

a) Unanimous opinion of "Likely doping" by the Experts based on the information in the Passport and any explanation provided by the *Athlete*; or

b) Based on the available information, the Experts are unable to reach a unanimous opinion of "Likely doping" set forth above.

C.6.2 If the Expert Panel expresses the opinion set forth in section C.6.1(a), then the *Athlete* Passport Management Unit shall promptly update their recommendation in ADAMS as "APF confirmed" and inform the Passport Custodian, who shall charge the *Athlete* in accordance with Article 5 above and continue with *Results Management* in accordance with the ISRM.

C.6.3 If the Expert Panel expresses the opinion set forth in section C.6.1(b), the Expert Panel shall promptly update their respective opinions in ADAMS and the Athlete Passport Management Unit shall update the *Athlete* Passport Management Unit Report, accordingly, and recommend the Passport Custodian to pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate. The Passport Custodian shall notify the *Athlete* and *WADA* of the outcome of the review.

C.7 Passport Re-setting

C.7.1 In the event the *Athlete* has been found to have committed an anti-doping rule violation based on the Passport, the *Athlete's* Passport shall be reset by the Passport Custodian at the start of the relevant period of *Ineligibility* and a new Biological Passport ID shall be assigned in *ADAMS*. This maintains the *Athlete's* anonymity for potential *Athlete* Passport Management Unit and Expert Panel reviews conducted in the future.

C.7.2 When an *Athlete* is found to have committed an anti-doping rule violation on any basis other than the *Athlete Biological Passport*, the Passport will remain in effect, except in those cases where the *Prohibited Substance* or *Prohibited Method* may have altered Passport *Markers* (e.g. for an *AAF* reported for anabolic androgenic steroids, which may affect the *Markers* of the steroid profile, or for the *Use* of Agents Affecting Erythropoiesis or blood transfusions, which would alter the haematological *Markers*). The Passport Custodian shall consult with their *Athlete* Passport Management Unit following an *Adverse Analytical Finding* to determine whether a Passport reset is warranted. In such instances, the *Athlete's* profile(s) would be reset from the time of the beginning of the sanction.

Definitions

Defined Terms from the *Code* and from the *ADSC*

ADAMS: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and *WADA* in their anti-doping operations in conjunction with data protection legislation.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method Used* for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Marker*s or evidence of the *Use* of a *Prohibited Method*.

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

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

Anti-Doping Sport Code (ADSC): The Code, adopted by NADO Italia, implementing the *World Anti-Doping Code* and the *International Standards*.

Athlete: Any *Person* who Competes in sport under the aegis of the relevant International Federation and/or the Italian National Olympic Committee (CONI) and Italian Paralympic Committee (IPC).

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard* for *Testing* and Investigations and *International Standard* for Laboratories.

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

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

***Atypical Passport Finding*:** A report described as an *AtypicalPassport Finding* as described in the applicable *International Standards*.

***CAS*:** The Court of Arbitration for Sport.

***Code*:** The World Anti-Doping *Code*.

***Competition*:** A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport 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 Rule Violations* ("*Consequences*"):** An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in *Code* Article 10.14.1; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti- doping rule violation; and (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with *Code* Article 14. Teams in *Team Sport*s may also be subject to *Consequences* as provided in *Code* Article 11.

***Contaminated Product*:** A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

***Delegated Third Parties*:** Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping educational programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee *Doping Control* Officers or chaperones). This definition does not include *CAS*.

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

***Doping Control*:** All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to

violations of *Code* Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

***Event*:** A series of individual *Competition*s conducted together under oneruling body (e.g., the Olympic Games, World Championships of an International Federation, or Pan American Games).

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

***In-Competition*:** The period commencing at 11:59 p.m. on the day 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*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

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

***Institutional Independence*:** Hearing panels on appeal shall be fully *Independent Institutionally* from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

***International Event*:** An *Event* or *Competition* 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*:** *Athlete*s who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard* for *Testing* and Investigations.

***International Standard*:** A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any *Technical Documents* issued pursuant to the *International Standard*.

***Major Event Organizations*:** The continental associations of *National Olympic Committee*s and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

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

***Minor*:** A natural *Person* who has not reached the age of eighteen years.

***National Anti-Doping Organization*:** The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, manage test results and conduct *Results Management* at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

***National-Level Athlete*:** An *Athlete* included in the national RTP; *Athletes* included in the Club Olimpico (who receive funding from Sports movement); an *Athlete* who currently or in the last six (6) months has represented Italy at senior level; an Athlete who has been selected to represent Italy in International *Events* or Competitions, not classified as International-Level *Athlete* by the relevant International Federation.

