

**PART 14  
ANTI-DOPING RULES  
("UCI ADR")**

**Version of 20 February 2023**

# UCI CYCLING REGULATIONS

INTRODUCTION .....	6
A. Preface .....	6
B. Fundamental Rationale for the Code and these Anti-Doping Rules.....	6
C. Scope of these Anti-Doping Rules.....	7
D. <i>International Level Riders</i> .....	8
E. Documents Adopted by the UCI in Connection with these Anti-Doping Rules.....	8
Article 1 DEFINITION OF DOPING.....	9
Article 2 ANTI-DOPING RULE VIOLATIONS .....	9
2.1 Presence of a <i>Prohibited Substance</i> or its <i>Metabolites</i> or <i>Markers</i> in a <i>Rider's Sample</i> .....	9
2.2 <i>Use</i> or <i>Attempted Use</i> by a <i>Rider</i> of a <i>Prohibited Substance</i> or a <i>Prohibited Method</i> .....	9
2.3 Evading, Refusing or Failing to Submit to <i>Sample Collection</i> by a <i>Rider</i> .....	10
2.4 Whereabouts Failures by a <i>Rider</i> .....	10
2.5 <i>Tampering</i> or <i>Attempted Tampering</i> with any part of <i>Doping Control</i> by a <i>Rider</i> or <i>Other Person</i> .....	10
2.6 <i>Possession</i> of a <i>Prohibited Substance</i> or a <i>Prohibited Method</i> by a <i>Rider</i> or <i>Rider Support Person</i> .....	10
2.7 <i>Trafficking</i> or <i>Attempted Trafficking</i> in any <i>Prohibited Substance</i> or <i>Prohibited Method</i> by a <i>Rider</i> or <i>Other Person</i> .	11
2.8 <i>Administration</i> or <i>Attempted Administration</i> by a <i>Rider</i> or <i>Other Person</i> to any <i>Rider In-Competition</i> of any <i>Prohibited Substance</i> or <i>Prohibited Method</i> , or <i>Administration</i> or <i>Attempted Administration</i> to any <i>Rider Out-of-Competition</i> of any <i>Prohibited Substance</i> or any <i>Prohibited Method</i> that is <i>Prohibited Out-of-Competition</i> .....	11
2.9 <i>Complicity</i> or <i>Attempted Complicity</i> by a <i>Rider</i> or <i>Other Person</i> .....	11
2.10 <i>Prohibited Association</i> by a <i>Rider</i> or <i>Other Person</i> .....	11
2.11 Acts by a <i>Rider</i> or <i>Other Person</i> to Discourage or Retaliate Against Reporting to Authorities .....	12
Article 3 PROOF OF DOPING.....	13
3.1 Burdens and Standards of Proof.....	13
3.2 Methods of Establishing Facts and Presumptions .....	13
Article 4 PROHIBITED LIST AND THERAPEUTIC USE EXEMPTIONS.....	15
4.1 Incorporation of the <i>Prohibited List</i> .....	15
4.2 <i>Prohibited Substances</i> and <i>Prohibited Methods</i> Identified on the <i>Prohibited List</i> .....	15
4.3 WADA's Determination of the <i>Prohibited List</i> .....	16
4.4 <i>Therapeutic Use Exemptions</i> ("TUEs") .....	16
4.5 Monitoring Program.....	19
Article 5 TESTING AND INVESTIGATIONS .....	20
5.1 Purpose of <i>Testing</i> and Investigations.....	20
5.2 Authority to Test .....	20
5.3 <i>Event Testing</i> .....	20
5.4 <i>Testing Requirements</i> .....	21
5.5 <i>Rider Whereabouts Information</i> .....	21
5.6 Retired <i>Riders</i> Returning to <i>Competition</i> .....	23
5.7 Investigation and Intelligence Gathering .....	24
5.8 Independent Observer Program .....	26
Article 6 ANALYSIS OF SAMPLES.....	26
6.1 Use of Accredited, Approved Laboratories and Other Laboratories.....	26
6.2 Purpose of Analysis of <i>Samples</i> and <i>Data</i> .....	26
6.3 Research on <i>Samples</i> and <i>Data</i> .....	26

