



**commonwealth  
sport**

# **ANTI-DOPING RULES FOR THE 2022 COMMONWEALTH GAMES**

## TABLE OF CONTENTS

ARTICLE 1	INTRODUCTION	3
ARTICLE 2	ANTI-DOPING RULE VIOLATIONS	8
ARTICLE 3	THE <i>PROHIBITED LIST</i>	11
ARTICLE 4	<i>THERAPEUTIC USE EXEMPTIONS (TUES)</i>	12
ARTICLE 5	<i>TESTING</i> AND INVESTIGATIONS	14
ARTICLE 6	ANALYSIS OF <i>SAMPLES</i>	18
ARTICLE 7	<i>RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE, AND PROVISIONAL SUSPENSIONS</i>	20
ARTICLE 8	<i>RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION</i>	23
ARTICLE 9	<i>DISQUALIFICATION</i> OF RESULTS ARISING FROM ANTI-DOPING RULE VIOLATION IN CONNECTION WITH AN <i>IN-COMPETITION</i> TEST	26
ARTICLE 10	SANCTIONS ON INDIVIDUALS	26
ARTICLE 11	<i>CONSEQUENCES</i> FOR TEAMS	27
ARTICLE 12	<i>RESULTS MANAGEMENT: APPEALS</i>	27
ARTICLE 13	CONFIDENTIALITY AND REPORTING	30
ARTICLE 14	DEEMED NOTIFICATIONS	33
ARTICLE 15	IMPLEMENTATION OF DECISIONS	34
ARTICLE 16	STATUTE OF LIMITATIONS	35
ARTICLE 17	<i>EDUCATION</i>	35
ARTICLE 18	CHALLENGES TO A DECISION OR THESE <i>CGF ADR</i>	35
APPENDIX 1	DEFINITIONS	37
APPENDIX 2:	TESTING PROTOCOLS SPECIFIC TO THE 2022 COMMONWEALTH GAMES	44

## ARTICLE 1 INTRODUCTION

- 1.1** The Commonwealth Games Federation (the **CGF**) is the ruling body and supreme authority in all matters concerning for the XXII Commonwealth Games staged in Birmingham in 2022 (the **2022 Commonwealth Games**). It is also a *Signatory* to the World Anti-Doping Code (currently in its 2021 version, and referred to below as the **Code**), and has the roles and responsibilities given to *Major Event Organizations* in *Code* Article 20.6. In the discharge of those responsibilities, and as its contribution to the fight against doping in sport, the *CGF* has adopted these 2022 CGF Anti-Doping Rules (as amended from time to time, the **CGF ADR**), which set out the anti-doping rules that will apply in relation to the *2022 Commonwealth Games*.
- 1.2** These *CGF ADR* are intended to implement the requirements of the *Code* and its supporting *International Standards* (each as amended from time to time) in relation to the *2022 Commonwealth Games*. Each of the *International Standards* is incorporated by reference into these *CGF ADR* as if set out in full herein. Defined terms used in these *CGF ADR* (denoted by italicised text) have the meaning given to them in Appendix 1 to these *CGF ADR*. Such defined terms include their plural and possessive forms, as well as those terms used as other parts of speech.
- 1.3** Application:
- 1.3.1** These *CGF ADR* apply to and are binding upon the following *Persons* as a condition of their eligibility to be accredited for, to participate in, or to be involved in any other way in the *2022 Commonwealth Games*:
- 1.3.1.1** the *CGF*, including its board members, directors and officers, and any of its employees who are involved in any aspect of *Doping Control*;
  - 1.3.1.2** the *CGF's Delegated Third Parties* and any of their employees who are involved in any aspect of *Doping Control* on behalf of the *CGF*;
  - 1.3.1.3** all *Athletes* preparing or accredited for or participating in the *2022 Commonwealth Games* or who have otherwise agreed to be or been made subject to the authority of the *CGF* for the *2022 Commonwealth Games*;
  - 1.3.1.4** all *Athlete Support Personnel* supporting such *Athletes*; and
  - 1.3.1.5** other *Persons* participating in, or accredited to, the *2022 Commonwealth Games*, including *International Federations* and *Commonwealth Games Associations* and any of their respective employees who are involved in any aspect of *Doping Control*; and
  - 1.3.1.6** any other *Person* operating (even if only temporarily) under the authority of the *CGF* in relation to the *2022 Commonwealth Games*.
- 1.3.2** Each of the *Persons* described in Article 1.3.1 will be deemed to have agreed, as a condition of their accreditation, participation, or other involvement in the *2022 Commonwealth Games*:
- 1.3.2.1** to be bound by and to comply strictly with these *CGF ADR*;
  - 1.3.2.2** to submit to the authority of the *CGF* to apply and enforce these *CGF ADR* both during and (in respect of investigations and results management) after the *Games Period*;
  - 1.3.2.3** to provide all requested assistance to the *CGF* and its *Delegated Third Parties* (as applicable) in the application and enforcement of these *CGF ADR*, including (without limitation) cooperating fully with any investigation, *Results Management*, and/or

proceedings conducted pursuant to these *CGF ADR* in relation to any potential anti-doping rule violation(s);

**1.3.2.4** to submit to the exclusive jurisdiction of any *Independent Tribunal* convened under these *CGF ADR* to hear and determine charges and other issues arising at first instance under these *CGF ADR*;

**1.3.2.5** to submit to the exclusive jurisdiction of any *CAS* panel convened under these *CGF ADR* to hear and determine appeals made pursuant to these *CGF ADR*; and

**1.3.2.6** not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the *Independent Tribunal* and the *CAS*.

**1.3.3** It is acknowledged that certain *Athletes* and/or other *Persons* who are subject to the authority of the *CGF* may also be subject to the anti-doping rules of other *Anti-Doping Organizations*, including (in the case of *International-Level Athletes*) their *International Federation*, and that the same conduct of such *Athletes* and other *Persons* may engage not only these *CGF ADR* but also the rules of such other *Anti-Doping Organizations*. These *CGF ADR* are not intended to limit the responsibilities of any *Athlete* or other *Person* under such other rules. The jurisdictional and other issues arising when the same conduct engages these *CGF ADR* and such other rules will be resolved in accordance with the *Code*.

**1.4** Core responsibilities under these *CGF ADR*:

**1.4.1** The *CGF* is responsible for the following:

**1.4.1.1** The *CGF* is responsible (including through the *CGF Anti-Doping and Medical Commission*) for conducting all aspects of *Doping Control* in relation to the *2022 Commonwealth Games*. The *CGF* may delegate one or more aspects of that *Doping Control* to one or more *Delegated Third Parties*, who will be required to perform those aspects in compliance with the *Code*, the *International Standards*, and these *CGF ADR*. References in these *CGF ADR* to the *CGF* will be deemed to include any such *Delegated Third Party* acting on behalf of the *CGF*, where applicable and within the context of the delegation by the *CGF*.

**1.4.1.2** The *CGF* is personally responsible for ensuring that all aspects of *Doping Control* in relation to the *2022 Commonwealth Games* – whether or not delegated to a *Delegated Third Party* – are performed in compliance with the *Code* and the *International Standards*. The *CGF* will report to *WADA* on such compliance, and on the *CGF's* compliance generally with the requirements of the *Code*, in accordance with *Code* Article 24.1.2.

**1.4.1.3** Subject to applicable law, and in accordance with *Code* Article 20.6.5, all of the *CGF's* board members, directors, officers, and those of its employees (and the employees of its appointed *Delegated Third Parties*) who are involved in any aspect of *Doping Control*, must agree in writing to be bound by these *CGF ADR* as *Persons* in conformity with the *Code* for direct and intentional misconduct.

**1.4.1.4** Subject to applicable law, and in accordance with *Code* Article 20.6.6, any *CGF* employee or volunteer and any *2022 Commonwealth Games* employee or volunteer or contractor who is involved in *Doping Control* (other than authorised anti-doping *Education* or rehabilitation programs) must confirm in writing that they are not *Provisionally Suspended* or serving a period of *Ineligibility* and have not been directly or intentionally engaged within the previous six (6) years in conduct that would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to them.

**1.4.2** Each *Commonwealth Games Association* is responsible for the following, and in case of default may be sanctioned in accordance with the *CGF's* rules and regulations:

**1.4.2.1** ensuring that their delegations, including their *Athletes*, are made aware of the *Prohibited List* and any amendments thereto coming into effect during the *Games Period*;

**1.4.2.2** collecting and providing current whereabouts information for *Athletes* in its delegation to the *CGF*, in accordance with Article 5.4;

**1.4.2.3** receiving notifications made by the *CGF* pursuant to these *CGF ADR* and communicating them, on behalf of the *CGF*, without delay to *Athletes* or other *Persons* in the *Commonwealth Games Association's* delegation or otherwise under its authority or control, in accordance with Article 14;

**1.4.2.4** cooperating with investigations conducted by or on behalf of the *CGF* into potential anti-doping rule violations by *Athletes* or other *Persons* in the *Commonwealth Games Association's* delegation or otherwise under its authority or control, in accordance with Article 5.8.6; and

**1.4.2.5** not commenting on proceedings arising under these *CGF ADR* other than as permitted in accordance with Article 13.3.6.

**1.4.3** Responsibility of each *International Federation*:

Whereas the *CGF* will have jurisdiction to impose *Consequences* in respect of the 2022 *Commonwealth Games* for anti-doping rule violations committed under these *CGF ADR*, it will be the responsibility of the relevant *International Federation* to determine what further *Consequences* should be imposed under that *International Federation's* own anti-doping rules, beyond the 2022 *Commonwealth Games*, in respect of such anti-doping rule violations.

**1.4.4** It is the personal responsibility of each *Athlete*:

**1.4.4.1** to acquaint themselves, and to ensure that each *Person* (including medical personnel) from whom they take advice is acquainted, with all of the requirements of these *CGF ADR*, including being aware of (and each *Athlete* - as well as each *Person* from whom they take advice - will be deemed to be aware of) what constitutes an anti-doping rule violation and of the substances and methods that have been included on the *Prohibited List*;

**1.4.4.2** to comply with these *CGF ADR* in all respects at all times throughout the *Games Period* and (to the extent any issue arises under these *CGF ADR* after the *Games Period*) thereafter;

**1.4.4.3** to take full responsibility, in the context of anti-doping, for what they ingest and *Use*;

**1.4.4.4** to ensure that any medical treatment they receive does not infringe these *CGF ADR*;

**1.4.4.5** to make themselves available for *Testing* at all times;

**1.4.4.6** to disclose to the *CGF* any decision (whether by a *Signatory* or a non-*Signatory*) that the *Athlete* committed an anti-doping rule violation within the previous ten (10) years;

**1.4.4.7** to disclose to the *CGF* upon request the identity of their *Athlete Support Personnel*;

- 1.4.4.8** to cooperate fully with any investigations conducted by or on behalf of the *CGF* or any other *Anti-Doping Organization* into potential anti-doping rule violations by that *Athlete* or by any other *Athlete*, *Athlete Support Personnel* or other *Person* under these *CGF ADR*. Failure by any *Athlete* to cooperate in full with such investigations may result in a charge of misconduct under the *CGF's Charter of Good Conduct*; and
- 1.4.4.9** not to act offensively towards a *Doping Control* official or other *Person* involved in *Doping Control*. Any such conduct that does not otherwise constitute *Tampering* may result in a charge of misconduct under the *CGF's Charter of Good Conduct*.
- 1.4.5** It is the personal responsibility of each *Athlete Support Person*:
- 1.4.5.1** to acquaint themselves with all of the requirements of these *CGF ADR*, including being aware of (and each *Athlete Support Person* will be deemed to be aware of) what constitutes an anti-doping rule violation and the substances and methods that have been included on the *Prohibited List*;
- 1.4.5.2** to comply with these *CGF ADR* in all respects at all relevant times, to the extent it imposes obligations on them;
- 1.4.5.3** not to *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification. Where *Use* or personal *Possession* of a *Prohibited Substance* or *Prohibited Method* by an *Athlete Support Person* without justification is not an anti-doping rule violation under these *CGF ADR*, any such *Use* or *Possession* may result in a charge of misconduct under the *CGF's Charter of Good Conduct* and such *Athlete Support Person* may not provide support to any *Athlete*;
- 1.4.5.4** to cooperate with *Testing*;
- 1.4.5.5** not to act offensively towards a *Doping Control* official or other *Person* involved in *Doping Control*. Any such conduct that does not otherwise constitute *Tampering*, may result in a charge of misconduct under the *CGF's Charter of Good Conduct*;
- 1.4.5.6** to use their influence to foster anti-doping attitudes among *Athletes* and other *Persons*;
- 1.4.5.7** to disclose to the *CGF* any decision (whether by a *Signatory* or non-*Signatory*) that they committed an anti-doping rule violation within the previous ten (10) years; and
- 1.4.5.8** to cooperate fully with any investigations conducted by or on behalf of the *CGF* or any other *Anti-Doping Organization* into possible anti-doping rule violations by any *Athlete*, *Athlete Support Personnel* or other *Person* under these *CGF ADR*. Failure by any *Athlete Support Personnel* to cooperate in full with such investigations may result in a charge of misconduct under the *CGF's Charter of Good Conduct*.
- 1.4.6** It is the personal responsibility of each other *Person* who is bound by these *CGF ADR*:
- 1.4.6.1** to acquaint themselves with all of the requirements of these *CGF ADR*, including being aware of (and each other *Person* who is bound by these *CGF ADR* will be deemed to be aware of) what constitutes an anti-doping rule violation and the substances and methods that have been included on the *Prohibited List*;
- 1.4.6.2** to comply with these *CGF ADR* in all respects at all relevant times, to the extent it imposes obligations on them;

- 1.4.6.3 not to act offensively towards a *Doping Control* official or other *Person* involved in *Doping Control*. Any such conduct that does not otherwise constitute *Tampering* may result in a charge of misconduct under the *CGF's Charter of Good Conduct*;
- 1.4.6.4 to disclose to the *CGF* any decision by a *Signatory* or a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years; and
- 1.4.6.5 to cooperate fully with any investigations conducted by or on behalf of the *CGF* or any other *Anti-Doping Organization* into possible anti-doping rule violations by any *Athlete*, *Athlete Support Personnel* or other *Person* under these *CGF ADR*. Failure to cooperate in full with such investigations may result in a charge of misconduct under the *CGF's Charter of Good Conduct*.

