



Australian Government
Sport Integrity Australia



SPORT INTEGRITY
AUSTRALIA

Australian National Anti-Doping Policy

Changes made to the Anti-Doping Policy to reflect the
2021 World Anti-Doping Code

Contents

KEY CHANGES	4
Public Disclosure—Article 14.3.1	4
Non-participant—new Definition	4
Recreational Athlete—Article 1.3.1.5	4
Discretion for ADRV’s—Article 7.9 and Definition ‘Lower-Level Athletes’	4
Results Management—Article 7	5
Substance of Abuse—Article 10.2.4	5
National Testing Pool (NTP)—Article 5.5 and Definitions ‘National Testing Pool’	5
New ADRV—Providing Protection for Individuals Reporting Violations - Article 2.11 and other relevant Article 10.3.6	6
Other Changes	6
Athlete Categorisation	7
Protected Persons - Article 10.6.1.3 and Definition ‘Protected Person’	7
Definition of ‘In-Competition’	8
Procedures Related to Split Samples - Article 6.7	8
Samples Used for Other Purposes – Footnote 30	8
Research - Articles 6.2 and 6.3	8
Further Analysis of Samples - Articles 6.5 and 6.6	8
WADA's Right to Take Possession of Samples and Data - Articles 6.8	9
Changes to existing violations	9
WADA's Right to Require an Anti-Doping Organization to Conduct Results Management - Article 7.1.5	10
Definition of Intentional - Article 10.2.3	10
Delays not Attributable to the Athlete or Other Person - Article 10.13.1	10
Specified Methods- Article 10.6.1.1 and 4.2.2 other relevant Articles 10.2.1, 7.4.1, 7.4.2 and 4.3 and Definition ‘Specified Method’	10
Expansion of the Types of Cooperation which Justify a Reduced Sanction for Substantial Assistance - Article 10.7.1.1	10
Improvements to the Multiple Violations Rules - Article 10.9	10
Burden Shifting - Article 3.2.3	11
Breaching a Provisional Suspension - Article 10.14.3	11
Aggravating Circumstances - Definitions and referenced in Article 10.4 and other Articles 10.2.1, 10.9.3.1 and Definitions ‘Aggravating Circumstances’	12
Re-allocating forfeited prize money - Article 10.11	12

Prohibited Association warning - Article 2.10	12
More rigorous standards to ensure Fair Hearings - Article 8	12
Implementation of Decisions (Formerly Mutual Recognition) - Article 15	12
Education - Article 17 and the other relevant Articles 10.16, 12.2.4, 18.9 and Definition for 'Education'	13

KEY CHANGES

Public Disclosure—Article 14.3.1

- Sport Integrity Australia may publish certain details of a possible ADRV following initial notification to the athlete, athlete support person or non-participant and simultaneously to the relevant sporting bodies. These details include:
 - the Athlete or Other Person's Identity
 - the Prohibited Substance or Prohibited Method
 - the nature of the Violation
 - whether the Athlete or Other Person has been Provisionally Suspended
- A NSO may only publish this information if agreed by Sport Integrity Australia.
- Public disclosure is **not** required when the violation has been committed by a minor or Protected Person.
 - The World Anti-Doping Agency can also agree to not publicly disclose an anti-doping rule violation in exchange for a sanctioned person's substantial assistance.
- No later than 20 days after a matter has been finally resolved, Sport Integrity Australia must make the case public unless there are exceptional circumstances.

Non-participant—new Definition

- A new category of individuals, who are not athletes nor support persons and who are now subject to the ADRVs of; Tampering; Trafficking; Administration; Complicity; Prohibited Association and Retaliation under the Code. These persons are not subject to any testing related ADRVs or possession.
- Non-participants include; board members, directors, officers, and specified employees of the Sport and any member or affiliate organisation.
- Non-participants can be subject to an anti-doping investigation, which means Sport Integrity Australia can use its powers to gather information from a Non-participant in relation to a potential violation
- Sport Integrity Australia have advised that Sports should seek legal advice to determine if and how they can bind these individuals to their Australian National Anti-Doping Policy through their employment agreement.
- It is important to note that although 'recreational athletes' do not fall within the scope of the definition of 'athlete' under the NAD scheme, they are non-participants if they are a member of a sport.