## UCI CYCLING REGULATIONS

6.4	Standards for <i>Sample</i> Analysis and Reporting .....	26
6.5	Further Analysis of a <i>Sample</i> Prior to or During <i>Results Management</i> or Hearing Process .....	27
6.6	Further Analysis of a <i>Sample</i> After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge.....	27
6.7	Split of A or B <i>Sample</i> .....	27
6.8	Ownership of <i>Samples</i> .....	27
6.9	WADA's Right to Take Possession of <i>Samples</i> and Data.....	27
6.10	Costs of <i>Testing</i> and Analysis.....	28
Article 7	<b>RESULTS MANAGEMENT &amp; INVESTIGATIONS</b> .....	28
7.1	Responsibility for Conducting <i>Results Management</i> .....	28
7.2	Review and Notification Regarding Potential Anti-Doping Rule Violations .....	30
7.3	<i>Provisional Suspensions</i> .....	30
7.4	<i>Results Management</i> Decisions .....	30
7.5	Notification of <i>Results Management</i> Decisions .....	30
7.6	Retirement from Sport.....	31
Article 8	<b>RESULTS MANAGEMENT: NOTICE OF CHARGE, AGREEMENT, FAILURE TO CHALLENGE AND HEARING PROCESS</b> .....	31
8.1	Notice of Charge .....	31
8.2	Acceptance of <i>Consequences</i> and Failure to Challenge the Anti-Doping Rule Violation.....	31
8.3	Hearing Process.....	31
8.4	Single Hearing Before CAS.....	32
8.5	<i>Event</i> Hearings .....	33
8.6	Waiver of Hearing.....	33
8.7	Notice of Decision.....	33
Article 9	<b>AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS</b> .....	33
Article 10	<b>SANCTIONS ON INDIVIDUALS</b> .....	34
10.1	<i>Disqualification</i> of Results in the <i>Event</i> during which an Anti-Doping Rule Violation Occurs .....	34
10.2	<i>Ineligibility</i> for Presence, <i>Use</i> or <i>Attempted Use</i> , or <i>Possession</i> of a <i>Prohibited Substance</i> or <i>Prohibited Method</i> ....	34
10.3	<i>Ineligibility</i> for Other Anti-Doping Rule Violations .....	35
10.4	<i>Aggravating Circumstances</i> which may Increase the Period of <i>Ineligibility</i> .....	36
10.5	Elimination of the Period of <i>Ineligibility</i> where there is <i>No Fault</i> or <i>Negligence</i> .....	36
10.6	Reduction of the Period of <i>Ineligibility</i> based on <i>No Significant Fault</i> or <i>Negligence</i> .....	37
10.7	Elimination, Reduction, or Suspension of Period of <i>Ineligibility</i> or other <i>Consequences</i> for Reasons other than <i>Fault</i> ... ..	38
10.8	<i>Results Management</i> Agreements .....	40
10.9	Multiple Violations.....	40
10.10	<i>Disqualification</i> of Results in <i>Competitions</i> Subsequent to <i>Sample</i> Collection or Commission of an Anti-Doping Rule Violation.....	42
10.11	Forfeited Prize Money.....	42
10.12	<i>Financial Consequences</i> .....	42
10.13	Commencement of <i>Ineligibility</i> Period .....	44
10.14	Status During <i>Ineligibility</i> or <i>Provisional Suspension</i> .....	45
10.15	Automatic Publication of Sanction.....	46
Article 11	<b>CONSEQUENCES TO TEAMS</b> .....	46