## 1.5 Retirement

- 1.5.1 If an *International- or National-Level Athlete* in a *Registered Testing Pool* retires and then wishes to return to active participation in sport, that *Athlete* may not compete in the *2022 Commonwealth Games* unless and until they have made themselves available for *Testing* by giving six months prior written notice to their *International Federation* and *National Anti-Doping Organization*. *WADA*, in consultation with the relevant *International Federation* and *National Anti-Doping Organization*, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to the *Athlete*. This decision may be appealed under Article 12. Any competitive results obtained at the *2022 Commonwealth Games* in violation of this Article 1.5.1 will be *Disqualified*.
- 1.5.2 If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* must notify the *Anti-Doping Organization* that imposed the period of *Ineligibility* in writing of such retirement. Thereafter the *Athlete* may not compete in the *2022 Commonwealth Games* unless and until they have made themselves available for *Testing* by giving six (6) months prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six (6) months) to the *Athlete's International Federation* and *National Anti-Doping Organization*.
- 1.5.3 The *CGF* will continue to have jurisdiction pursuant to these *CGF ADR* over an *Athlete* or other *Person* both after the *Games Period* and (where applicable) after they have retired from sport, in respect of matters taking place during the *Games Period*.
  - 1.5.3.1 If an *Athlete* or other *Person* retires while subject to the *CGF's Results Management* process under these *CGF ADR*, the *CGF* retains authority to complete that process.
  - 1.5.3.2 If an *Athlete* or other *Person* retires before the *CGF's Results Management* process has begun under these *CGF ADR*, and the *CGF* 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, the *CGF* has authority to conduct *Results Management*.

## 1.6 Interpretation of these *CGF ADR*

- 1.6.1 These *CGF ADR* are intended to implement the *Code* and the *International Standards* (each as amended from time to time) in respect of the *2022 Commonwealth Games*, and will be interpreted and applied accordingly. The *Code* (including the Purpose, Scope and Organisation of the World Anti-Doping Program and the *Code* and Appendix 1, Definitions) and the *International Standards* (each as amended from time to time) will be considered integral parts of these *CGF ADR*. If they conflict with these *CGF ADR*, the *Code* and/or the *International Standards* will prevail.

- 1.6.2 The comments annotating various *Code* provisions are incorporated by reference into these *CGF ADR* as if set out in full herein, and will be used to interpret the *Code* and these *CGF ADR*.
- 1.6.3 The *Code* and these *CGF ADR* will be interpreted as an independent and autonomous text and not by reference to the existing laws of *Signatories* or governments. These *CGF ADR* are intended to implement the *Code* in a harmonised manner, and are distinct in nature from criminal and civil laws. They are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings, although they do respect and reflect, and are intended to be applied in a manner that respects and reflects, human rights and the principle of proportionality.
- 1.6.4 When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be made aware of and respect the distinct nature of these *CGF ADR*, and of the fact that the *Code* that these *CGF ADR* implement represents a global consensus of WADA's stakeholders as to what is necessary to protect and ensure fair sport.
- 1.6.5 Save where otherwise indicated, references in these *CGF ADR* to Articles or to Appendices are references to articles of or to appendices to these *CGF ADR*.
- 1.6.6 The headings used in these *CGF ADR* are for convenience only and will not be deemed part of the substance of these *CGF ADR* or to affect in any way the language of the provisions to which they refer.
- 1.6.7 Where the term "days" is used in these *CGF ADR*, it will mean calendar days, unless otherwise specified.

## 1.7 Effective date and amendments

- 1.7.1 These *CGF ADR* come into effect as from 14 February 2022. The *CGF* may amend these *CGF ADR* from time to time. Such amendments will come into effect on the date specified by the *CGF*.
- 1.7.2 Amendments made by WADA to the *Code*, the *Prohibited List*, or any other *International Standard* will come into effect automatically in the manner set out in the *Code*, and such amendments will be binding upon all *Persons* who are bound by these *CGF ADR* without further formality.
- 1.7.3 Changes to the *Prohibited List* and/or to *Technical Documents* relating to substances or methods on the *Prohibited List* will not be applied retroactively unless they specifically so provide. However, where the effect of the change is to remove a *Prohibited Substance* or *Prohibited Method* from the *Prohibited List*, an *Athlete* or other *Person* who is serving a period of *Ineligibility* on account of that (former) *Prohibited Substance* or *Prohibited Method* may apply to the *Anti-Doping Organization* that imposed the period of *Ineligibility* to reduce the period of *Ineligibility* in light of the removal of the *Prohibited Substance* or *Prohibited Method* from the *Prohibited List*.

## ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Each of the following constitutes an anti-doping rule violation:

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



**2.1.1** It is the *Athlete's* personal duty to ensure that no *Prohibited Substance* enters their body. An *Athlete* is responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Sample*. Accordingly, it is not necessary to demonstrate intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete's* part in order to establish an anti-doping rule violation under Article 2.1.

**2.1.2** Sufficient proof of an Article 2.1 anti-doping rule violation is established by any of the following:

**2.1.2.1** presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample*, where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analysed; or

**2.1.2.2** where the *Athlete's B Sample* is analysed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or

**2.1.2.3** where the *Athlete's A* or *B Sample* is split into two (2) parts, and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.

**2.1.3** Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* will constitute an Article 2.1 anti-doping rule violation.

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

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

**2.2.1** It is the *Athlete's* personal duty to ensure that no *Prohibited Substance* enters their body and that no *Prohibited Method* is *Used*. Accordingly, it is not necessary to demonstrate intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete's* part in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

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

## **2.3 An Athlete evading, refusing or failing to submit to Sample Collection**

An *Athlete* commits a violation of Article 2.3 by either: (a) evading *Sample* collection; or (b) refusing or failing to submit to *Sample* collection without compelling justification after notification by a duly authorised *Person*.

## **2.4 Whereabouts failures by an Athlete in a Registered Testing Pool**

An *Athlete* in a *Registered Testing Pool* commits a violation of Article 2.4 if they commit any combination of three (3) missed tests and/or filing failures (as defined in the *International Standard for Results Management*) within a twelve-month period.

**2.5 An Athlete or other Person Tampering or Attempting to Tamper with any part of Doping Control**

**2.6 Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person**

Each of the following is a violation of Article 2.6:

**2.6.1** Possession by an Athlete In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition, unless (in either case) the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption (TUE) granted in accordance with Article 4.4 or other acceptable justification.

**2.6.2** Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless (in either case) the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.

**2.7 An Athlete or other Person Trafficking or Attempting to Traffick in any Prohibited Substance or Prohibited Method**

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

**2.9 Complicity or Attempted complicity by an Athlete or other Person**

Each of the following is a violation of Article 2.9: an Athlete or other Person assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or Attempted complicity involving an anti-doping rule violation, Attempted anti-doping rule violation, or violation of Code Article 10.14.1, by another Person.

**2.10 Prohibited association by an Athlete or other Person**

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

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

**2.10.1.2** if not subject to the authority of an Anti-Doping Organization, and where Ineligibility has not been addressed in a Results Management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct that would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person. The disqualifying status of such Person will be in force for the longer of (a) six (6) years from the criminal, professional or disciplinary decision; and (b) the duration of the criminal, disciplinary or professional sanction imposed; or

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

**2.10.2** To establish a violation of Article 2.10, an *Anti-Doping Organization* must establish that the *Athlete* or other *Person* knew of the *Athlete Support Person's* disqualifying status.

**2.10.3** The burden will be on the *Athlete* or other *Person* to establish either:

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

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

**2.10.4** *Anti-Doping Organizations* that are aware of *Athlete Support Personnel* who meet the criteria described in Articles 2.10.1.1, 2.10.1.2, or 2.10.1.3 will submit that information to WADA.

## **2.11 Acts by an *Athlete* or other *Person* to discourage or retaliate against reporting to authorities**

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

**2.11.1.1** Any act that threatens or seeks to intimidate another *Person* with the intent of discouraging the *Person* from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with the *Code to WADA*, an *Anti-Doping Organization*, law enforcement, regulatory or professional disciplinary body, hearing body, or *Person* conducting an investigation for WADA or an *Anti-Doping Organization*.

**2.11.1.2** Retaliation against a *Person* who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with the *Code to WADA*, an *Anti-Doping Organization*, law enforcement, regulatory or professional disciplinary body, hearing body, or *Person* conducting an investigation for WADA or an *Anti-Doping Organization*.

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

## **ARTICLE 3 THE PROHIBITED LIST**

### **3.1 Incorporation of the *Prohibited List***

**3.1.1** These *CGF ADR* incorporate the *Prohibited List*, which is published and revised by WADA as described in *Code* Article 4.1.

**3.1.2** Unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions will come into effect under these *CGF ADR* three (3) months after their publication by WADA, without requiring any further action by the *CGF*.

**3.1.3** All *Athletes* and other *Persons* are bound by the *Prohibited List*, and any revisions thereto, from the date they come into effect. Notwithstanding Article 1.4.2.1, it is the personal responsibility of all *Athletes* and other *Persons* to familiarise themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto. Ignorance of the *Prohibited List* will not constitute an excuse or defence for any *Athlete* or other *Person* who is bound by these *CGF ADR*.

### **3.2 *Prohibited Substances and Prohibited Methods* identified on the *Prohibited List***

- 3.2.1 The *Prohibited List* will identify (a) those *Prohibited Substances* and *Prohibited Methods* that are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Competitions* or their masking potential; and (b) those substances and methods that are prohibited *In-Competition* only. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category (e.g., anabolic agents) or by specific reference to a particular substance or method. The *Prohibited List* may be expanded by WADA for a particular sport.
- 3.2.2 All *Prohibited Substances* are *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* is a *Specified Method* unless it is specifically identified as such on the *Prohibited List*.
- 3.2.3 Certain *Prohibited Substances* will be specifically identified as *Substances of Abuse* on the *Prohibited List* because they are frequently abused in society outside of the context of sport.

### 3.3 WADA's determination of the *Prohibited List*

The following will be final and may not be challenged by any *Athlete* or other *Person*, including (without limitation) based on an argument that the substance or method in question was not a masking agent or did not have the potential to enhance performance, represent a health risk, or violate the spirit of sport:

- 3.3.1 WADA's determination of the *Prohibited Substances* and *Prohibited Methods* to be included on the *Prohibited List*.
- 3.3.2 WADA's classification of substances into categories on the *Prohibited List*.
- 3.3.3 WADA's classification of substances or methods on the *Prohibited List* as a *Specified Substance*, or as a *Specified Method*, or as a *Substance of Abuse*.
- 3.3.4 WADA's classification of a substance as prohibited at all times or *In-Competition* only.