Recreational Athlete—Article 1.3.1.5

- The new definition of Recreational Athlete is included in the Policy to capture athletes who participant only in recreational activities and who have not been in a testing pool or a national or international level athlete for the previous 5 years. A recreational athlete and a protected person under the revised Code benefit from the same flexibility in sanctioning.
 - i.e. in Article 10.3.1 Ineligibility for Other Anti-Doping Rule Violations
 - (iii) in a case involving a Protected Person or Recreational Athlete, the period of Ineligibility shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of Ineligibility, depending on the Protected Person or Recreational Athlete's degree of Fault.
- As noted above, as these persons do not compete, they do not fall within the definition of an athlete in the NAD scheme. However, as they are a member of a sport they may be a non-participant under the NAD scheme.

Discretion for ADRV's—Article 7.9 and Definition 'Lower-Level Athletes'

- Lower-level athletes are persons who compete in sport but who are not international nor national-level athletes.
- Depending on the circumstances, the CEO may exercise a discretion to refer any possible non-testing related ADRV to the sport to deal with under its disciplinary rules, or if the CEO determines

that further action is warranted and manages the results under the NAD scheme, the CEO may apply a flexible sanction to an athlete falling within this category.

- A flexible sanctioning regime for lower-level athletes was introduced in the 10 August 2020 revised ADP and since then no further changes have been made.

Results Management—Article 7

- Management of all results will defer to the process outlined in the new International Standard for Results Management (ISRM). The main steps include determination and notification of:
 - a possible ADRV following review by the CEO, and
 - an assertion of an ADRV if the CEO is satisfied of an anti-doping rule violation.
- If the CEO asserts an ADRV the CEO will issue the Letter of Charge (currently the Infraction Notice) in accordance with Article 7 of the ISRM. The Letter of Charge will include the Consequences of the ADRV and the timeframes for seeking a hearing.

Other Applicable Information:

- The relevant Articles from the 2015 CODE have been removed from the 2021 CODE and expanded in the ISRM.
- The ISRM outlines the requirements an anti-doping organisation must undertake when managing possible anti-doping rule violations including any review and/or investigation undertaken as part of the pre-adjudication phase, and the two stage notification process (initial notification and notification of charge). It also deals with the fair and impartial conduct of any hearings and appeals.
- The stated in the Review of Australia's Sport Integrity Arrangement (Wood Review), stakeholders find Australia's anti-doping rule violation (ADRV) results management process overly bureaucratic with too many procedural steps. Article 7 refers more often to the ISRM with regards to the steps taken through the Results Management process.
- Article 7.5.1 has been added to the Code (and the ANADP) make clear that ADOs must not limit their decisions to a particular geographic area or sport and must be consistent with the NAD scheme. Currently, some ADOs limit their decisions so that other organisations must initiate their own proceedings to declare a person ineligible to participate in their events. This Article, together with new Article 15, gives the imposition of consequences by a Signatory worldwide effect in all sports without further action.

Substance of Abuse—Article 10.2.4

- The revised Code will define substances that are abused in society outside of sport, such as Cocaine, Heroin, MDMA, and Cannabis as a Substance of Abuse on the Prohibited List.
- Where an athlete can establish a detected Substance of Abuse was taken out-of-competition and was not related to sport performance, the athlete qualifies for a three (3) month period of ineligibility.
 - The athlete may have the 3 month sanction reduced to one month if the athlete is seen by a medical practitioner and satisfactorily completes a Sport Integrity Australia Substance of Abuse education program, at the cost of the athlete.