## UCI CYCLING REGULATIONS

11.1	<i>Testing of Teams</i> .....	46
11.2	Disqualification of <i>Team Competition</i> Results .....	46
11.3	Suspension of a <i>Team</i> Registered with the <i>UCI</i> .....	46
11.4	<i>Financial Consequences</i> to <i>Teams</i> .....	48
Article 12	SANCTIONS BY THE <i>UCI</i> AGAINST OTHER SPORTING BODIES .....	48
Article 13	<i>RESULTS MANAGEMENT: APPEALS</i> .....	49
13.1	Decisions Subject to Appeal .....	49
13.2	Appeals from Decisions Regarding Anti-Doping Rule Violations, <i>Consequences</i> , <i>Provisional Suspensions</i> , Implementation of Decisions and Authority.....	49
13.3	Failure to Render a Timely Decision by an <i>Anti-Doping Organization</i> .....	52
13.4	Appeals Relating to <i>TUEs</i> .....	52
13.5	Notification of Appeal Decision.....	52
Article 14	CONFIDENTIALITY AND REPORTING .....	53
14.1	Notice and Time Limits.....	53
14.2	Information Concerning <i>Adverse Analytical Findings</i> , <i>Atypical Findings</i> , and Other Asserted Anti-Doping Rule Violations .....	53
14.3	Notice of Anti-Doping Rule Violation or violations of <i>Ineligibility</i> or <i>Provisional Suspension</i> Decisions and Request for Files .....	54
14.4	Public Disclosure .....	54
14.5	Statistical Reporting .....	55
14.6	<i>Doping Control</i> Information Database and Monitoring of Compliance .....	56
14.7	Data Privacy.....	56
Article 15	IMPLEMENTATION OF DECISIONS.....	57
15.1	Automatic Binding Effect of Decisions by <i>Signatory Anti-Doping Organizations</i> .....	57
15.2	Implementation of Other Decisions by <i>Anti-Doping Organizations</i> .....	57
15.3	Implementation of Decisions by Body that is not a <i>Signatory</i> .....	58
Article 16	<i>DOPING CONTROL FOR ANIMALS COMPETING IN SPORT</i> [intentionally omitted] .....	58
Article 17	STATUTE OF LIMITATIONS .....	58
Article 18	<i>EDUCATION</i> .....	58
18.1	Principles .....	58
18.2	Educational Course.....	58
Article 19	RESEARCH [Intentionally omitted].....	59
Article 20	ADDITIONAL ROLES AND RESPONSIBILITIES OF <i>SIGNATORIES</i> AND <i>WADA</i> [Intentionally omitted] .....	59
Article 21	ADDITIONAL ROLES AND RESPONSIBILITIES OF <i>RIDERS</i> AND <i>OTHER PERSONS</i> .....	59
21.1	Roles and Responsibilities of <i>Riders</i> .....	59
21.2	Roles and Responsibilities of <i>Rider Support Personnel</i> .....	60
21.3	Roles and Responsibilities of Other <i>Persons</i> Subject to these Anti-Doping Rules.....	60
21.4	<i>Consequences</i> of Non-Compliance with the Responsibilities of <i>Riders</i> , <i>Riders Support Personnel</i> or Other <i>Persons</i> ... .....	60
21.5	Roles and Responsibilities of <i>National Federations</i> .....	61
21.6	Roles and Responsibilities of <i>Teams</i> .....	61
Article 22	INVOLVEMENT OF GOVERNMENTS [Intentionally omitted].....	62
Article 23	ACCEPTANCE AND IMPLEMENTATION [Intentionally omitted].....	62

## UCI CYCLING REGULATIONS

Article 24	MONITORING AND ENFORCING COMPLIANCE WITH THE <i>CODE</i> AND <i>UNESCO CONVENTION</i> [Intentionally omitted].....	62
Article 25	MODIFICATION AND WITHDRAWAL [Intentionally omitted] .....	62
Article 26	INTERPRETATION OF THESE ANTI-DOPING RULES .....	63
Article 27	TRANSITIONAL PROVISIONS .....	63
27.1	General Application of these Anti-Doping Rules .....	63
27.2	Non-Retroactive except for Articles 10.9.4 and 17 or Unless Principle of “Lex Mitior” Applies .....	63
27.3	Application to Decisions Rendered Prior to 1 January 2021 .....	63
27.4	Multiple Violations Where the First Violation Occurs Prior to 1 January 2021 .....	63
27.5	Additional Amendments .....	64
27.6	Changes to the <i>Prohibited List</i> .....	64
APPENDIX 1	DEFINITIONS.....	65

## PART 14 ANTI-DOPING RULES

### INTRODUCTION

#### A. Preface

These Anti-Doping Rules are adopted and implemented in accordance with the *UCI's* responsibilities under the *Code*, and in furtherance of *UCI's* continuing efforts to eradicate doping in sport. They are intended to implement the 2021 version of the *Code*, with effect on 1<sup>st</sup> January 2021, for the sport of cycling. They form an integral part of the *UCI* Cycling Regulations (Part 14 Anti-Doping Rules).

These Anti-Doping Rules are sport rules governing the conditions under which sport is played. *Riders*, *Rider Support Personnel* and other *Persons* accept these rules as a condition of participation or involvement in cycling and shall be bound by them.

These Anti-Doping Rules are intended to apply autonomously and not by reference to existing law or statutes. The rules and procedures provided for by these Anti-Doping Rules are sport-specific, aimed at enforcing anti-doping rules in a global and harmonized way and are distinct in nature from criminal and civil proceedings. They are not intended to be subject to or limited by any national requirements and legal standards applicable to such proceedings, although they are intended to be applied in a manner which respects the principles of proportionality and human rights.