## ARTICLE 4 THERAPEUTIC USE EXEMPTIONS (TUES)

- 4.1 An *Athlete* may be given permission to use a *Prohibited Substance* and/or a *Prohibited Method* to treat a medical condition, but only if the conditions set out in this Article 4 and the *International Standard for Therapeutic Use Exemptions* are met. Such permission is referred to in these CGF ADR as a *Therapeutic Use Exemption*, or a *TUE*.
- 4.2 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession*, or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method* will not be an anti-doping rule violation if it is consistent with the provisions of a valid *TUE*, i.e., a *TUE* that has been granted to the *Athlete* in question in accordance with the *International Standard for Therapeutic Use Exemptions*.
- 4.3 Where the *Athlete* already has a *TUE* granted by the *Athlete's National Anti-Doping Organization* or *International Federation*:
  - 4.3.1 If that *TUE* is available on ADAMS, the CGF will (subject to Article 4.3.3) automatically recognise that *TUE* as valid for purposes of the 2022 *Commonwealth Games*, without any further steps being required on the part of the *Athlete*.

**4.3.2** If that *TUE* is not available on *ADAMS*, the *Athlete* must submit the *TUE* to the *CGF TUE Committee* at least 30 days prior to the *Games Period* if they want it to be recognised for purposes of the *2022 Commonwealth Games*.

**4.3.3** The *CGF TUE Committee* will be entitled to review any *TUE* granted by the *Athlete's National Anti-Doping Organization* or *International Federation* (whether or not submitted for recognition in accordance with Article 4.3.2) in order to ensure that it meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*. If necessary, the *CGF TUE Committee* may request the provision of further supporting documentation to complete that review.

If the *CGF TUE Committee* determines that a *TUE* does not meet the aforementioned criteria, it must promptly notify the *Athlete*, *WADA*, the *Athlete's Commonwealth Games Association*, and the *National Anti-Doping Organisation* or *International Federation* that granted the *TUE* that the *TUE* will not be recognised for purposes of the *2022 Commonwealth Games*, explaining its reasons. Such decision will also be reported via *ADAMS*. In such circumstances, the *TUE* will remain valid for purposes other than the *2022 Commonwealth Games*, but it will not be valid for the *2022 Commonwealth Games*.

If the *CGF TUE Committee* determines that a *TUE* meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, the *CGF* will recognise it. The *CGF TUEC's* decision will be notified in writing to the *Athlete* and the *Athlete's Commonwealth Games Association*, and will be made available to *WADA* and to other *Anti-Doping Organizations* via *ADAMS*.

**4.3.4** A decision not to recognise a *TUE* may be appealed pursuant to Article 4.6. A failure to decide on an application for recognition within a reasonable period will be deemed a refusal of the application for these purposes thus triggering the rights of appeal set out in Article 4.6.

**4.4** If an *Athlete* needs to make therapeutic *Use* of a *Prohibited Substance* and/or a *Prohibited Method* in connection with the *2022 Commonwealth Games* but does not already have a *TUE* for such *Use*:

**4.4.1** The *Athlete* must apply directly to the *CGF TUE Committee* for a *TUE* as soon as possible, and (subject only to Article 4.5) before *Using* the *Prohibited Substance* or *Prohibited Method* in question or having it in their *Possession*. For substances prohibited *In-Competition* only, the *Athlete* must apply for a *TUE* as soon as possible and in any event at least 30 days prior to the *Games Period*, unless it is an emergency or exceptional situation.

**4.4.2** The application for grant of a *TUE* must be made in accordance with Article 6 of the *International Standard for Therapeutic Use Exemptions*, following the process and using the form posted on the *CGF's* website (at <https://thecgf.com/>). The form and all supporting documentation should be emailed to [tue@thecgf.com](mailto:tue@thecgf.com)

**4.4.3** An *Athlete* who has had an application for a *TUE* rejected by their *National Anti-Doping Organization* or *International Federation* may not apply to the *CGF TUE Committee* for a *TUE* on the same grounds.

**4.4.4** The *CGF TUE Committee* will evaluate and decide upon the application in accordance with the relevant provisions of the *International Standard for Therapeutic Use Exemptions*. It will issue its decision as quickly as possible after all of the necessary information has been received, and usually (i.e., unless exceptional circumstances apply) within no more than 21 days of receipt of a complete application. A failure to make the decision within a reasonable time after all of the necessary information has been received will be considered a denial of the application, triggering the rights of appeal and review set out in Article 4.6.

- 4.4.5** The *CGF TUE Committee's* decision will be notified in writing to the *Athlete* and the *Athlete's Commonwealth Games Association*, and to *WADA* and the *Athlete's National Anti-Doping Organization* and *International Federation* in accordance with the *International Standard for Therapeutic Use Exemptions*. It will also be promptly reported into *ADAMS*.
- 4.4.6** A *TUE* granted by the *CGF TUE Committee* will be effective for the *2022 Commonwealth Games* only. If the *TUE* is granted subject to conditions or restrictions and the *Athlete* does not comply with those conditions or restrictions, the *TUE* may be cancelled and/or it may be deemed ineffective to excuse the presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or *Use* or *Attempted Use*, and/or *Possession* and/or *Administration* or *Attempted Administration* of the *Prohibited Substance* or *Prohibited Method* that is the subject of the *TUE*.
- 4.5** The *Athlete* may only apply to the *CGF TUE Committee* for a retroactive *TUE* if one of the following circumstances applies:
- 4.5.1** the *Athlete* is not an *International-Level Athlete* or a *National-Level Athlete* and is *Using* a *Prohibited Substance* or *Prohibited Method* for therapeutic reasons, and the *CGF* has collected a *Sample* from them; or
- 4.5.2** emergency or urgent treatment of a medical condition was necessary;
- 4.5.3** there was insufficient time, opportunity or other exceptional circumstances that prevented the *Athlete* from submitting (or the *CGF TUE Committee* from considering) the application for the *TUE* prior to *Sample* collection;
- 4.5.4** the *Athlete Used Out-of-Competition*, for therapeutic reasons, a *Prohibited Substance* that is only prohibited *In-Competition*; or
- 4.5.5** in accordance with Article 4.3 of the *International Standard for Therapeutic Use Exemptions*, it would be manifestly unfair not to grant a retroactive *TUE*. For *International-Level Athletes* and *National-Level Athletes*, the *CGF TUE Committee* may grant an *Athlete's* application for a retroactive *TUE* pursuant to this Article only with the prior approval of *WADA*.
- 4.6** Reviews and appeals of *TUE* decisions:
- 4.6.1** A decision by the *CGF TUE Committee* not to recognise or not to grant a *TUE* may be appealed by the *Athlete* exclusively an *independent TUE appeals body operated by the Australian Sports Drug Medical Advisory Committee (ASDMAC)*. If the *Athlete* does not appeal (or if the appeal is unsuccessful), the *Athlete* may not *Use* the *Prohibited Substance* or *Prohibited Method* in question in connection with the *2022 Commonwealth Games*.
- 4.6.2** *WADA* may review *TUE* decisions at any time, whether upon request by those affected or on its own initiative. If the *TUE* decision being reviewed does not meet the criteria set out in the *International Standard for Therapeutic Use Exemptions*, *WADA* may reverse it.
- 4.6.3** A decision by *WADA* to reverse a *TUE* decision may be appealed by the *Athlete*, the *National Anti-Doping Organization* and/or the *CGF* exclusively to *CAS* in accordance with Article 12.

## ARTICLE 5

### **TESTING AND INVESTIGATIONS**

#### **5.1 Purpose of *Testing* and investigations**

- 5.1.1** The *CGF* may undertake *Testing* and investigations under these *CGF ADR* for any legitimate anti-doping purpose. It will conduct them in accordance with the provisions of the *International*

*Standard for Testing* and Investigations and (in respect of *Testing*) the specific protocols of the *CGF* that are set out in Appendix 2, supplementing that *International Standard*.

- 5.1.2** *Testing* of urine and/or blood and/or other matrices approved by *WADA* will be undertaken to obtain analytical evidence as to whether the *Athlete* has violated Article 2.1 (presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*) or Article 2.2 (*Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*).

## **5.2 Authority to conduct *Testing***

- 5.2.1** The *CGF* has authority during the *Games Period* to conduct *In-Competition Testing* and/or *Out-of-Competition Testing* of all *Athletes* who are entered to participate in the *2022 Commonwealth Games*.
- 5.2.2** If the *CGF* delegates or contracts any part of *Testing* to a *National Anti-Doping Organization*, that *National Anti-Doping Organization* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *National Anti-Doping Organization's* expense. If additional *Samples* are collected or additional types of analysis are performed, the *CGF Anti-Doping and Medical Commission* must be notified.
- 5.2.3** Subject to Article 5.2.4, the *CGF* will have exclusive authority to conduct *Testing* at the *Games Venues* during the *Games Period*. In accordance with *Code* Article 5.3.1, not only the *CGF* but also *Anti-Doping Organizations* with *Testing* authority over *Athletes* participating at the *2022 Commonwealth Games* may conduct *Testing* of such *Athletes* during the *Games Period* outside of the *Games Venues*. Such *Testing* should be communicated to and coordinated with the *CGF Anti-Doping and Medical Commission*.
- 5.2.4** If an *Anti-Doping Organization* that would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at the *2022 Commonwealth Games* wishes to conduct *Testing* of *Athletes* at the *Games Venues* during the *Games Period*, that *Anti-Doping Organization* must first seek permission from the *CGF Anti-Doping and Medical Commission* to conduct and coordinate such *Testing*. If the *Anti-Doping Organization* is not satisfied with the response from the *CGF Anti-Doping and Medical Commission*, the *Anti-Doping Organization* may ask *WADA* for permission to conduct *Testing* and to determine how to coordinate such *Testing*. *WADA* will not grant approval for such *Testing* before consulting with and informing the *CGF*. *WADA's* decision will be final and not subject to appeal. Unless otherwise provided in the authorization to conduct *Testing*, such tests will be considered *Out-of-Competition* tests. *Results Management* for any such tests will be the responsibility of the *Anti-Doping Organization* initiating the test unless provided otherwise in these *CGF ADR*.
- 5.2.5** *WADA* has *In-Competition* and *Out-of-Competition Testing* authority as set out in *Code* Article 20.7.10.

## **5.3 *Testing* requirements**

- 5.3.1** The *CGF* will develop, conduct, maintain up to date, and implement an effective test distribution plan for the *2022 Commonwealth Games* that complies with the requirements of the *International Standard* for *Testing* and Investigations. The *CGF* will supply a copy of the plan to *WADA* upon request.
- 5.3.2** Where reasonably feasible, *Testing* will be coordinated through *ADAMS* in order to maximise the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*. All relevant information regarding *Doping Control* and *Sample Collection* should be promptly entered into *ADAMS*.

## 5.4 Athlete whereabouts information

- 5.4.1** If an *Athlete* is in a national or international *Registered Testing Pool*, the *CGF* may access the *Athlete's* whereabouts filings (as defined in the *International Standard for Testing and Investigations*) covering any part of the *Games Period*. Where an *Athlete* is in another testing pool that requires them to provide whereabouts information, the *CGF* may access that information to the extent it covers any part of the *Games Period*. The *CGF* will access the *Athlete's* whereabouts filings/information via *ADAMS* or via the *International Federation* or *National Anti-Doping Organization* that is receiving the *Athlete's* whereabouts filings/information. The *CGF* will not require the *Athlete* to file any different whereabouts information with it. However, if the *Athlete* is specifying their location at the *Athletes' Village* (or in other accommodation) as part of their whereabouts filing/information for the *Games Period*, they must include the building and their room number in their whereabouts filing/information, or such filing/information will be deemed insufficient to find them at that specified location, which may lead to a filing failure or a missed test (as those terms are defined in the *International Standard for Results Management*), if applicable, or to other consequences under the rules of any other testing pool they are in. The *CGF* will report all apparent filing failures and missed tests or other failures identified as a result of *Testing* pursuant to these *CGF ADR* to whichever of the *Athlete's International Federation* and *National Anti-Doping Organization* has *Results Management* authority in respect thereof, further to and in accordance with the *International Standard for Results Management* and *International Standard for Testing and Investigations*.
- 5.4.2** In addition, each *Commonwealth Games Association* must provide to the *CGF*, in the manner specified by the *CGF Anti-Doping and Medical Commission*, further details regarding the location of all *Athletes* in their delegation (whether or not those *Athletes* are in a *Registered Testing Pool*) during the *Games Period* as soon as the *Commonwealth Games Association* becomes aware of those details, including arrival/departure dates, the name of the building and room number at which an *Athlete* is staying at the *Athletes' Village*, detailed accommodation information for *Athletes* not staying in the *Athletes' Village*, details of the *Athlete's* training schedule and venues, and such other information as the *CGF Anti-Doping and Medical Commission* may specify from time to time. Each *Commonwealth Games Association* must also monitor and manage the whereabouts information and provide any further assistance requested by the *CGF* to locate *Athletes* belonging to their delegations during the *Games Period*.
- 5.4.3** The *Athlete* and their *Commonwealth Games Association* must update whereabouts information provided in accordance with this Article 5.4 as necessary to ensure that it is accurate, complete, and current at all times.
- 5.4.4** The *CGF* will maintain whereabouts information relating to an *Athlete* in strict confidence at all times. That information will be used solely for purposes of planning, coordinating, and/or conducting *Doping Control*, providing information relevant to the *Athlete Biological Passport* or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and will be destroyed after it is no longer relevant for these purposes in accordance with the *International Standard for the Protection of Privacy and Personal Information*.