National Testing Pool (NTP)—Article 5.5 and Definitions 'National Testing Pool'

- The revised Code and ISTI provide for a testing pool sitting between the RTP and DTP. This new National Testing Pool (NTP) will include athletes who are required to provide limited whereabouts information such as an overnight address and regular training activities. A failure to comply will not result in an ADRV but may instead lead to a warning or elevation to the RTP.
- Like RTP athletes, Athletes who retired while on the NTP need to be available for Testing, by giving six (6) months prior written notice to Sport Integrity Australia before returning to compete in International and National Level Events.

	ADAMS entry	60-minute testing window	Overnight address	Regular training activities	Contact details (residential address)	Consequences can lead to a violation
Registered Testing Pool	√	√	√	√	√	√
National Testing Pool	√		√	√	√	
Domestic Testing Pool					√	

New ADRV—Providing Protection for Individuals Reporting Violations - Article 2.11 and other relevant Article 10.3.6

- The revised Code introduces a new ADRV which seeks to address:
 - any act that threatens or seeks to intimidate a person with the intent of discouraging the person from reporting to authorities a possible anti-doping rule violation
 - any act of retaliation against a person who has provided evidence or information to authorities in relation to an alleged breach or possible anti-doping rule violation
- The range of sanction for these violations is two years to lifetime ineligibility depending on the seriousness of the violation. (Article 10.3.6).

Other Changes

- Athlete Categorisation
- Protected Persons
 - Article 10.6.1.3 and Definition 'Protected Person'
- Definition of 'In-Competition'
 - Definitions 'In-Competition'
- Procedures Related to Split Samples
 - Article 6.7
- Samples Used for Other Purposes
- Research
 - Articles 6.2 and 6.3
- Further Analysis of Samples
 - Articles 6.5 and 6.6
- WADA's Right to Take Possession of Samples and Data
 - Articles 6.8
- Tampering
 - Article 2.5 and Definition 'Tampering'
- Complicity and Attempted Complicity
 - Article 2.9 and 10.3.4 other relevant Article 10.4
- Refusal to submit
 - Article 2.9 and other relevant Article 10.3.1
- Reducing a sanction for prompt admission to a violation
 - Article 10.8.1
- Entering into a Case Resolution Agreement
 - Article 10.8.2
- WADA's Right to Require an Anti-Doping Organization to Conduct Results Management
 - Article 7.1.5
- Definition of 'Intentional'

- Article 10.2.3
- Delays not Attributable to the Athlete or Other Person
 - Article 10.13.1
- Specified Methods
 - Article 10.6.1.1 and 4.2.2 other relevant Articles 10.2.1, 7.4.1, 7.4.2 and 4.3 and Definition 'Specified Method'
- Expansion of the Types of Cooperation which Justify a Reduced Sanction for Substantial Assistance
 - Article 10.7.1.1
- Improvements to the Multiple Violations Rules
 - Article 10.9
- Burden Shifting
 - Article 3.2.3
- Breaching a Provisional Suspension
 - Article 10.14.3
- Aggravating Circumstances
 - Definitions and referenced in Article 10.4 and other Articles 10.2.1, 10.9.3.1 and Definitions 'Aggravating Circumstances'
- Re-allocating forfeited prize money
 - Article 10.11
- Prohibited Association warning
 - Article 2.10
- More rigorous standards to ensure Fair Hearings
 - Article 8
- Implementation of Decisions (Formerly Mutual Recognition)
 - Article 15
- Education
 - Article 17 and the other relevant Articles 10.16, 12.2.4, 18.9 and Definition for 'Education'
 - Article 3.2.3
- Breaching a Provisional Suspension
 - Article 10.14.3
- Aggravating Circumstances
 - Definitions and referenced in Article 10.4 and other Articles 10.2.1, 10.9.3.1 and Definitions 'Aggravating Circumstances'
- Re-allocating forfeited prize money
 - Article 10.11
- Prohibited Association warning
 - Article 2.10
- More rigorous standards to ensure Fair Hearings
 - Article 8
- Implementation of Decisions (Formerly Mutual Recognition)
 - Article 15
- Education
 - Article 17 and the other relevant Articles 10.16, 12.2.4, 18.9 and Definition for 'Education'

Athlete Categorisation

A subtle change to how Athletes are categorised under the new Code. Sport Integrity Australia categorise athletes depending on their level of competition:

- International-Level
- National-Level
- Lower-Level
- Protected and Recreational

As noted above Recreational Athletes are defined in the ANADP but do not fall within the scope of 'athlete' under the NAD Scheme.