When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of these Anti-Doping Rules, which implement the *Code*, and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport.

While retaining its ultimate responsibilities as an *Anti-Doping Organization* and *Signatory* of the *Code*, any *Anti-Doping Activities* under these Anti-Doping Rules may be delegated by the *UCI* to a *Delegated Third Party*.

When the *UCI* has delegated its responsibility to implement all or part of the tasks and activities under these Anti-Doping Rules to a *Delegated Third Party*, any reference to the *UCI* in these *Rules* should be intended as a reference to the *Delegated Third Party*, where applicable and within the context of the aforementioned delegation. The *UCI* shall always remain fully responsible for ensuring that any delegated aspects are performed in compliance with the *Code*.

Italicized terms used in these Anti-Doping Rules are defined in Appendix 1.

Unless otherwise specified, references to Articles are references to Articles of these Anti-Doping Rules.

#### B. Fundamental Rationale for the *Code* and these Anti-Doping Rules

Anti-doping programs are founded on the intrinsic value of sport. This intrinsic value is often referred to as "the spirit of sport": the ethical pursuit of human excellence through the dedicated perfection of each *Rider's* natural talents.

Anti-doping programs seek to protect the health of *Riders* and to provide the opportunity for *Riders* to pursue human excellence without the *Use of Prohibited Substances and Methods*.

Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.

The spirit of sport is the celebration of the human spirit, body and mind. It is the essence of Olympism and is reflected in the values we find in and through sport, including:

## UCI CYCLING REGULATIONS

- Health
- Ethics, fair play and honesty
- *Riders'* rights as set forth in the *Code*
- Excellence in performance
- Character and *Education*
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participants*
- Courage
- Community and solidarity

The spirit of sport is expressed in how we play true.

Doping is fundamentally contrary to the spirit of sport.

### **C. Scope of these Anti-Doping Rules**

These Anti-Doping Rules shall apply to:

- (a) The *UCI*, including its board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any *Anti-Doping Activities*;
- (b) *National Federations*, including their board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any *Anti-Doping Activities*;
- (c) the following *Riders*, *Rider Support Personnel* and other *Persons*:
  - (i) any *Licence-Holder*,  
*[Comment: a licence is required to participate in the sport of cycling governed by the rules of the UCI and the National Federations (Article 1.1.010 of the UCI Cycling Regulations). However, if a Person participates in the sport of cycling governed by the UCI without being holder of a licence as required, he will not escape application of the regulations, including these Anti-Doping Rules.]*
  - (ii) any *Person*, who, without being a *Licence-Holder*, participates in any capacity in *Events*, *Competitions* and other activities organized, convened, authorized or recognized by the *UCI*, or any *National Federation*, or by any member or affiliate organization of the *UCI* or any *National Federation* (including any clubs, teams, associations, or leagues), wherever held;
  - (iii) any other *Rider* or *Rider Support Personnel* or other *Person* who, by virtue of an accreditation, a licence or other contractual arrangement, or otherwise, is subject to the authority of the *UCI*, or of any *National Federation*, or of any member or affiliate organization of the *UCI* or any *National Federation* (including any clubs, teams, associations, or leagues), for purposes of anti-doping; and
  - (iv) any *Rider* who is not a *Licence-Holder* but who wishes to be eligible to compete in a particular *International Event*.

Each of the abovementioned *Persons* is deemed, as a condition of his or her participation or involvement in cycling, to have agreed to and be bound by these Anti-Doping Rules, and to have submitted to the authority of the *UCI* to enforce these Anti-Doping Rules, including any *Consequences* for the breach thereof, and to the jurisdiction of the hearing panels specified in

## UCI CYCLING REGULATIONS

these Anti-Doping Rules to hear and determine cases and appeals brought under these Anti-Doping Rules.