***Operational Independence*:** This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

***Out-of-Competition*:** Any period which is not *In-Competition*.

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

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

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

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

***Prohibited Substance*:** Any substance, or class of substances, so described on the *Prohibited List*.

***Provisional Hearing*:** For purposes of *ADSC* Article 8.4, an expedited abbreviated hearing occurring prior to a hearing under Article 3.3 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

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

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

***Registered Testing Pool* (RTP):** The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in *Code* Article 5.5 and the *International Standard* for *Testing* and Investigations. In Italy, NADO Italia's *Registered Testing Pool* is defined as set out in *ADSC* Article 6.5.

***Results Management*:** The process encompassing the timeframe between notification as per Article 5 of the *International Standard* for *Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, Whereabouts Failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard* for *Results Management*, through the charge until the final resolution of the matter, including the end of the Hearing Process at first instance or on appeal (if an appeal was lodged).

***Results Management Procedure* (RMP):** The document adopted by NADO Italia and implementing the *International Standard for Results Management*, regulating the results management procedure from the review and notification of a potential anti-doping rule violation until the appeals. The RMP is published on NADO Italia's website (www.nadoitalia.it).

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

***Signatories*:** Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23.

***Specified Method*:** See *Code* Article 4.2.2.

***Specified Substance*:** See *Code* Article 4.2.2.

***Substance of Abuse*:** See *Code* Article 4.2.3.

***Substantial Assistance*:** For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, 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 or proceeding which is initiated or, if no case or

proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

***Tampering*:** Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti- Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

***Target Testing*:** Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard* for *Testing* and Investigations.

***Technical Document*:** A document adopted and published by *WADA* from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

***Technical Document for Testing and Investigations* (TD_TI):** The document adopted by NADO Italia implementing the *International Standard for Testing and Investigations*, published on NADO Italia's website (www.nadoitalia.it).

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

***Therapeutic Use Exemption (TUE)*:** A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to use a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard* for *Therapeutic Use Exemptions* are met.

***Therapeutic Use Exemptions' Application Procedure* (TUE_AP):** The procedure adopted by NADO Italia for the TUEs' application, published on NADO Italia's website (www.nadoitalia.it).

***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.

Defined Terms from the *International Standard* for *Testing* and Investigations

***Doping Control* Officer (or DCO):** An official who has been trained and authorized by the *Sample* Collection Authority to carry out the responsibilities given to DCOs in the *International Standard* for *Testing* and Investigations.

***Sample* Collection Authority:** The organization that is responsible for the collection of *Samples* in compliance with the requirements of the *International Standard* for *Testing* and Investigations, whether (1) the *Testing* Authority itself; or (2) a *Delegated Third Party* to whom the authority to conduct *Testing* has been granted or sub-contracted. The *Testing* Authority always remains ultimately responsible under the *Code* for compliance with the requirements of the *International Standard* for *Testing* and Investigations relating to collection of *Samples*.

***Sample* Collection Session:** All of the sequential activities that directly involve the *Athlete* from the point that initial contact is made until the *Athlete* leaves the *Doping Control* Station after having provided their *Sample(s)*.

***Testing* Authority:** The *Anti-Doping Organization* that authorizes *Testing* on *Athletes* it has authority over. It may authorize a *Delegated Third Party* to conduct *Testing* pursuant to the authority of and in accordance with the rules of the *Anti-Doping Organization*. Such authorization shall be documented. The *Anti-Doping Organization* authorizing *Testing* remains the *Testing* Authority and ultimately responsible under the *Code* to ensure the *Delegated Third Party* conducting the *Testing* does so in compliance with the requirements of the *International Standard* for *Testing* and Investigations.

Unsuccessful Attempt Report: A detailed report of an unsuccessful attempt to collect a *Sample* from an *Athlete* in a *Registered Testing Pool* or *Testing* pool setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the *Athlete* (including details of any contact made with third parties), and any other relevant details about the attempt.

Whereabouts Filing: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* that sets out the *Athlete's* whereabouts during the following quarter, in accordance with ISTI Article 4.8.

Defined Terms from the *International Standard* for Laboratories

***Athlete* Passport Management Unit (APMU):** A unit composed of a *Person* or *Persons* that is responsible for the timely management of *Athlete Biological Passports* in *ADAMS* on behalf of the Passport Custodian.

Confirmation Procedure (CP): An Analytical Testing Procedure that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific *Prohibited Substances*, *Metabolite(s)* of a *Prohibited Substance*, or *Marker(s)* of the *Use* of a *Prohibited Substance* or

Prohibited Method in a *Sample*.