Protected Persons - Article 10.6.1.3 and Definition 'Protected Person'

Protected Person is a new definition of athlete who is:

- under 16;

- under 18 and not in any Registered Testing Pool or that has never competed in an open category at an International Event; or
- for reasons other than age, otherwise lacks legal capacity under applicable domestic legislation.

Under the 2021 Code, Protected Persons that commit an anti-doping rule violation may receive less severe consequences or sanctions, and the details of their violation(s) will ordinarily not be made public.

For cases involving a Protected Person or a Recreational Athlete, the ban from sport can range from a reprimand to a maximum ban of two-years, depending on the level of fault and the type of violation.

Definition of 'In-Competition'

The 'In-Competition' period will begin at 11:59 pm the night before an athlete is scheduled to compete and finishes at the end of the sample collection period for that competition.

International Federations may apply to WADA for permission to change their 'In-Competition' period if they have compelling justification. Athletes should check with their International Federation to ensure that their 'In-Competition' period aligns with the 2021 Code.

This change is important for athletes to know as some prohibited substances are banned in competition only, while some are banned both in and out of competition.

Procedures Related to Split Samples - Article 6.7

Article 2.1.2 and 6.7 of the Code were revised together with the revised International Standard for Laboratories (ISL), to permit a single A Sample or B Sample to be split and used for both initial analysis and both parts of the confirmation analysis. Where only a single bottle is to be used for analysis, the laboratory and ADO with results management responsibility must attempt to notify the athlete of the opportunity to observe the bottle opening. Much of the detail applicable to split samples has been moved to the ISL.

Samples Used for Other Purposes – Footnote 30

Samples collected for anti-doping purposes can also be used to enforce other rules of an International Federation or National Anti-Doping Organisation, such as Code of Conduct, Illicit Drugs or Medical and Safety policies.

Example: A sample that is initially collected for anti-doping purposes could also be used by an International Federation to test for illicit drugs in the enforcement of their other codes and policies.

However, athletes must be told if their sample is being used for purposes other than detecting prohibited substances under the anti-doping rules.

Research - Articles 6.2 and 6.3

Article 6.2 and 6.3 has been expanded to ensure that any research involving Samples and related Analytical Data or Doping Control information shall adhere to the principles set out in Article 19 of the Code.

Under the Code the type of information that can be used for research with the consent of the athlete i.e. both samples and anti-doping information (Analytical Data) can be used for research to help improve anti-doping methods.

Further Analysis of Samples - Articles 6.5 and 6.6

The Article addressing further analysis of samples has been broken into two parts: AAF, there is no limitation on repeated analysis of the sample. After the athlete has been notified of an AAF, additional analysis may take place only with the consent of the athlete or the hearing body in the case. The rationale for this is that once an athlete has been notified of an AAF, he or she should not be forced to react to a moving target in terms of the sample analysis during the course of the hearing process. If further analysis is appropriate, then that may be directed by the hearing body.

Article 6.6 - When a sample has been declared negative, there is no limitation imposed on either the ADO that initiated and directed sample collection or WADA conducting further analysis (retesting) on the sample. Other ADOs with authority over the athlete wishing to conduct further analysis on a sample must get permission to do so from either the ADO that initiated and directed the collection of the sample or WADA.

WADA's Right to Take Possession of Samples and Data - Articles 6.8

This Article reaffirms WADA's right to take immediate physical possession of samples and anti-doping data. However, under the NAD scheme, Sport Integrity Australia retains ownership.

Changes to existing violations

(i) Tampering - Article 2.5 and Definition 'Tampering'

This violation has been amended to include a reference to tampering during the Results Management process.