## **5.5 Independent Observer Program:**

The CGF will authorise and facilitate an *Independent Observer Program* in relation to the 2022 Commonwealth Games.

## **5.6 Testing of Minors**

**5.6.1** The consent of a parent or guardian to *Testing* pursuant to these CGF ADR of an *Athlete* who is a *Minor* will be inferred from the fact that the *Minor* has been permitted by their parent or guardian to be selected to participate in the 2022 Commonwealth Games. The CGF may require the provision of written confirmation of such consent as a pre-condition to the *Minor's* participation in the 2022 Commonwealth Games.

**5.6.2** *Testing* of an *Athlete* who is a *Minor* will be conducted in accordance with Annex B (Modifications for *Athletes* who are *Minors*) of the *International Standard for Testing and Investigations*.

## **5.7 Liability for Testing**

While every reasonable effort will be made to avoid inconvenience to *Athletes* as a result of *Testing*, the CGF and any *Delegated Third Party* and their respective members, directors, officers, employees, agents, and representatives will not be liable for any inconvenience or loss suffered by an *Athlete* as a result of *Testing*.

## **5.8 Investigations**

**5.8.1** The CGF will have the power to gather anti-doping intelligence and conduct investigations in accordance with this Article 5.8, the *Code*, and the *International Standard for Testing and Investigations*, into matters that may evidence or lead to the discovery of evidence of an anti-doping rule violation.

**5.8.2** In particular (but without limitation), the CGF may conduct an investigation of an *Athlete Support Person* who is subject to these CGF ADR: (a) where the *Athlete Support Person* has provided support to a *Protected Person* who is found to have committed an anti-doping rule violation; and (b) where the *Athlete Support Person* has provided support to more than one *Athlete* that is found to have committed an anti-doping rule violation.

**5.8.3** The CGF may conduct investigations in cooperation with, and/or information obtained in such investigations may be shared with, other *Anti-Doping Organisations* and/or other relevant regulatory, administrative, or criminal authorities. Where it deems appropriate, the CGF may stay its own investigation pending the outcome of investigations being conducted by other *Anti-Doping Organisations* and/or other relevant authorities.

**5.8.4** In investigating a potential anti-doping rule violation, the CGF may seek information from any source, which may include (without limitation): (a) the search of any premises, place, conveyance, or personal belongings, and the seizure of anything that may evidence or lead to the discovery of evidence of an anti-doping rule violation; (b) requiring an *Athlete* or other *Person* to provide information that may evidence or lead to the discovery of evidence of an anti-doping rule violation; and/or (c) requiring the *Athlete* or other *Person* to attend an interview and/or to provide a written statement setting out their knowledge of the relevant facts and circumstances within a deadline specified by the CGF.

**5.8.5** Any information provided to the CGF will be kept confidential except when it becomes necessary to disclose such information in order to advance the investigation of and/or to bring proceedings relating to an anti-doping rule violation (either under these CGF ADR or under another *Anti-*

*Doping Organization's* anti-doping rules), or when such information is reported to other regulatory, administrative, criminal or judicial authorities.

- 5.8.6** *Athletes* and other *Persons* must cooperate fully with investigations conducted pursuant to this Article 5.8. A failure or refusal to do so without acceptable justification will amount to misconduct under the *CGF's Charter of Good Conduct* and may be sanctioned accordingly. For the avoidance of doubt, an *Athlete* or other *Person* may not refuse or fail to cooperate with an investigation on the grounds that doing so may incriminate them in a criminal offence or an anti-doping rule violation or other disciplinary offence.
- 5.8.7** An *Athlete* or other *Person* who subverts or *Attempts* to subvert the investigation process (e.g., by providing false, misleading, or incomplete information, and/or by destroying potential evidence) may be charged with an Article 2.5 anti-doping rule violation (*Tampering* or *Attempted Tampering*).
- 5.8.8** The *CGF* will keep *WADA* informed of its investigations in accordance with the requirements of the *International Standard for Testing and Investigations*, including advising *WADA* where the *CGF* decides following an investigation not to assert that an *Athlete* or other *Person* has committed an anti-doping rule violation. That decision will be notified to other parties pursuant to Article 7.4 and may be appealed pursuant to Article 12.

## **ARTICLE 6 ANALYSIS OF SAMPLES**

### **6.1 Purpose of analysis**

*Samples* collected pursuant to these *CGF ADR* and related analytical data or *Doping Control* information will be analysed:

- 6.1.1** to detect *Prohibited Substances* (and/or their *Metabolites* or *Markers*) and *Prohibited Methods* and other substances as may be directed by *WADA* pursuant to the monitoring program described in *Code* Article 4.5;
- 6.1.2** to detect evidence of the *Use of Prohibited Substances* and *Prohibited Methods*;
- 6.1.3** to assist the *CGF* in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including for DNA or genomic profiling; and/or
- 6.1.4** for any other legitimate anti-doping purpose.

### **6.2 Use of accredited laboratories, approved laboratories, and other laboratories**

- 6.2.1** For purposes of directly establishing an *Adverse Analytical Finding*, *Samples* collected pursuant to these *CGF ADR* will be analysed only by a laboratory or laboratories chosen by the *CGF* that are accredited or otherwise approved by *WADA*.
- 6.2.2** Laboratories will analyse *Samples* collected pursuant to these *CGF ADR*, and will report the results of such analysis, in compliance with the *Code* and the *International Standard for Laboratories and Technical Documents* in force at the time of analysis.
- 6.2.3** Laboratories may at their own expense analyse *Samples* collected pursuant to these *CGF ADR* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu or otherwise requested by the *CGF*. Results from any such analysis will be reported to the *CGF* in

the same manner as the other results of analysis of the *Samples* in question, and will have the same validity as those other results.

**6.2.4** Any *Adverse Analytical Finding* or *Atypical Finding*, or *Adverse Passport Finding* reported by the laboratory in respect of a *Sample* collected pursuant to these *CGF ADR* will be dealt with in accordance with the *International Standard* for Laboratories, the *International Standard* for *Results Management*, and Article 7 of these *CGF ADR*, save that *Results Management* in respect of the *Adverse Passport Finding* will not lie with the *CGF* under these *CGF ADR* but instead will lie with the *Anti-Doping Organization* that is the custodian of the *Athlete Biological Passport*, acting under its own anti-doping rules.

**6.2.5** The *CGF* will be responsible for the costs of analysis of *Samples* under these *CGF ADR*.

### **6.3 Research on *Samples* and data**

*Samples*, related analytical data, and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Athlete's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes will first be processed in such a manner as to prevent *Samples* and related analytical data or *Doping Control* information being traced back to a particular *Athlete*. Any research involving *Samples* and related analytical data or *Doping Control* information will adhere to the principles set out in *Code* Article 19.

### **6.5 Further analysis of *Samples***

**6.5.1** There will be no limitation on the authority of the *CGF* to arrange for repeat or additional analysis of a *Sample* prior to the time the *CGF* asserts an anti-doping rule violation against the *Athlete* who provided the *Sample* based on the results of analysis of that *Sample*. If after such assertion the *CGF* wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Athlete* or with the approval of an *Independent Tribunal* or *CAS* (as applicable).

**6.5.2** Where analysis of a *Sample* collected pursuant to these *CGF ADR* has not resulted in the assertion of an anti-doping rule violation, that *Sample* may be stored at one or more *WADA*-accredited laboratories or other suitable site(s) for up to ten years after the *Sample* collection date, or other period pursuant to the *International Standard* for Laboratories, and subjected to further analysis for the purposes set out in Article 6.2 at any time by or at the direction of the *CGF* or *WADA*. The *CGF* will retain ownership of stored *Samples* throughout the storage period, unless it agrees otherwise. If the *CGF* and/or *WADA* so agree, any other *Anti-Doping Organization* with authority to test the *Athlete* may arrange for further analysis to be conducted on a stored *Sample*, and will be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by *WADA* or another *Anti-Doping Organisation* will be at *WADA's* or that *Anti-Doping Organisation's* cost (including the cost of transporting any remaining part of the *Sample* back to the storage site after further analysis is completed, together with adequate records of the transport, chain of custody, and further analysis of the *Sample* undertaken in relation to the *Sample*). The transport, chain of custody, and further analysis of *Samples* must comply with the requirements of the *International Standard* for Laboratories applicable at the time of the further analysis, and data created as a result of the further analysis must be recorded into *ADAMS*. Any *Results Management* arising out of that further analysis must be conducted in accordance with the *International Standard* for *Results Management* or equivalent in force at the relevant time, including keeping the *CGF* informed at all material stages. At the end of the storage period, stored *Samples* will either be discarded or made anonymous and used for research (in accordance with the *Athlete's* consent at the time of collection) as provided in the *International Standard* for Laboratories.

### **6.6 Split of A or B *Sample***

Where the *CGF* or *WADA*, and/or a *WADA*-accredited laboratory (with approval from the *CGF* or *WADA*), wishes to split an A or B *Sample* that has been collected pursuant to these *CGF ADR* in order to use the first part of the split *Sample* for an A *Sample* analysis and the second part of the split *Sample* for confirmation, the applicable procedures set out in the *International Standard* for Laboratories will be followed.

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

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

**6.7.2** After analysis and any investigation of a seized *Sample* or data, if a potential anti-doping rule violation is discovered, *WADA* may direct another *Anti-Doping Organization*, with authority to test the *Athlete*, to assume *Results Management* responsibility for the *Sample* or data.

## **ARTICLE 7 RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE, AND PROVISIONAL SUSPENSIONS**

### **7.1 Responsibility for conducting *Results Management***

**7.1.1** For *Results Management* relating to an *Adverse Analytical Finding* in respect of a *Sample* collected pursuant to these *CGF ADR* or any other potential anti-doping rule violation occurring under these *CGF ADR*, the *CGF* will be responsible for pursuing the matter to determination of whether an anti-doping rule violation was committed and, if so, the applicable *Disqualifications* under Articles 9, 10, and 11 of these *CGF ADR*, and the forfeiture of any medals, diplomas, points and prizes from the *2022 Commonwealth Games*. If the *CGF* delegates responsibility for such *Results Management* to a *Delegated Third Party*, that *Delegated Third Party* may represent and act on behalf of and in the name of the *CGF*, but the *CGF* will be considered the party asserting the anti-doping rule violation for the purpose of any proceedings brought as part of the *Results Management* process, including as applicant before an *Independent Tribunal* and as appellant or respondent (as the case may be) before the *CAS*.

**7.1.2** In accordance with *Code* Article 7.14 and Article 1.4.3 of these *CGF ADR*, the *CGF* will refer the case to the applicable *International Federation* to determine what further *Consequences* should be imposed under that *International Federation's* own anti-doping rules in respect of such anti-doping rule violations.

### **7.2 Review and notification regarding anti-doping rule violations**

- 7.2.1** The CGF will carry out the review and notification with respect to any potential anti-doping rule violation (including, without limitation, in respect of the right to have any B *Sample* analysed) in accordance with Section 5 of the *International Standard for Results Management*.
- 7.2.2** The CGF will also carry out the review and notification with respect to any formal assertion of an anti-doping rule violation, in accordance with Section 7 of the *International Standard for Results Management*.
- 7.2.3** Where necessary (e.g., because an investigation has had to be completed), notification pursuant to these CGF ADR of a potential anti-doping rule violation and/or formal assertion of the commission of an anti-doping rule violation may take place after the *Games Period*. In either case, the CGF will retain jurisdiction over the matter pursuant to these CGF ADR until the full and final disposition of the matter in accordance with these CGF ADR.

### **7.3 Identification of prior anti-doping rule violations**

Before giving an *Athlete* or other *Person* notice of a potential anti-doping rule violation as provided above, the CGF will refer to ADAMS and contact WADA and other relevant *Anti-Doping Organizations* to determine whether any prior anti-doping rule violation exists.

### **7.4 Decision not to move forward**

If at any point during *Results Management* up until the formal assertion of the commission of an anti-doping rule violation pursuant to Article 7.2.2 the CGF decides not to move forward with a matter, it will so notify the *Athlete* or other *Person* (if they had already been informed of the ongoing *Results Management*), WADA, and the *Commonwealth Games Association*, *National Anti-Doping Organization*, and *International Federation* of the *Athlete* or other *Person*.