*[Comment: Where these Anti-Doping Rules require a Person other than a Rider or Rider Support Person to be bound by these Rules, such Person would of course not be subject to Sample collection or Testing, and would not be subject to an anti-doping rule violation under these Rules for Use or Possession of a Prohibited Substance or Prohibited Method. Rather, such Person would only be subject to discipline for a violation of Articles 2.5 (Tampering), 2.7 (Trafficking), 2.8 (Administration), 2.9 (Complicity), 2.10 (Prohibited Association) and 2.11 (Retaliation). Furthermore, such Person would be subject to the additional roles and responsibilities according to Article 21.3. Also, the obligation to require an employee to be bound by the Code is subject to applicable law.]*

### **D. International Level Riders**

Within the overall pool of *Persons* set out above who are bound by and required to comply with these Anti-Doping Rules, the *Riders* included in the *UCI Registered Testing Pool* or the *UCI Testing Pool* shall be considered to be *International-Level Riders* for the purposes of these Anti-Doping Rules, and, therefore, the specific provisions in these Anti-Doping Rules applicable to *International-Level Riders* (e.g., *Testing*, *TUEs*, whereabouts, and *Results Management*) shall apply to such *Riders*.

For purposes of Articles 7, 8 & 13, it shall be sufficient for a *Rider* to be regarded as *International-Level Rider* that he or she is or was included in the *UCI Registered Testing Pool* or in the *UCI Testing Pool* either at the time of the *Sample* collection, or at the time an investigation or a review under Article 7 is initiated against him or her.

### **E. Documents Adopted by the UCI in Connection with these Anti-Doping Rules**

Under the World Anti-Doping Program, *WADA* may release various types of documents, including:

- a) *International Standards*,
- b) *Technical Documents*, and
- c) Guidelines and Models of Best Practices.

The *UCI* may, consistent with its responsibilities under the *Code*, choose to

- (a) directly incorporate some of these documents by reference into these Anti-Doping Rules, and/or,
- (b) adopt Regulations implementing all or certain aspects of these documents for the sport of cycling.

The *UCI Testing & Investigations Regulations (UCI TIR)*, the *UCI Therapeutic Use Exemption Regulations (UCI TUE)*, the *UCI Results Management Regulations (UCI RMR)*, are an integral part of these Anti-Doping Rules. They may be amended by the *UCI* from time to time (including upon amendment of the corresponding *International Standard* or *Technical Document* by *WADA*) and are available in their current version on the *UCI Website*.

Compliance with an *International Standard* or with the relevant *UCI Regulations* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* or *UCI Regulations* in question were performed properly.

All documents binding upon *Riders* and other *Persons* subject to these Anti-Doping Rules are made available on the *UCI Website*, in their version effective and as amended from time to time.

## UCI CYCLING REGULATIONS

### Article 1 DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of these Anti-Doping Rules.

### 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.

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

The following constitute anti-doping rule violations:

#### 2.1 Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Rider's Sample*

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

*[Comment to Article 2.1.1: An anti-doping rule violation is committed under this Article without regard to a Rider's Fault. This rule has been referred to in various CAS decisions as "Strict Liability". A Rider's Fault is taken into consideration in determining the Consequences of this anti-doping rule violation under Article 10. This principle has consistently been upheld by CAS.]*

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

*[Comment to Article 2.1.2: The Anti-Doping Organization with Results Management responsibility may, at its discretion, choose to have the B Sample analyzed even if the Rider does not request the analysis of the B 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 a *Rider's Sample* shall constitute an anti-doping rule violation.

2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List*, *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 a *Rider* of a *Prohibited Substance* or a *Prohibited Method*

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

## UCI CYCLING REGULATIONS

- 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.

*[Comment to Article 2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the Comment to Article 3.2, unlike the proof required to establish an anti-doping rule violation under Article 2.1, Use or Attempted Use may also be established by other reliable means such as admissions by the Rider, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the Athlete Biological Passport, or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a Prohibited Substance under Article 2.1.*

*For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where the Anti-Doping Organization provides a satisfactory explanation for the lack of confirmation in the other Sample.]*

*[Comment to Article 2.2.2: Demonstrating the "Attempted Use" of a Prohibited Substance or a Prohibited Method requires proof of intent on the Rider's part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the Strict Liability principle established for violations of Article 2.1 and violations of Article 2.2 in respect of Use of a Prohibited Substance or Prohibited Method.*

*A Rider's Use of a Prohibited Substance constitutes an anti-doping rule violation unless such Substance is not prohibited Out-of-Competition and the Rider's Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition is a violation of Article 2.1 regardless of when that Substance might have been administered.)]*

### 2.3 Evading, Refusing or Failing to Submit to Sample Collection by a Rider

Evading *Sample* collection; or refusing or failing to submit to *Sample* collection without compelling justification after notification by a duly authorized *Person*.