Example: Giving a false statement, evidence or documents.

(ii) Complicity and Attempted Complicity - Article 2.9 and 10.3.4 other relevant Article 10.4

The sanction for this violation now ranges from a two-year ban to a lifetime ban.

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation or attempted anti-doping rule violation by another person.

(iii) Refusal to submit - Article 2.9 and other relevant Article 10.3.1

- The sanction for this violation can now be reduced from a four-year to a two year ban if the athlete can prove that the violation was not intentional and if the level of fault by the athlete warrants a reduction.

(i) Reducing a sanction for prompt admission to a violation - Article 10.8.1

An athlete or other person facing a four-year ban can have their sanction reduced by one year if they admit to the violation and accept the sanction within 20 days of the violation notice.

(ii) Entering into a Case Resolution Agreement - Article 10.8.2

A Case Resolution Agreement is an agreement between the athlete or other person and Sport Integrity Australia where the individual admits to a violation and agrees to the consequences.

A sanction for an athlete or other person under a Case Resolution Agreement may be reduced on the basis of:

- the seriousness of the violation;
- the athlete or other person's degree of fault; and
- how promptly the athlete or other person admits to the violation.

The final sanction in the agreement must be equal or more than half the original proposed sanction under the Code (i.e. if it's a 4 year sanction under the Code, the Case Resolution Agreement reduced sanction cannot be less than 2 years)

Case Resolution Agreements cannot be appealed.

An athlete or other person who is considering entering into a Case Resolution Agreement is entitled to discuss making an admission under a 'Without Prejudice Agreement'. This means that if agreement cannot be reached between the athlete and the Anti-Doping Organisation, the information gathered during the case resolution discussions cannot be used against the athlete or other person by the Anti-Doping Organisation in any Results Management proceedings under the Code.

WADA's Right to Require an Anti-Doping Organization to Conduct Results Management - Article 7.1.5

It has occasionally been the case that the ADO with Results Management Authority (RMA) has refused to conduct results management. It therefore becomes necessary that some ADO conduct results management in the individual case to determine whether or not an ADRV was committed.

Article 7.1.5 makes clear that WADA may demand that the Sport Integrity Australia (with RMA) conduct results management and, if the Sport Integrity Australia refuses, WADA may designate another ADO with authority over the athlete to conduct the results management with its costs and attorney's fees reimbursed by the refusing Sport Integrity Australia. If Sport Integrity Australia refuse to conduct results management, then it shall also be considered an act of non-compliance.

Definition of Intentional - Article 10.2.3

A new comment to Article 10.2.3 which is consistent with existing Court of Arbitration for Sport (CAS) decisions, provides that, unless otherwise specified in the Code, "Intentional" means that the person intended to commit the act which forms the basis of an ADRV regardless of whether the person knew that such act constituted a violation of the Code.

Delays not Attributable to the Athlete or Other Person - Article 10.13.1

Article 10.13.1 now makes clear that the burden of establishing that delays are not attributable to the athlete or other person is on the athlete or other person, and a comment has been added noting that in cases involving lengthy investigations, particularly where the athlete or other person has taken affirmative action to avoid detection, the flexibility provided in this article should not be used.

Specified Methods- Article 10.6.1.1 and 4.2.2 other relevant Articles 10.2.1, 7.4.1, 7.4.2 and 4.3 and Definition 'Specified Method'

The Code provides potentially different sanction schemes for non-specified substances and specified substances. Currently, all methods are non-specified. This change allows the List Expert Group, with subsequent approval from the ExCo, the flexibility to identify certain new or existing prohibited methods as "Specified."

Expansion of the Types of Cooperation which Justify a Reduced Sanction for Substantial Assistance - Article 10.7.1.1

Under the 2015 Code, an athlete or other person who provides Substantial Assistance to Sport Integrity Australia, criminal authority, or a professional disciplinary body, in relation to ADRVs may receive a suspension of part of the otherwise applicable sanction. In the 2021 Code, Substantial Assistance credit may also be given for assistance provided in relation to establishing non-compliance with the Code and International Standards and other types of sport integrity violations.