### **7.5 Provisional Suspensions**

#### **7.5.1 Mandatory Provisional Suspension after an Adverse Analytical Finding:**

**7.5.1.1** If completion of the review process referred to in Article 7.2 has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* or a *Prohibited Method* that is not a *Specified Substance* or a *Specified Method*, the CGF will promptly impose a *Provisional Suspension* on the *Athlete* in question. The scope of the *Provisional Suspension* will be limited to the *2022 Commonwealth Games*.

**7.5.1.2** A mandatory *Provisional Suspension* may be lifted if the *Athlete* demonstrates to an *Independent Tribunal* that the violation is likely to have involved a *Contaminated Product*, or if the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under *Code Article 10.2.4.1*.

**7.5.1.3** The *Independent Tribunal's* decision not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* will not be appealable.

#### **7.5.2 Optional Provisional Suspension based on an Adverse Analytical Finding for Specified Substances, Specified Methods, Contaminated Products, or other anti-doping rule violations:**

**7.5.2.1** The CGF may impose a *Provisional Suspension* for anti-doping rule violations not covered by Article 7.5.1 upon or after the review and notification required by Article 7.2. The scope of the *Provisional Suspension* will be limited to the *2022 Commonwealth Games*.

**7.5.2.2** An optional *Provisional Suspension* may be lifted at the discretion of the *CGF* at any time prior to the *Independent Tribunal's* decision on the merits under Article 8, unless provided otherwise in the *International Standard for Results Management*.

**7.5.3** Opportunity for hearing or appeal:

**7.5.3.1** The *Athlete* or other *Person* against whom a *Provisional Suspension* is sought or has been imposed either under Articles 7.5.1 or 7.5.2 will be given an opportunity for a *Provisional Hearing* or an expedited final hearing before the *Independent Tribunal* on a timely basis, which may be held by tele conference or video-conference, before or after the imposition of the *Provisional Suspension*.

**7.5.3.2** The imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, may be appealed in an expedited process in accordance with Article 12.2.

**7.5.4** Voluntary acceptance of a *Provisional Suspension*:

**7.5.4.1** *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension* 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 the notice of any other anti-doping rule violation, or (ii) the date on which the *Athlete* would otherwise first compete after such report or notice.

**7.5.4.2** Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within ten (10) days from the notice of the anti-doping rule violation.

**7.5.4.3** Upon such voluntary acceptance, the *Provisional Suspension* will have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.5.1 or 7.5.2; provided, however, that at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* will not receive any credit for time previously served during the *Provisional Suspension*.

**7.5.5** If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and a subsequent *B Sample* analysis does not confirm the *A Sample* analysis, the *Provisional Suspension* will be automatically lifted. Where the *Athlete* or the *Athlete's* team has been removed from a *Competition* in the *2022 Commonwealth Games* based on a violation of Article 2.1 and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, if, without adversely affecting the *Competition*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Competition*. In addition, the *Athlete* or team may thereafter take part in other *Competitions* at the *2022 Commonwealth Games*.

**7.6** Resolution upon waiver of hearing

**7.6.1** An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may expressly waive a hearing and accept the *Consequences* that have been proposed by the *CGF*.

**7.6.2** Alternatively, if the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the *CGF*, they will be deemed to have admitted the violation, to have waived a hearing, and to have accepted the proposed *Consequences*.

**7.6.3** In cases where Article 7.6.1 or Article 7.6.2 applies, a hearing before an *Independent Tribunal* will not be required. Instead the *CGF* will promptly issue a written decision that conforms with Article 9 of

the *International Standard for Results Management* and Article 7.7 of these *CGF ADR*. It will send copies of that decision to the affected *Athlete* or other *Person*, and to other *Anti-Doping Organizations* with a right to appeal under Article 12.2.2 and will promptly report that decision into *ADAMS* and *Publicly Disclose* it in accordance with Article 13.3.2.

## **7.7 Results Management decisions**

**7.7.1** The *CGF* may reach agreement with an *Athlete* or other *Person* on acceptance of an asserted anti-doping rule violation and of proposed *Consequences* (a) without reference to *WADA* (e.g., in accordance with *Code* Article 10.8.1); or (b) with *WADA* as a party to the agreement, in accordance with *Code* Article 10.8.2.

**7.7.2** Whether pursuant to such agreement or otherwise, *Results Management* decisions by the *CGF* will address and determine, at a minimum, the following issues: (i) whether an anti-doping rule violation was committed or a *Provisional Suspension* should be imposed, the factual basis for such determination, and the specific Articles violated, and (ii) the *Consequences* flowing from the anti-doping rule violations pursuant to Articles 9, 10, and 11 of these *CGF ADR*, including any forfeiture of medals, diplomas, points and prizes, and any recovery of costs (if applicable).

## **7.8 Notification of Results Management decisions**

**7.8.1** The *CGF* will notify *Athletes*, other *Persons*, other *Anti-Doping Organizations*, and *WADA* of *Results Management* decisions as provided in Article 13 and in the *International Standard for Results Management*.

**7.8.2** The *CGF* will report the following information into *ADAMS*:

- a. notifications of anti-doping rule violations and related decisions for *Adverse Analytical Findings*;
- b. notifications and related decisions for other anti-doping rule violations; and
- c. any decision imposing or lifting a *Provisional Suspension*.

## **ARTICLE 8 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION**

**8.1** The *Independent Tribunal*:

**8.1.1** The *CGF* has delegated its Article 8 responsibilities to Sport Resolutions. The procedural rules of Sport Resolutions pertaining to the composition of first instance hearing panels and the conduct of proceedings before them will apply to proceedings brought under these *CGF ADR*. Sport Resolutions will always ensure that the *Athlete* or other *Person* is provided with a fair hearing within a reasonable time by a fair, impartial, and *Operationally Independent* hearing panel in compliance with the *Code* and the *International Standard for Results Management*.

**8.1.2** When the *CGF* sends a notice to an *Athlete* or other *Person* notifying them of a potential anti-doping rule violation, and the *Athlete* or other *Person* does not waive a hearing in accordance with Article 7.6, the case will be referred to the chairperson designated by Sport Resolutions of the *Independent Panel*. The chairperson will select one or more persons (which may include the chairperson) from the *Independent Panel* to form an *Independent Tribunal* to hear and determine the case. The hearing and adjudication will be conducted in accordance with the principles described in Articles 8 and 9 of the *International Standard for Results Management*. The *CGF* will also send a copy of the notice to *WADA* and to the *Commonwealth Games Association*, the

*National Anti-Doping Organization, and the International Federation of the Athlete or other Person.*

**8.1.3** Hearings held in connection with the *2022 Commonwealth Games* will be scheduled and completed within a reasonable time. They will all be held remotely. They may be conducted by an expedited process where permitted by the *Independent Tribunal*.

**8.1.4** *WADA, the National Anti-Doping Organization, and the International Federation of the Athlete or other Person* may attend the hearing as observers. In any event, the *CGF* will keep them fully apprised as to the status of pending cases and the result of all hearings.

## **8.2 Burdens and standards of proof**

**8.2.1** The *CGF* will have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof will be whether the *CGF* has established an anti-doping rule violation to the comfortable satisfaction of the *Independent Tribunal*, bearing in mind the seriousness of the allegation that is made. This standard of proof in all cases is greater than a mere balance of probabilities but less than proof beyond a reasonable doubt.

**8.2.2** Where these *CGF ADR* place the burden of proof upon the *Athlete or other Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof will be by a balance of probabilities, except as provided in Articles 8.4.2 and 8.4.3.

## **8.3 Evidence**

The *Independent Tribunal* will have the power to decide on the admissibility, relevance, and weight of any evidence (including the testimony of any fact or expert witness) and will not be bound by any legal rules in relation to such matters. Facts related to anti-doping rule violations may be established by any reliable means, including admissions or reliable laboratory or other forensic testing conducted outside of laboratories accredited or approved by *WADA*.

## **8.4 Rules of proof**

The following rules of proof will be applicable:

**8.4.1** Analytical methods or *Decision Limits* approved by *WADA* after consultation within the relevant scientific community or that have been the subject of peer review are presumed to be scientifically valid. Any *Athlete or other Person* seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity must, as a condition precedent to any such challenge, first notify *WADA* of the challenge and the basis for it. The *Independent Tribunal* or *CAS* (as applicable), on its own initiative, may also inform *WADA* of any such challenge. Within ten (10) days of *WADA's* receipt of such notice and the case file related to such challenge, *WADA* will also have the right to intervene as a party, appear as amicus curiae, or otherwise provide evidence in such proceeding. In cases before *CAS*, at *WADA's* request, the *CAS* panel will appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

**8.4.2** Laboratories accredited or approved by *WADA* are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard for Laboratories*. The *Athlete or other Person* that is asserted to have committed an anti-doping rule violation may rebut this presumption by establishing that a departure from the *International Standard for Laboratories* occurred that could reasonably have caused the *Adverse Analytical Finding*. Where



the presumption is rebutted, the *CGF* will have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

**8.4.3** Departures from any other *International Standard* or other anti-doping rule or policy set out in the *Code* or in these *CGF ADR* will not invalidate analytical results or other evidence of an anti-doping rule violation, and will not constitute a defense to an anti-doping rule violation, subject only to the following potential exception. If the *Athlete* or other *Person* establishes a departure from one of the specific *International Standard* provisions listed below, and further establishes that that departure could reasonably have caused the asserted anti-doping rule violation based on an *Adverse Analytical Finding* or whereabouts failure, the *CGF* will have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the whereabouts failure:

**8.4.3.1** a departure from the *International Standard for Testing and Investigations* related to *Sample* collection or *Sample* handling that could reasonably have caused the asserted anti-doping rule violation based on an *Adverse Analytical Finding*, in which case the *CGF* will have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;

**8.4.3.2** a departure from the *International Standard for Results Management* or *International Standard for Testing and Investigations* related to an *Adverse Passport Finding* that could reasonably have caused the asserted anti-doping rule violation, in which case the *CGF* will have the burden to establish that such departure did not cause the anti-doping rule violation;

**8.4.3.3** a departure from the *International Standard for Results Management* related to the requirement to provide notice to the *Athlete* of the *B Sample* opening that could reasonably have caused the asserted anti-doping rule violation based on an *Adverse Analytical Finding*, in which case the *CGF* will have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;

**8.4.3.4** a departure from the *International Standard for Results Management* related to *Athlete* notification that could reasonably have caused the asserted anti-doping rule violation based on a whereabouts failure, in which case the *CGF* will have the burden to establish that such departure did not cause the whereabouts failure.

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

**8.4.5** Where an *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation refuses, after a request made in a reasonable time in advance of the hearing, to appear (remotely) at the hearing and/or to answer questions put to them by the *CGF* or the *Independent Tribunal*, the *Independent Tribunal* may, in a hearing on an anti-doping rule violation, draw an inference adverse to that *Athlete* or other *Person* from that refusal.

## **8.5 Notice of decisions**

**8.5.1** Where necessary (e.g., because an investigation has had to be completed), the proceedings before the *Independent Tribunal* may be completed (or even commenced and then completed) after the *Games Period*. In any event, the *Independent Tribunal* will continue to have jurisdiction over the matter in accordance with these *CGF ADR* until it has completed the full and final disposition of the matter.

**8.5.2** At the end of the hearing, or promptly thereafter, the *Independent Tribunal* will issue a written decision that conforms with Article 9 of the *International Standard for Results Management* and Article 7.7 of these *CGF ADR*.

**8.5.3** The *CGF* will notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping Organizations* with a right to appeal under Article 12.2.2, and will promptly report it into *ADAMS*, and *Publicly Disclose* it in accordance with Article 13. The decision may be appealed as provided in Article 12.

## **8.6 Single hearing before CAS**

Proceedings asserting anti-doping rule violations against an *Athlete* or other *Person* may, with the consent of the *Athlete* or other *Person*, the *CGF*, and *WADA*, be heard in a single hearing directly at *CAS*.

## **ARTICLE 9 DISQUALIFICATION OF RESULTS ARISING FROM ANTI-DOPING RULE VIOLATION IN CONNECTION WITH AN IN-COMPETITION TEST**

An anti-doping rule violation committed in connection with an *In-Competition* test at the *2022 Commonwealth Games*:

**9.1** in *Individual Sports*, automatically leads to *Disqualification* of the result obtained in that *Competition*, with all resulting *Consequences*, including forfeiture of any medals, points and prizes;

**9.2** in *Team Sports*, automatically leads to *Disqualification* of any awards received by individual *Athletes*. Further *Consequences* for the team will be as provided in Article 11.1; and

**9.3** in sports that are not *Team Sports* but where awards are given to teams, leads to *Consequences* as provided in Article 11.2.