*[Comment to Article 2.3: For example, it would be an anti-doping rule violation of "evading Sample collection" if it were established that a Rider was deliberately avoiding a Doping Control official to evade notification or Testing. A violation of "failing to submit to Sample collection" may be based on either intentional or negligent conduct of the Rider, while "evading" or "refusing" Sample collection contemplates intentional conduct by the Rider.]*

### 2.4 Whereabouts Failures by a Rider

Any combination of three (3) missed tests and/or filing failures, as defined in the *UCI Results Management Regulations*, within a twelve (12) month period by a *Rider* in a *Registered Testing Pool*.

### 2.5 Tampering or Attempted Tampering with any part of Doping Control by a Rider or Other Person

### 2.6 Possession of a Prohibited Substance or a Prohibited Method by a Rider or Rider Support Person

2.6.1 *Possession* by a *Rider In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by a *Rider Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* unless the *Rider* 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 a *Rider Support Person In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by a *Rider Support Person Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* in connection with a *Rider*, *Competition* or training, unless the *Rider Support Person* establishes that the *Possession* is consistent with a *TUE* granted to a *Rider* in accordance with Article 4.4 or other acceptable justification.

## UCI CYCLING REGULATIONS

*[Comment to Articles 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or Possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician's prescription, e.g., buying Insulin for a diabetic child. Acceptable justification may include, for example, (a) a Rider or a Team doctor carrying Prohibited Substances or Prohibited Methods for dealing with acute and emergency situations (e.g., an epinephrine auto-injector), or (b) a Rider Possessing a Prohibited Substance or Prohibited Method for therapeutic reasons shortly prior to applying for and receiving a determination on a TUE.]*

### **2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by a Rider or Other Person**

### **2.8 Administration or Attempted Administration by a Rider or Other Person to any Rider In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Rider Out-of-Competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition**

### **2.9 Complicity or Attempted Complicity by a Rider 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 Article 10.14.1 by another *Person*.

*[Comment to Article 2.9: Complicity or Attempted Complicity may include either physical or psychological assistance.]*

### **2.10 Prohibited Association by a Rider or Other Person**

2.10.1 Association by a *Rider* or other *Person* subject to the authority of an *Anti-Doping Organization* in a professional or sport-related capacity with any *Rider 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 which 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* shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or 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 *Rider* or other *Person* knew of the *Rider Support Person's* disqualifying status.

2.10.3 The burden shall be on the *Rider* or other *Person* to establish that any association with a *Rider 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 that such association could not have been reasonably avoided.

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

*[Comment to Article 2.10: Riders and other Persons must not work with coaches, trainers, physicians or other Rider Support Personnel who are Ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other Rider who is acting as a coach or Rider Support Person while serving a period of Ineligibility. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily*

## UCI CYCLING REGULATIONS

*products for analysis; or allowing the Rider Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation.*

*While Article 2.10 does not require the Anti-Doping Organization to notify the Rider or other Person about the Rider Support Person's disqualifying status, such notice, if provided, would be important evidence to establish that the Rider or other Person knew about the disqualifying status of the Rider Support Person.]*

### **2.11 Acts by a Rider or Other Person to Discourage or Retaliate Against Reporting to Authorities**

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

- 2.11.1 Any act which 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*.
- 2.11.2 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*.
- 2.11.3 For purposes of Article 2.11, retaliation, threatening and intimidation include an act taken against such *Person* either because the act lacks a good faith basis or is a disproportionate response.

*[Comment to Article 2.11.2: This Article is intended to protect Persons who make good faith reports, and does not protect Persons who knowingly make false reports.*

*Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the reporting Persons, their families or associates. Retaliation would not include an Anti-Doping Organization asserting in good faith an anti-doping rule violation against the reporting Person. For purposes of Article 2.11, a report is not made in good faith where the Person making the report knows the report to be false.]*

## UCI CYCLING REGULATIONS

### Article 3 PROOF OF DOPING

#### 3.1 Burdens and Standards of Proof

The *UCI* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the *UCI* has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Anti-Doping Rules place the burden of proof upon the *Rider* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.