Article 10.7 has been modified to provide that avoiding mandatory public disclosure in exchange for Substantial Assistance may be done with WADA's agreement

Improvements to the Multiple Violations Rules - Article 10.9

Currently under the 2015 Code, an athlete cannot be charged with a second ADRV until he or she has been previously notified of a first violation.

Therefore, if Sport Integrity Australia discovers an earlier ADRV which occurred before notice of a first violation, the approach under the current Code has been to go back and consider the two violations together as a first violation for purposes of imposing the longer of the two sanctions.

For the 2021 revision, the change to 10.9 means if Sport Integrity Australia can establish that a prior undiscovered violation occurred more than 12 months before the first sanctioned violation, then the later-discovered violation shall be punished as a first violation and run separately following the period of ineligibility

for the previously discovered violation. This preserves the principle that a person does not get a "second strike" until he or she has been notified of the first strike, but yet maintains additional consequences for separate violations. i.e. the athlete can be sanctioned for the later-discovered violation as a stand-alone violation but it would not count as a second violation going forward. (Article 10.9.3.2) Second, if a person commits a second anti-doping rule violation during a period of ineligibility, the period of ineligibility for the second violation is served consecutively after the period of the first violation (Article 10.9.3.4).

Article 10.9.1, the formula for calculating the period of ineligibility for a second ADRV has been modified to make the result more proportionate and not so dependent on the order in which the two violations occurred. Under the 2015 Code, as a first example, an athlete with a 3-month period of ineligibility for a first violation and what would otherwise be a 4-year period of ineligibility for a second violation would receive a second violation sanction of 8 years (twice the normal sanction for the second violation). By contrast, as a second example, if the violations occurred in the opposite order and the athlete had received a 4-year period of ineligibility for the first violation and the otherwise applicable period of ineligibility for the second violation would be 3 months, under the 2015 formula, the athlete would only receive a sanction of 2 years (the greater of twice the second violation of half the first violation).

The new Article 10.9.1.1 provides for a period of ineligibility for a second violation in a range between (1) the sum of the period of ineligibility for the first violation plus the otherwise applicable period for the second violation (in the above example, 4 years and 3 months) and (2) twice the period of ineligibility applicable to the second violation treated as if it were a first violation. In the first example described above, the ineligibility of the range would be 4 years and 3 months to 8 years. In the second example, the ineligibility range would be 4 years and 3 months to 6 months. The opportunity to impose ineligibility for a second violation within a range permits a more proportionated response for a second violation.

Burden Shifting - Article 3.2.3

Modifications to the CODE make clear that departures from the International Standard for Testing and Investigations (ISTI) involving sample collection or sample handling, or the International Standard for Results Management (ISRM) involving Adverse Passport Findings (APF) or whereabouts failures or notice to the athlete of the opening of the B Sample, which could reasonably have caused an ADRV, shift the burden to the ADO to establish that the departure did not cause the ADRV. A comment to Article 3.2.3 makes clear that an ADO can satisfy its burden of establishing that the failure to give notice of the B Sample opening did not cause the AAF, by having an independent observer witness the B Sample opening. Other violations of anti-doping rules or policies (such as a violation of the International Standard for Education) may raise compliance issues for an ADO but may not be used as a defence to an ADRV

Breaching a Provisional Suspension - Article 10.14.3

A provisional suspension requires an athlete to stop training, participating and competing in sport or any sport related activity until the athlete's case has been determined by the relevant Anti-Doping organisation.

Athletes that have been provisionally suspended by their sport are not able to participate in **any other sports** with an anti-doping policy during this time. Participation would include, for example, practicing/training at a national, state or club level; acting as a coach or sporting official; selection in any representative team; competing in any competition/events; receiving, directly or indirectly, funding or assistance from a sport; use of official sport or member facilities; or holding any position within a sporting organisation.