## **ARTICLE 10 SANCTIONS ON INDIVIDUALS**

### **10.1 Disqualification of results achieved in the 2022 Commonwealth Games**

**10.1.1** Except as provided in Article 10.1.2, an anti-doping rule violation occurring during or in connection with the *2022 Commonwealth Games* may, where so decided by the *Independent Tribunal*, lead to *Disqualification* of all of the *Athlete's* individual results obtained at the *2022 Commonwealth Games*, with all resulting *Consequences*, including forfeiture of all medals, diplomas, titles, points, and prizes. Factors to be included in considering whether to *Disqualify* such other results in the *2022 Commonwealth Games* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.

**10.1.2** If the *Athlete* establishes that they bear *No Fault or Negligence* for the anti-doping rule violation in question, the *Athlete's* individual results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred will not be *Disqualified* unless the *Athlete's* results in the other *Competitions* were likely to have been affected by the *Athlete's* anti-doping rule violation.

### **10.2 Ineligibility and other Consequences**

**10.2.1** Should an *Athlete* or other *Person* be found to have committed an anti-doping rule violation, the *Independent Tribunal* may declare the *Athlete* or other *Person* *Ineligible*, considering Articles 10.2 to 10.9 and 10.13 of the *Code*, for any remaining *Competitions* at the *2022 Commonwealth Games*,

along with other sanctions and measures that may follow, such as exclusion of the *Athlete* or other *Person* from the *2022 Commonwealth Games* and the loss of accreditation.

**10.2.2** No *Athlete* or other *Person* who has been declared *Ineligible* or is subject to a *Provisional Suspension* may, during the period of *Ineligibility* or *Provisional Suspension*, continue to participate in any capacity in the *2022 Commonwealth Games*.

**10.2.3** In accordance with Article 7.1.2, following the conclusion of the case under these *CGF ADR*, the *CGF* will refer the case to the applicable *International Federation* to determine what *Consequences* (if any) should be imposed pursuant to that *International Federation's* anti-doping rules, beyond the *Consequences* imposed pursuant to these *CGF ADR* in relation to the *2022 Commonwealth Games*.

### **10.3 Automatic publication**

A mandatory part of each sanction is automatic publication as provided in Article 13.3.

## **ARTICLE 11 CONSEQUENCES FOR TEAMS**

### **11.1 Consequences for Team Sports**

**11.1.1** Where more than one (1) member of a team in a *Team Sport* has been notified of an anti-doping rule violation pursuant to Article 7 in connection with the *2022 Commonwealth Games*, the *CGF* will conduct appropriate *Target Testing* of the team during the *Games Period*.

**11.1.2** If more than two (2) members of a team in a *Team Sport* are found to have committed an anti-doping rule violation under these *CGF ADR* during the *Games Period*, the *Independent Tribunal* will apply the rules of the relevant *International Federation* to impose an appropriate sanction on the team (e.g., loss of points, *Disqualification* from a *Competition* or *Event*, or other sanction) in addition to any *Consequences* imposed pursuant to *these CGF ADR* on the individual *Athletes* committing the anti-doping rule violation.

### **11.2 Consequences for teams in sports which are not Team Sports**

**11.2.1** If one or more members of a team in a sport that is not a *Team Sport* but where awards are given to teams is found to have committed an anti-doping rule violation during the *2022 Commonwealth Games*, the *Independent Tribunal* will apply the rules of the relevant *International Federation* to determine the *Consequences* on the team (e.g., loss of points, *Disqualification* from a *Competition*, *Event*, or the *2022 Commonwealth Games*, or other *Consequences*), in addition to any *Consequences* imposed on the individual *Athlete(s)* found to have committed an anti-doping rule violation.

**11.2.2** Should the relevant *International Federation* not have such rules, or if in the *Independent Tribunal's* view the rules of the relevant *International Federation* do not adequately protect the integrity of the *2022 Commonwealth Games*, the *Independent Tribunal* may determine the *Consequences* for the team, including the *Disqualification* of the team's results in any *Competition* or *Event* or any other *Consequences*. The *Independent Tribunal* may only take such action in circumstances when one or more members of a team is found to have committed an anti-doping rule violation and, in the panel's discretion, the violation may have affected the results of the team in the concerned *Competition(s)* or *Event(s)*.

## **ARTICLE 12 RESULTS MANAGEMENT: APPEALS**

## 12.1 Decisions subject to appeal

Decisions made under these *CGF ADR* may be challenged only by appeal exclusively as set out in this Article 12 or as otherwise provided in these *CGF ADR*, the *Code*, or the *International Standards*. Such decisions will remain in effect while under appeal unless the appellate body orders otherwise.

## 12.2 Appeals from decisions regarding anti-doping rule violations, *Consequences*, *Provisional Suspensions*, implementation of decisions, and authority

**12.2.1** The following decisions may be appealed exclusively as provided in this Article 12:

- A decision that an anti-doping rule violation was or was not committed.
- A decision imposing or not imposing *Consequences* for an anti-doping rule violation.
- A decision that a case cannot go forward for procedural reasons (including, for example, prescription).
- A decision by *WADA* not to grant an exception to the six-month notice requirement for a retired *Athlete* to return to competition under *Code* Article 5.6.1.
- A decision by *WADA* assigning *Results Management* under *Code* Article 7.1.
- A decision not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation.
- A decision not to go forward with an anti-doping rule violation after an investigation in accordance with the *International Standard for Results Management*.
- A decision to impose, or to lift, a *Provisional Suspension* as a result of a *Provisional Hearing*.
- A failure by the *CGF* to comply with principles applicable to *Provisional Suspensions* in accordance with *Code* Article 7.4.
- A decision that the *CGF* lacks authority to deal with an alleged anti-doping rule violation and/or its *Consequences*.
- A failure by the *CGF* to comply with *Code* Article 7.1.4 or Article 7.1.5.
- A failure by the *CGF* to comply with *Code* Article 10.8.1.
- A decision by the *CGF* not to implement another *Anti-Doping Organization's* decision in accordance with Article 14.

**12.2.2** The following parties will have the right to appeal: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the *CGF*; (c) the *Athlete's* or other *Person's International Federation*; (d) the *National Anti-Doping Organization* of the *Athlete's* or other *Person's* country of residence or of the country where the *Athlete* or other *Person* is a national or license holder; (e) *WADA*; and (f) the International Olympic Committee or the International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games.

**12.2.3** The decision may be appealed exclusively to *CAS*, in accordance with the *CAS* Code of Sports-related Arbitration. In the absence of any such appeal, such decisions will be final and binding on all of the above parties.

**12.2.4** Notwithstanding any other provision of these *CGF ADR*, the only *Person* who may appeal from the imposition of a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

**12.2.5** Where *WADA* has a right to appeal under this Article 12 and no other party has appealed a final decision within the *CGF's* process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in the *CGF's* process.

**12.3 Failure by the CGF to render a timely decision as to whether an anti-doping rule violation has been committed**

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

**12.4 Appeals relating to TUEs**

*TUE* decisions may be appealed exclusively as provided in Article 4.6.

**12.5 Appeal procedure**

**12.5.1** The time to file an appeal to *CAS* will be twenty-one (21) days from the date of receipt of the decision by the appealing party. However, the following will apply in connection with appeals filed by a party that is entitled to appeal but that was not a party to the proceedings that led to the decision being appealed:

**12.5.1.1** Such party/ies have the right to request a copy of the full case file pertaining to the decision from the *CGF*, to be exercised within fifteen (15) days from the date of receipt of the decision.

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

**12.5.2** Notwithstanding Article 12.5.1, the filing deadline for an appeal filed by *WADA* will be the later of:

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

**12.5.2.2** twenty-one (21) days after *WADA's* receipt of the complete file relating to the decision.

**12.5.3** 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.

**12.5.4** Cross appeals and other subsequent appeals by any respondent named in cases brought to *CAS* pursuant to this Article 12 are specifically permitted. Any party with a right to appeal under this

Article 12 must file a cross appeal or subsequent appeal at the latest with the party's answer to the appeal.

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

**12.5.6** Where the CAS panel decides to hold an oral hearing on the appeal, it will be held remotely unless the CAS panel orders otherwise for good cause shown.

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

## **12.6 Notification of appeal decisions**

The CGF will promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Article 12.2.2, as provided under Article 13.

## **ARTICLE 13 CONFIDENTIALITY AND REPORTING**

### **13.1 Information concerning *Adverse Analytical Findings*, *Atypical Findings*, and other asserted anti-doping rule violations**

**13.1.1** Notice to *Athletes* or other *Persons* of anti-doping rule violations asserted against them, will occur in the manner set out in Article 7 and this Article 13, simultaneously to notice being given to their *National Anti-Doping Organization*, their *International Federation*, and *WADA*, in the manner set out in the same Articles.

**13.1.2** The notice of the assertion of an anti-doping rule violation will include:

- the *Athlete's* or other *Person's* name, country, sport, and discipline within the sport;
- the *Athlete's* competitive level;
- the part of Article 2 asserted to have been violated;
- where the asserted violation is under Article 2.1, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, and the analytical result reported by the laboratory;
- where the asserted violation is of any other part of Article 2, the factual basis of the asserted violation; and
- any other information required by the *International Standard for Testing and Investigations* and/or the *International Standard for Results Management*.

**13.1.3** The *Athlete's* or other *Person's National Anti-Doping Organization*, *International Federation*, and *WADA* will be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 12, and will be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

**13.1.4** The recipient organizations may not disclose this information beyond those *Persons* with a need to know until the *CGF* has made *Public Disclosure* as permitted by Article 13.3.

**13.1.6** The *CGF* will ensure that information concerning *Adverse Analytical Findings*, *Atypical Findings*, and other asserted anti-doping rule violations remains confidential until such information is *Publicly Disclosed* in accordance with Article 13.3. The *CGF* will ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and *Delegated Third Parties* are subject to a fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorised disclosure of such confidential information.

**13.2 Notice of anti-doping rule violation or violations of *Ineligibility* or *Provisional Suspension* decisions and request for files**

**13.2.1** Anti-doping rule violation decisions or decisions related to violations of *Ineligibility* or *Provisional Suspension* rendered in accordance with *Code* Articles 7.6, 8.2, 10.5, 10.6, 10.7, 10.14.3 or 12.5 will include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, the *CGF* will provide an English or French summary of the decision and the supporting reasons.

**13.2.2** An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Article 13.2.1 may, within fifteen (15) days of receipt of that decision, request from the *CGF* a copy of the full case file pertaining to the decision.

**13.3 *Public Disclosure*:**

**13.3.1** After notice of a potential anti-doping rule violation has been provided to the *Athlete* or other *Person* in accordance with the *International Standard for Results Management*, and to the applicable *Anti-Doping Organizations* in accordance with Article 13.1.1, the *CGF* may *Publicly Disclose* the identity of the *Athlete* or other *Person* who has been notified of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and the nature of the violation involved, and whether the *Athlete* or other *Person* is subject to a *Provisional Suspension*.

**13.3.2** Subject always to compliance with applicable law:

**13.3.2.1** No later than twenty (20) days after it has been determined in an appeal conducted pursuant to Article 12, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under *Code* Article 10.8, or a new period of *Ineligibility*, or reprimand, has been imposed under *Code* Article 10.14.3, the *CGF* must *Publicly Disclose* the disposition of the anti-doping matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any) and the *Consequences* imposed.

**13.3.2.2** The *CGF* must also *Publicly Disclose* within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.

**13.3.2.3** The mandatory *Public Disclosure* required under this Article 13.3.2 will not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*, a *Protected Person*, or a *Recreational Athlete*. Any

optional *Public Disclosure* in a case involving a *Minor, Protected Person, or Recreational Athlete* will be proportionate to the facts and circumstances of the case.

- 13.3.3** After an anti-doping rule violation has been determined to have been committed in an appeal conducted pursuant to Article 12 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, the *CGF* may make public such determination or decision and may comment publicly on the matter.
- 13.3.4** In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the fact that the decision has been appealed may be *Publicly Disclosed*. However, the decision itself and the underlying facts may not be *Publicly Disclosed* except with the consent of the *Athlete* or other *Person* who is the subject of the decision. The *CGF* will use reasonable efforts to obtain such consent, and if consent is obtained, the *CGF* will *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 13.3.5** Publication will be accomplished at a minimum by placing the required information on the *CGF's* website and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*.
- 13.3.6** Except as provided in Articles 13.3.1 and 13.3.3, no *Anti-Doping Organization, National Federation, Commonwealth Games Association, or WADA-accredited laboratory*, and no official of any such *Person*, will publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by, the *Athlete*, other *Person* or their entourage or other representatives.

#### **13.4 Statistical reporting**

After the *2022 Commonwealth Games*, the *CGF* will publish a general statistical report of its *Doping Control* activities in connection with those *Games*, with a copy provided to *WADA*. The *CGF* may also publish reports showing the name of each *Athlete* tested and the date of each *Sample* collection.