Independent Witness: A *Person*, invited by the *Testing* Authority, the Laboratory or *WADA* to witness parts of the Analytical Testing process. The Independent Witness shall be independent of the *Athlete* and his/her representative(s), the Laboratory, the *Sample* Collection Authority, the *Testing* Authority / *Results Management* Authority or *WADA*, as applicable. The Independent Witness may be indemnified for his/her service.

Laboratory(ies): (A) *WADA*-accredited laboratory(ies) applying Test Methods and processes to provide evidentiary data for the detection and/or identification of *Prohibited Substances* or *Prohibited Methods* on the *Prohibited List* and, if applicable, quantification of a Threshold Substance in *Samples* of urine and other biological matrices in the context of *Doping Control* activities.

Laboratory Documentation Package: The material produced by the Laboratory to support.an analytical result such as an *Adverse Analytical Finding* as set forth in the *WADA Technical Document* for Laboratory Documentation Packages (TD LDOC).

Limit of Quantification (LOQ): Analytical parameter of assay technical performance. Lowest concentration of an Analyte in a *Sample* that can be quantitatively determined with acceptable precision and accuracy (i.e. acceptable Measurement Uncertainty) under the stated test conditions.

Threshold Substance: An exogenous or endogenous *Prohibited Substance*, *Metabolite* or *Marker* of a *Prohibited Substance* for which the identification and quantitative determination (*e.g.* concentration, ratio, score) in excess of a pre-determined *Decision Limit*, or, when applicable, the establishment of an exogenous origin, constitutes an *Adverse Analytical Finding*. Threshold Substances are identified as such in the *Technical Document* on Decision Limits (TD DL).

Defined Term from the *International Standard* for *Therapeutic Use Exemptions*

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

Defined Term from the *International Standard* for Protection of Privacy and Personal Information

Personal Information: Information, including without limitation Sensitive Personal Information, relating to an identified or identifiable *Participant* or relating to other *Person* whose information is Processed solely in the context of an *Anti-Doping Organization's* Anti-Doping Activities.

Defined Terms Specific to the *International Standard* for *Results Management*

Adaptive Model: A mathematical model designed to identify unusual longitudinal results from *Athlete*s. The model calculates the probability of a longitudinal profile of *Marker* values assuming that the *Athlete* has a normal physiological condition.

***Athlete Biological Passport* Documentation Package:** The material compiled by the *Athlete*

Passport Management Unit to support an *Adverse Passport Finding* such as, but not limited to, analytical data, Expert Panel comments, evidence of confounding factors as well as other relevant supporting information.

***Athlete* Passport Management Unit Report:** A report maintained by the Athlete Passport Management Unit, available in the *Athlete*'s Passport in *ADAMS*, that provides a comprehensive summary of the Expert(s) review(s) and recommendations for effective and appropriate follow-up *Testing* by the Passport Custodian.

Expert: The Expert(s) and/or Expert Panel, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or *Athlete* Passport Management Unit, are responsible for providing an evaluation of the Passport. The Expert must be external to the *Anti-Doping Organization*.

Failure to Comply: A term used to describe anti-doping rule violations under *Code* Articles 2.3 and/or 2.5.

Filing Failure: A failure by the *Athlete* (or by a third party to whom the *Athlete* has delegated the task) to make an accurate and complete Whereabouts Filing that enables the *Athlete* to be located for *Testing* at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the *International Standard* for *Testing* and Investigations and Annex B.2 of the *International Standard* for *Results Management*.

Hearing Process: The process encompassing the timeframe between the referral of a matter to a hearing panel or tribunal until the issuance and notification of a decision by the hearing panel (whether at first instance or on appeal).

Missed Test: A failure by the *Athlete* to be available for *Testing* at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the *International Standard* for *Testing* and Investigations and Annex B.2 of the *International Standard* for *Results Management*.

Passport: A collation of all relevant data unique to an individual *Athlete* that may include longitudinal profiles of *Markers*, heterogeneous factors unique to that particular *Athlete* and other relevant information that may help in the evaluation of *Markers*.

Passport Custodian: The *Anti-Doping Organization* responsible for *Result Management* of the *Athlete*'s Passport and for sharing any relevant information associated to that *Athlete's* Passport with other *Anti-Doping Organization(s)*.

***Results Management* Authority:** The *Anti-Doping Organization* responsible for conducting *Results Management* in a given case.

Whereabouts Failure: A Filing Failure or a Missed Test.