Any results earned whilst an athlete is provisionally suspended will be disqualified.

The Code change also makes clear that if an athlete breaches their provisional suspension, they are not eligible for credit towards their final sanction for the time that they were provisionally suspended.

Example: An athlete receives a provisional suspension when notified of a positive anti-doping test. The athlete has been provisionally suspended for 3 months and then decides to compete in a sporting event to see how fit they are, thereby breaching their provisional suspension. When the final decision is handed down, the athlete's sanction commences from the date of the decision, rather than from the date the athlete was provisionally suspended.

Aggravating Circumstances - Definitions and referenced in Article 10.4 and other Articles 10.2.1, 10.9.3.1 and Definitions 'Aggravating Circumstances'

If there are Aggravating Circumstances in an athlete's case, then this may justify a longer ban from sport than a standard sanction (for example, a ban can be increased by up to two years, depending on the seriousness of the violation). Such Aggravating Circumstances could include:

- using or possessing multiple prohibited substances or methods;
- committing multiple anti-doping rule violations; and
- repeat offending.

Re-allocating forfeited prize money - Article 10.11

Where an athlete wins prize money in a competition and is later found to have committed an anti-doping rule violation, the sport will be responsible for reallocating any recovered prize money to the athletes who would have been entitled to it, had the sanctioned athlete not competed.

Prohibited Association warning - Article 2.10

Previously, an Anti-Doping Organisation was required to advise an athlete in writing of an athlete support person's disqualification from sport and the potential consequence should the athlete continue to associate with them.

However, an Anti-Doping Organisation is no longer required to do this and is entitled to pursue a violation against an athlete for Prohibited Association while the burden will be on the athlete to establish that their association with the disqualified person was not in a sporting capacity, or that the contact could not have been reasonably avoided.

Example: If an athlete associates with a coach or a doctor that has been banned from sport for an anti-doping rule violation then the athlete may receive a sanction for Prohibited Association, unless the athlete can prove that their contact with the disqualified person was not sport-related or could not be avoided.

More rigorous standards to ensure Fair Hearings - Article 8

This change to the Code strengthens the operational independence of a hearing panel by making it clear that those deciding anti-doping rule violation cases are not to have been involved in the investigation of the case or the decision to charge the athlete or other person.

In Australia, the hearings and appeals available to athletes and other persons for Anti-Doping matters is set out below:

Initial hearing for all athletes: National Sports Tribunal or Sport's own Tribunal

Appeals:

- International Level Athletes – Court of Arbitration for Sport
- Everyone else:
 - o Appeals Division of the National Sports Tribunal; then
 - o Court of Arbitration for Sport.

Implementation of Decisions (Formerly Mutual Recognition) - Article 15

Two concerns with the current Code are addressed in the revisions to this Article. First, there has been some contention that when a Signatory recognises the decision of another Signatory, that recognition decision is itself subject to appeal by the athlete or other person (as opposed to an appeal of the underlying decision). That was never the intent of the Code. As revised, Article 15 provides that with the exception of decisions by MEOs, where there is no opportunity for appeal outside of the fast track of the event structure, all the results management decisions of Signatory ADOs are automatically recognized worldwide in all sports. Because the implementation of the original RMA's decision is automatic, and therefore other ADOs make no separate implementation decision, only the original RMA has liability if its decision was wrongly taken.

The second issue with current Article 15 is the fact that mutual recognition of provisional suspension decisions is not discussed. As revised, the Article provides that all provisional suspensions are automatically binding on other Signatories

Education - Article 17 and the other relevant Articles 10.16, 12.2.4, 18.9 and Definition for 'Education'

The revised Code introduces a new International Standard for Education (also known as the ISE).

This standard aims to harmonise education standards across the world—the main principle being that an athlete's first experience with anti-doping should be through Education, and not through Testing.

The key changes for sports are that:

- Every sport with an Anti-Doping Policy must establish an Education Pool
- Every sport with an Anti-Doping Policy must have an Education Plan approved by Sport Integrity Australia.