#### **13.5 Doping Control information database and monitoring of compliance**

To enable *WADA* to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable *Doping Control* information among *Anti-Doping Organizations*, the *CGF* will report *Doping Control*-related information to *WADA* through *ADAMS*, as follows:

- 13.5.1** To facilitate coordinated test distribution planning, avoid unnecessary duplication in *Testing* by various *Anti-Doping Organizations*, and to ensure that *Athlete Biological Passport* profiles are updated, the *CGF* will report all *In-Competition* and *Out-of-Competition* tests to *WADA* by entering the *Doping Control* forms into *ADAMS* in accordance with the requirements and timelines contained in the *International Standard for Testing and Investigations*.
- 13.5.2** To facilitate *WADA's* oversight and appeal rights for *TUEs*, the *CGF* will report all *TUE* applications, decisions, and supporting documentation using *ADAMS* in accordance with the requirements and timelines contained in the *International Standard for Therapeutic Use Exemptions*.
- 13.5.3** To facilitate *WADA's* oversight and appeal rights for *Results Management*, the *CGF* will report the following information into *ADAMS* in accordance with the requirements and timelines outlined in the *International Standard for Results Management*: (a) notifications of anti-doping rule violations



and related decisions for *Adverse Analytical Findings*; (b) notifications and related decisions for other anti-doping rule violations that are not *Adverse Analytical Findings*; (c) whereabouts failures; and (d) any decision imposing, lifting, or reinstating a *Provisional Suspension*.

**13.5.4** The information described in this Article 13.5 will be made accessible, where appropriate and in accordance with the applicable rules, to the *Athlete*, the *Athlete's National Anti-Doping Organization* and *International Federation*, and any other *Anti-Doping Organizations* with *Testing* authority over the *Athlete*.

### **13.6 Data privacy**

**13.6.1** The *CGF* may collect, store, process, or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct its *Anti-Doping Activities* under this *Standard*, in compliance with the *Code*, the *International Standards* (including specifically the *International Standard* for the Protection of Privacy and Personal Information), and with applicable data protection and privacy laws.

**13.6.2** Without limiting the foregoing, the *CGF* will:

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

**13.6.2.2** notify any *Participant* or *Person* subject to these *CGF ADR*, in a manner and form that complies with applicable laws and the *International Standard* for the Protection of Privacy and Personal Information, that their personal information may be processed by the *CGF* and other *Persons* for the purpose of the implementation of these *CGF ADR*; and

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

## **ARTICLE 14 DEEMED NOTIFICATIONS**

**14.1** Any notification under these *CGF ADR* by the *CGF* and/or another *Anti-Doping Organization* to an *Athlete* or other *Person* accredited pursuant to the request of a *Commonwealth Games Association* will be deemed to be accomplished by delivery of the notification to that *Commonwealth Games Association*. This applies, without limitation, for all notifications sent before, during and after the *Games Period*. It will be the responsibility of the *Commonwealth Games Association* to notify the *Athlete* or other *Person* in person. The *Commonwealth Games Association* must inform the *CGF* once the notification is delivered to the *Athlete* or other *Person*. Bona fide efforts by the *CGF* and any other *Anti-Doping Organization* to secure notification in person will be without prejudice to the validity of notifications to the *Athlete* or other *Person* via the *Commonwealth Games Association* in application of this provision.

**14.2** Notification under these *CGF ADR* to a *Commonwealth Games Association* will be deemed to be accomplished by delivery of the notification to either the President, the Secretary General, the chef de mission, the deputy chef de mission, or to any other representative of the *Commonwealth Games Association* in question designated by the *Commonwealth Games Association* for that purpose.

**14.3** During and after the *Games Period*, for the purpose of the application of these *CGF ADR*, *Athletes* and other *Persons* accredited pursuant to the request of a *Commonwealth Games Association* will be deemed to be validly represented by that *Commonwealth Games Association*, acting through the persons mentioned in Article 14.2. Without limitation, this applies in the context of the application of Article 7.

## ARTICLE 15 IMPLEMENTATION OF DECISIONS

### 15.1 Automatic binding effect of decisions by *Anti-Doping Organizations*

**15.1.1** A decision that is made by a *Signatory Anti-Doping Organization*, or by a first instance hearing panel, or, if appealed, by CAS or another appellate body, will, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding, upon every *Signatory*, including the CGF, with the following effects:

**15.1.1.1** A decision by any of the above-described bodies imposing a *Provisional Suspension* (after a *Provisional Hearing* has occurred or the *Athlete* or other *Person* has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing, or expedited appeal offered in accordance with *Code* Article 7.5.3) automatically prohibits the *Athlete* or other *Person* from participation (as described in *Code* Article 10.14.1) in all sports within the authority of any *Signatory* during the *Provisional Suspension*.

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

**15.1.1.3** A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all *Signatories*.

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

**15.1.2** The CGF will recognise and implement a decision and its effects as required by Article 15.1.1, without any further action required, from the date that it receives actual notice of the decision.

**15.1.3** A decision by an *Anti-Doping Organization*, by a first instance hearing panel, or by CAS or another appellate body, to suspend or lift *Consequences* will be binding upon the CGF, without any further action required, on the earlier of the date the CGF receives actual notice of the decision or the date the decision is placed into ADAMS.

**15.1.4** Notwithstanding Article 15.1.1, however, a decision in relation to an anti-doping rule violation made by a *Major Event Organization* in an expedited process during an *Event* will not be binding on the CGF or other *Signatories* unless the rules of the *Major Event Organization* give the *Athlete* or other *Person* an opportunity to appeal under non-expedited procedures.

### 15.2 Implementation of other decisions made by *Anti-Doping Organizations*

The CGF may choose to implement other anti-doping decisions rendered by *Anti-Doping Organizations* that are not listed in Article 15.1.1, such as a *Provisional Suspension* prior to a *Provisional Hearing* or acceptance by the *Athlete* or other *Person*.

### 15.3 Implementation of decisions by non-*Signatories*

An anti-doping decision by a body that is not a *Signatory* to the *Code* will be implemented by the *CGF* if the decision appears to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the *Code*.

## **ARTICLE 16      STATUTE OF LIMITATIONS**

Notwithstanding any other provision of these *CGF ADR*, no anti-doping rule violation proceeding may be commenced against an *Athlete* or other *Person* unless they have been given the notice of the potential anti-doping rule violation in question that is referenced in Article 7.2.1, or such notification has been reasonably attempted, within ten (10) years of the date that the violation is asserted to have occurred.

## **ARTICLE 17      EDUCATION**

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

## **ARTICLE 18      CHALLENGES TO A DECISION OR THESE *CGF ADR***

### **18.1      Governing law and jurisdiction**

**18.1.1** Subject strictly to Article 1.6.3, these *CGF ADR* and all matters and proceedings arising in connection with it are governed by the laws of England & Wales.

**18.1.2** These *CGF ADR* constitute an agreement to arbitrate. Proceedings before an *Independent Tribunal* pursuant to Article 8 will constitute arbitration proceedings with a seat in England or Wales to which the Arbitration Act 1996 applies. Proceedings before the *CAS* pursuant to Article 12 will constitute arbitration proceedings with a seat in Switzerland to which the Swiss Federal Act on Private International Law applies.

**18.1.3** To the greatest extent allowable under applicable law:

**18.1.3.1** any challenge to these *CGF ADR* or to a decision made pursuant to these *CGF ADR* will be made exclusively in accordance with the provisions of Article 8 and Article 12, and not by recourse to any court or other forum; and

**18.1.3.2** all *Athletes* and other *Persons* who are subject to these *CGF ADR* will be deemed to have waived irrevocably any right to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the *Independent Tribunal* and *CAS*.

**18.2** Subject strictly to Article 18.1.1, the courts of England & Wales will have exclusive jurisdiction in relation to these *CGF ADR* and any decision made hereunder.

### **18.3      Limitation of liability**

None of the *CGF*, any *Delegated Third Party* of the *CGF*, or any of their respective members, directors, officers, employees, agents, representatives or other *Persons* involved in any way in the administration of these *CGF ADR* or of *Doping Control* conducted pursuant to these *CGF ADR* will be liable to any *Person* in any way in relation to any lawful acts or omissions committed in the honest application, administration, and/or enforcement of these *CGF ADR*.

### **18.4      Severability**

If any part of these *CGF ADR* is held to be invalid, unenforceable, or illegal for any reason, these *CGF ADR* will remain otherwise in full force apart from such part, which will be deemed deleted insofar as it is invalid, unenforceable or illegal.

#### **ARTICLE 19      MATTERS NOT OTHERWISE PROVIDED FOR**

Where a matter arises that is not otherwise provided for in these *CGF ADR*, the relevant provisions from the *Code* and/or the *International Standards* will apply *mutatis mutandis*. In the absence of any such provisions, the *Person* called upon to resolve the matter may do so in such manner as they see fit, provided that such resolution does not materially undermine the reliability of proceedings under these *CGF ADR* or otherwise cause material injustice to the *Athlete* or other *Person* to whom these *CGF ADR* is being applied.

## APPENDIX 1 DEFINITIONS

*2022 Commonwealth Games:* As per Article 1.1, the XXII Commonwealth Games, to be staged in Birmingham in 2022.

*ADAMS:* The Anti-Doping Administration and Management System is a web-based database management tool for data entry, storage, sharing, and reporting that is 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 will 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 will not include actions involving *Prohibited Substances* that are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

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

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

*Anti-Doping Activities:* Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *TUE* applications, *Results Management*, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or on behalf of an *Anti-Doping Organization*, as set out in the *Code* and/or the *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 CGF, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

*Athlete:* Any *Person* who competes in sport at the international level (as defined by each International Federation), or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of “*Athlete*.” In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, the *Consequences* set out in the *Code* must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

*Athlete 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*.

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

*Attempt*: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there will 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*.

CAS: The Court of Arbitration for Sport.

CGF: The Commonwealth Games Federation.

CGF ADR: As per Article 1.1, the CGF Anti-Doping Rules for the 2022 *Commonwealth Games*.

*CGF Anti-Doping and Medical Commission*: A medical commission appointed in accordance with Regulation 7 of the CGF Constitution, which will (among other things) exercise the rights and discharge the responsibilities conferred on it by these CGF ADR.

*CGF TUE Committee*: A panel of at least three physicians appointed by the *CGF Anti-Doping and Medical Commission*, each with experience in the care and treatment of *Athletes* and sound knowledge of clinical, sports, and exercise medicine.

Code: The 2021 World Anti-Doping Code.

*Charter of Good Conduct*: The conduct regulations adopted by the CGF Executive Board for the Commonwealth Games

*Commonwealth Games Associations (Affiliated CGAs)*: Those sports bodies of Commonwealth Countries (including a Commonwealth Games Association, National Olympic Committee, or other multi-sports body formed by a Commonwealth Country) that become affiliated to the CGF in accordance with Articles and Byelaws, and/or who are company law members of the CGF (in the case of Unincorporated Affiliated CGAs, through their nominated representative).

*Competition*: A single race, match, game, or singular sport contest. For example, a basketball game or the finals of the 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* anti-doping rule violation 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; (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 Article 13. Teams in *Team Sports* may also be subject to *Consequences* as provided in 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.

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

*Delegated Third Party:* 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:* The occurrence of one or more of the anti-doping rule violations set out in Article 2.1 through Article 2.11.

*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 (without limitation) *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*).

*Education:* The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

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

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

*Financial Consequences:* See *Consequences of anti-doping rule violations* above.

*Games Period:* The period commencing on the date of the opening of the *Athletes' Village* for the 2022 *Commonwealth Games*, namely 19 July 2022, up until and including the day of the closing of the *Athletes' Village* for the 2022 *Commonwealth Games*, namely 10 August 2022.

*Games Venues:* Those venues so designated by the *CGF*, namely those venues for which it is necessary to have an accreditation, ticket or permission from the *CGF* and any other areas that are specifically designated as such by the *CGF*.

*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, that *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 will be followed by the CGF for that particular sport.

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

*Independent Panel*: A panel maintained by Sport Resolutions of lawyers, technical experts, medically qualified people, and/or other suitably qualified and experienced people selected by Sport Resolutions.

*Independent Tribunal*: An independent and impartial tribunal made up of three members of the *Independent Panel* chosen by the chairperson of the *Independent Panel* to hear and determine a matter arising under these *CGF ADR*.

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

*Ineligibility*: See *Consequences of anti-doping rule violations* above.

*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 Federation*: An international non-governmental organisation, recognised by the IOC, administering one or several sports at world level and encompassing organisations administering such sports at national level. An *International Federation* is responsible for managing and monitoring the various disciplines in its sport(s), including those disciplines on the programme for the *2022 Commonwealth Games*, and for organising *Competitions* staged as part of the *2022 Commonwealth Games*.

*International-Level Athlete*: *Athletes* 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*, as amended from time to time. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) will be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* will include any *Technical Documents* issued pursuant to the *International Standard*.

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

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

*Metabolite*: Any substance produced by a biotransformation process.

*Minimum Reporting Level*: The estimated concentration of a *Prohibited Substance* or its *Metabolite(s)* or *Marker(s)* in a *Sample* below which WADA-accredited laboratories should not report that *Sample* as an *Adverse Analytical Finding*.

*Minor*: A natural *Person* who has not reached the age of eighteen (18) 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 will be the country's *National Olympic Committee* or its designee.



*National Event*: An Event or Competition involving International- or National-Level Athletes that is not an International Event.

*National Federation*: A national or regional entity that is a member of or is recognised by an International Federation as the entity governing the International Federation's sport in that nation or region.

*National-Level Athlete*: Athletes who compete in sport at the national level, as defined by the National Anti-Doping Organization for the country in question, consistent with the International Standard for Testing and Investigations.

*National Olympic Committee*: The organisation recognised by the International Olympic Committee. The term National Olympic Committee will also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical National Olympic Committee responsibilities in the anti-doping area.

*No Fault or Negligence*: The Athlete or other Person's establishing that they did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that they had Used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an anti-doping rule. Except in the case of a Protected Person or Recreational Athlete, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered their system.

*No Significant Fault or Negligence*: The Athlete or other Person's establishing that any Fault or Negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation. Except in the case of a Protected Person or Recreational Athlete, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered their system.

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

*Participant*: Any Athlete or Athlete Support Person.

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

*Possession*: The actual, physical Possession, or the constructive Possession (which will be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession will 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 will be no anti-doping rule violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping 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 published by WADA identifying the Prohibited Substances and Prohibited Methods.

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

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

*Protected Person*: An Athlete or other natural Person who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; or (ii) has not reached the age of eighteen (18) years and is not included in any Registered Testing Pool and has never competed in any International Event in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national legislation.

*Provisional Hearing:* An expedited abbreviated hearing, occurring prior to a hearing under Article 8, 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/Public Disclosure:* See *Consequences of anti-doping rule violations* above.

*Recreational Athlete:* A natural *Person* who is so defined by the relevant *National Anti-Doping Organization*; provided, however, the term will not include any *Person* who, within the five (5) years prior to committing any anti-doping rule violation, has been an *International-Level Athlete* (as defined by each *International Federation* consistent with the *International Standard for Testing and Investigations*) or *National-Level Athlete* (as defined by each *National Anti-Doping Organization* consistent with the *International Standard for Testing and Investigations*), has represented any country in an *International Event* in an open category or has been included within any *Registered Testing Pool* or other whereabouts information pool maintained by any *International Federation* or *National Anti-Doping Organization*.

*Regional Anti-Doping Organization:* A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of *Samples*, the management of results, the review of *TUEs*, the conduct of hearings, and the conduct of *Educational* programs at a regional level.

*Registered Testing Pool:* 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 Article 5.5 of the *Code* and the *International Standard for Testing and Investigations*.

*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).

*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 of the *Code*.

*Specified Method:* See Article 3.2.2.

*Specified Substance:* See Article 3.2.2.

*Substance of Abuse:* See Article 3.2.3.

*Tampering:* Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* will 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*.

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

*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*.

*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 (or TUE)*: A *Therapeutic Use Exemption* or *TUE* allows an *Athlete* with a medical condition to *Use* a *Prohibited Substance* or *Prohibited Method* if the conditions set out in Article 4.2 of the *International Standard for Therapeutic Use Exemptions* are met.

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

*TUE*: See *Therapeutic Use Exemption*.

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

*WADA*: The World Anti-Doping Agency.

## APPENDIX 2: TESTING PROTOCOLS SPECIFIC TO THE 2022 COMMONWEALTH GAMES

The following protocols are designed to supplement the International Standard for Testing and Investigations (ISTI) as necessary to reflect the specificities of the *2022 Commonwealth Games*. They are not intended to amend or contradict the International Standard for Testing and Investigations. In the event of any conflict between these protocols and the International Standard for Testing and Investigations, the latter will prevail.

### 1. Validation of Athlete identity

- 1.1. Sample collection personnel will usually validate the identity of any Athlete selected to provide a Sample using the Athlete's accreditation card (and if the accreditation card is not available, using Government-issued identification to the satisfaction of the Doping Control Officer).

### 2. Notification

- 2.1. No advanced notice testing will be the standard method of sample collection. The *Athlete* will be the first person notified that they have been selected for sample collection unless prior contact with a third party is required (for example if the Athlete is a minor or an interpreter is required).
- 2.2. Where an *Athlete* has been injured prior to or after notification and is no longer fit to provide a sample, the sample collection session may not be able to continue. If the *Athlete* has not yet been notified, the Doping Control Officer will seek a report from a suitably qualified and (where possible) independent doctor and report to the CGF Anti-Doping and Medical Commission who will decide if the athlete is medically unfit and unable to continue and if another athlete will be selected for testing. If the *Athlete* has already been notified, the Chaperone will stay with the *Athlete* until the CGF Anti-Doping and Medical Commission determines that the *Athlete* is medically unfit and cannot complete sample collection. At this stage the Failure to Comply process will be followed, with a report from a suitably qualified and (where possible) independent doctor obtained, and all the information submitted to the CGF Anti-Doping and Medical Commission. If it is not possible to complete the Failure to Comply process with the *Athlete*, it will be explained to a representative or the doctor who has signed the *Athlete* off as medically unfit.

### 3. Delayed reporting to the Doping Control station

- 3.1. The Chaperone and/or Doping Control Officer may consider any reasonable third-party requirement or any request by the *Athlete* for permission to delay reporting to the Doping Control Station following the acknowledgement and acceptance of notification, and/or to leave the Doping Control Station temporarily after arrival. In the absence of any such request or if not approved, the *Athlete* will be required to report to the Doping Control Station immediately.
- 3.2. The Chaperone and/or Doping Control Officer will grant such permission if the *Athlete* can be continuously chaperoned and observed during the delay and if the request relates to the following activities:

For In-Competition Testing:

- a) Participation in a victory ceremony;
- b) Fulfilment of media commitments;
- c) Competing in further *Competitions*;
- d) Performing a warm down;
- e) Obtaining necessary medical treatment;
- f) Locating a representative and/or interpreter;
- g) Obtaining photo identification; or
- h) Any other reasonable circumstances, as determined by the Doping Control Officer, which must be documented.

For Out-of-Competition Testing:

- a) Locating a representative;
- b) Completing a training session;
- c) Receiving necessary medical treatment;
- d) Obtaining photo identification; or
- e) Any other reasonable circumstances, as determined by the Doping Control Officer, which must be documented.

- 3.3. A request for delay from an *Athlete* will be rejected if it will not be possible for the *Athlete* to be continuously chaperoned.
- 3.4. The Chaperone and/or the Doping Control Officer will document any reasons for an *Athlete's* delay in reporting to the Doping Control Station and/or for leaving the Doping Control Station that may require further investigation. Any failure of the *Athlete* to remain under constant observation will also be recorded and investigated.
- 3.5. Where an *Athlete* has been selected for a blood test and as part of their training and recovery they wish to use an ice bath, they will be advised of the possible difficulties this may cause when attempting to collect the sample (e.g. delay in locating a suitable vein). As long as chaperoning is possible, however, *Athletes* will not be prevented from using an ice bath.

#### **4. Sample collection session**

- 4.1. In addition to the *Athlete*, the persons authorised to be present during a *Sample* collection session are: (a) the Doping Control Officer (**DCO**) and their assistant(s) and any other Sample Collection Personnel (as that term is defined in the ISTI), (b) the persons identified at ISTI Article 6.3.3, and (c) a *CGF* representative and/or their designee(s).
- 4.2. No photography or audio or video recording of the *Sample* collection session is permitted. Instead, the Doping Control Form will be the definitive record of the *Sample* collection session, and any comments regarding the *Sample* collection session must be recorded on the Doping Control Form. An *Athlete* may not make their participation in a *Sample* collection session conditional upon being permitted to photograph or record the session. Where an *Athlete* or other *Person* insists on photographing or recording the session in violation of this provision, then (subject to the review in accordance with *CGF ADR* Article 7.2) a case may be brought against the *Athlete* or other *Person* for breach of the *CGF's Charter of Good Conduct*. Where the conduct of the *Athlete* or other *Person* results in the *Sample* collection session being discontinued, then (subject to the review in accordance with *CGF ADR* Article 7.2) a case may be brought against the *Athlete* and/or other *Person* (on its own or in the alternative) for an *Anti-Doping Rule Violation* under *CGF ADR* Article 2.3 and/or *CGF ADR* Article 2.5. For the avoidance of doubt, any conduct by an *Athlete Support Person* or other member of the *Athlete's* entourage in relation to a *Sample* collection session may in appropriate circumstances be imputed to the *Athlete* for these purposes.
- 4.3. If a *Sample* collection session cannot be completed at the location where it was started (for example, due to the venue closing), the process may be relocated to another suitable location (such as the *Athletes' Village*) for completion. This is at the discretion of the Doping Control Station Manager following agreement from the *CGF* Anti-Doping and Medical Commission and/or UKAD or other Delegated Third Party acting as *Sample* Collection Authority, but is only permitted where chaperoning and secure transport of any partial samples is possible.
- 4.4. Where an *Athlete* needs additional equipment to provide a sample (in line with Annex B of the ISTI), such as a catheter, they should ensure they have that equipment with them upon arrival at the Doping Control Station. The *Sample* Collection Authority will not have this equipment available. It will be at the discretion of the Doping Control Officer as to what equipment is used, to ensure there is no possibility of tampering.

## **5. Storage of *Samples* and *Sample* collection documentation**

### 5.1. Storage of *Samples* (ISTI Article 8.3.1):

5.1.1. The Doping Control Station Manager and/or the DCO is responsible for ensuring that all *Samples* are stored in a manner that protects their identity, integrity, and security.

5.1.2. The Doping Control Station Manager and/or the DCO must keep the *Samples* secured and under their control until the *Samples* are passed to a third party (e.g., the laboratory, or a courier to take them to the laboratory). *Samples* collected at an *Event* must not be left unattended, unless they are locked away in a refrigerator or cupboard or in a secure area only accessible to authorised personnel. In the absence of a secure area where the *Samples* may be left, the Doping Control Station Manager and/or the DCO must keep the *Samples* under their control. Access to *Samples* must be restricted at all times to authorised personnel.

5.1.3. Where possible, *Samples* will be stored in a cool environment. Warm conditions should be avoided.

### 5.2. Secure handling of *Sample* collection documentation (ISTI Article 8.3.2):

5.3. The Doping Control Station Manager and/or the DCO is responsible for ensuring that the *Sample* collection documentation for each *Sample* is securely handled after completion.

5.4. Those parts of the *Sample* collection documentation that identify the Athlete or could be used to identify the Athlete that provided a particular *Sample* must be kept separately from the *Samples* themselves. Where a separate secure storage site is available at the collection site (lockable and/or accessible only by authorised personnel), the documentation may be stored there. Otherwise, it will be kept by the DCO and taken away from the site overnight.

5.5. Following completion of the paperwork and the *Sample* collection session, the remaining *Sample* code stickers will be returned to the Doping Control Station Manager, who will use some of those remaining for the Chain of Custody. Any spare stickers will then be destroyed.

## **6. Lack of *Sample* with a suitable specific gravity for analysis**

6.1. If a *Sample* collected from an *Athlete* does not have a Suitable Specific Gravity for Analysis (as defined in the International Standard for Testing and Investigations), the DCO will inform the *Athlete* that they are required to provide a further *Sample* or *Samples*, until a *Sample* that has a Suitable Specific Gravity for Analysis is provided. (See ISTI Annex F). To facilitate this, the *Athlete* should fully void their bladder when providing a *Sample*, and should wait for at least half an hour after the previous *Sample* was collected before trying to provide a further *Sample*. In the meantime, the *Athlete* shall be advised not hydrate (i.e., intake liquid) (unless necessary to avoid or treat dehydration) as this may delay production of a suitable *Sample*.

6.2. The DCO shall continue to collect additional *Samples* until the requirement for suitable specific gravity is met, or if it determined that there are exceptional circumstances that make it impossible to continue with *Sample* collection. The decision whether and when exceptional circumstances exist that mean a *Sample* collection session should be abandoned without collecting a *Sample* with a suitable specific gravity for analysis will be taken by the Doping Control Station Manager and/or the DCO alone, following consultation with the CGF Anti-Doping and Medical Commission. For example, if it is very late at night and the athlete has competition the next morning. Neither the *Athlete* nor any representative of the *Athlete*) may make that decision.