*[Comment to Article 3.1: This standard of proof required to be met by the UCI is comparable to the standard which is applied in most countries to cases involving professional misconduct.]*

#### 3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions.

*[Comment to Article 3.2: For example, the UCI may establish an anti-doping rule violation under Article 2.2 based on the Rider's admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Article 2.2, or conclusions drawn from the profile of a series of the Rider's blood or urine Samples, such as data from the Athlete Biological Passport.]*

The following rules of proof shall be applicable in doping cases:

3.2.1 Analytical methods or *Decision Limits* approved by WADA after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any *Rider* or other *Person* seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. The initial hearing body, appellate body or CAS, 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 shall 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 shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

*[Comment to Article 3.2.1: For certain Prohibited Substances, WADA may instruct WADA-accredited laboratories not to report Samples as an Adverse Analytical Finding if the estimated concentration of the Prohibited Substance or its Metabolites or Markers is below a Minimum Reporting Level. WADA's decision in determining that Minimum Reporting Level or in determining which Prohibited Substances should be subject to Minimum Reporting Levels shall not be subject to challenge. Further, the laboratory's estimated concentration of such Prohibited Substance in a Sample may only be an estimate. In no event shall the possibility that the exact concentration of the Prohibited Substance in the Sample may be below the Minimum Reporting Level constitute a defense to an anti-doping rule violation based on the presence of that Prohibited Substance in the Sample.]*

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

## UCI CYCLING REGULATIONS

- 3.2.3 If the *Rider* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then the *UCI* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

*[Comment to Article 3.2.3: The burden is on the Rider or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. Thus, once the Rider or other Person establishes the departure by a balance of probability, the Rider or other Person's burden on causation is the somewhat lower standard of proof – "could reasonably have caused." If the Rider or other Person satisfies these standards, the burden shifts to the UCI to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]*

- 3.2.4 Departures from any other rules set forth in these Anti-Doping Rules, *UCI* Regulations, any *International Standard* or other anti-doping rule or policy set forth in the *Code* shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation; provided, however, if the *Rider* or other *Person* establishes that a departure from one of the specific *UCI* Regulations or *International Standard* provisions listed below could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, an *Adverse Passport Finding* or whereabouts failure, then the *UCI* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the whereabouts failure:

- (i) a departure from the *UCI Testing & Investigation Regulations* or *International Standard* for *Testing* and *Investigations* related to *Sample* collection or *Sample* handling which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or an *Adverse Passport Finding*, in which case the *UCI* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- (ii) a departure from the *UCI Results Management Regulations*, *UCI Testing & Investigations Regulations*, *International Standard* for *Results Management* or *International Standard* for *Testing* and *Investigations* related to an *Adverse Passport Finding* which could reasonably have caused an anti-doping rule violation, in which case the *UCI* shall have the burden to establish that such departure did not cause the anti-doping rule violation;
- (iii) a departure from the *UCI Results Management Regulations* or *International Standard* for *Results Management* related to the requirement to provide notice to the *Rider* of the *B Sample* opening which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case the *UCI* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;

*[Comment to Article 3.2.4 (iii): The UCI would meet its burden to establish that such departure did not cause the Adverse Analytical Finding by showing that, for example, the B Sample opening and analysis were observed by an independent witness and no irregularities were observed.]*

- (iv) a departure from the *UCI Results Management Regulations* or *International Standard* for *Results Management* related to *Rider* notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case the *UCI* shall have the burden to establish that such departure did not cause the whereabouts failure.

*[Comment to Article 3.2.4: Departures from an International Standard or other rule unrelated to Sample collection or handling, Adverse Passport Finding, or Rider notification relating to whereabouts failure or B Sample opening – e.g., the International Standards for Education, Data Privacy or TUEs – may result in compliance proceedings by WADA but are not a defense in an anti-doping rule violation proceeding and*

## UCI CYCLING REGULATIONS

*are not relevant on the issue of whether the Rider committed an anti-doping rule violation. Similarly, the UCI's violation of the document referenced in Article 20.7.7 of the Code shall not constitute a defense to an anti-doping rule violation.]*

- 3.2.5 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Rider* or other *Person* to whom the decision pertained of those facts unless the *Rider* or other *Person* establishes that the decision violated principles of natural justice.
- 3.2.6 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Rider* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Rider's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the *UCI*.

### Article 4 **PROHIBITED LIST AND THERAPEUTIC USE EXEMPTIONS**

#### 4.1 **Incorporation of the *Prohibited List***

These Anti-Doping Rules incorporate the *Prohibited List*, which is published and revised by WADA as described in Article 4.1 of the *Code*.

Unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three (3) months after publication by WADA, without requiring any further action by the *UCI* or its *National Federations*. All *Riders* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Riders* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

The *UCI* shall provide its *National Federations* with the most recent version of the *Prohibited List*. Each *National Federation* shall in turn ensure that its members, and the constituents of its members, are also provided with the most recent version of the *Prohibited List*.

*[Comment to Article 4.1: The current Prohibited List is available on WADA's website. The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made.]*

#### 4.2 ***Prohibited Substances* and *Prohibited Methods* Identified on the *Prohibited List***

##### 4.2.1 *Prohibited Substances* and *Prohibited Methods*

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which 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 those substances and methods which are prohibited *In-Competition* only. The *Prohibited List* may be expanded by WADA for a particular sport. *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*.

*[Comment to Article 4.2.1: Out-of-Competition Use of a Substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the Substance or its Metabolites or Markers is reported for a Sample collected In-Competition.]*

##### 4.2.2 *Specified Substances* or *Specified Methods*

For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* shall be a

## UCI CYCLING REGULATIONS

*Specified Method* unless it is specifically identified as a *Specified Method* on the *Prohibited List*.

[Comment to Article 4.2.2: The *Specified Substances and Methods* identified in Article 4.2.2 should not in any way be considered less important or less dangerous than other doping *Substances or Methods*. Rather, they are simply *Substances and Methods* which are more likely to have been consumed or used by a *Rider* for a purpose other than the enhancement of sport performance.]

### 4.2.3 *Substances of Abuse*

For purposes of applying Article 10, *Substances of Abuse* shall include those *Prohibited Substances* which are specifically identified as *Substances of Abuse* on the *Prohibited List* because they are frequently abused in society outside of the context of sport.

## 4.3 **WADA's Determination of the *Prohibited List***

WADA's determination of the *Prohibited Substances and Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, the classification of a substance as prohibited at all times or *In-Competition* only, the classification of a substance or method as a *Specified Substance, Specified Method or Substance of Abuse* is final and shall not be subject to any challenge by a *Rider* or other *Person* including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

## 4.4 **Therapeutic Use Exemptions ("TUEs")**

4.4.1 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*, shall not be considered an anti-doping rule violation if it is consistent with the provisions of a *TUE* granted in accordance with the *UCI TUE Regulations*.

### 4.4.2 *TUE* Application

#### 4.4.2.1 *Riders* who are not *International-Level Riders*

- a) *Riders* who are not *International-Level Riders* shall apply to their *National Anti-Doping Organization* for a *TUE*, unless the need for a *TUE* arises in connection with the *Rider's* participation in an *International Event* and during the *Event Period* in which case the *Rider* must apply directly to the *UCI*.

If the *National Anti-Doping Organization* denies the application, the *Rider* may appeal exclusively to the appellate body described in Article 13.2.2; if the *UCI* denies the *Rider's* application, the *Rider* may appeal in accordance with Article 4.4.8.

- b) *Riders* who are not *International-Level Riders*, who wish to participate in an *International Event* must, prior to such participation, obtain recognition from the *UCI* of a *TUE* already granted by their *National Anti-Doping Organization* in accordance with Article 4.4.4 and the *UCI TUE Regulations*.

#### 4.4.2.2 *International-Level Riders*

*Riders* who are *International-Level Riders* must apply to the *UCI* for a *TUE* as soon as the need arises.

#### 4.4.2.3 *Major Event Organization*

A *Major Event Organization* may require *Riders* to apply to it for a *TUE* if they need to *Use a Prohibited Substance or a Prohibited Method* in connection with the *Event*. *Riders* shall refer to the applicable rules of

## UCI CYCLING REGULATIONS

the *Major Event Organization* for the requirements and procedure to follow in this situation.

### 4.4.3 *Therapeutic Use Exemption Committee ("TUEC")*

- 4.4.3.1 The *UCI* shall establish a *Therapeutic Use Exemption Committee ("TUEC")* to consider applications for the grant or recognition of *TUEs* in accordance with the *UCI TUE Regulations*.
- 4.4.3.2 The *TUEC* shall decide whether or not to grant the application as soon as possible, and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete application. Where a *TUE* application is made in a reasonable time prior to an *Event*, the *TUEC* must use its best endeavors to issue its decision before the start of the *Event*.
- 4.4.3.3 The *TUEC's* decision shall be the final decision of the *UCI* and may be appealed in accordance with Article 4.4.8.
- 4.4.3.4 The *TUEC's* decision shall be notified to the *Rider* and must be made available to *WADA* and other *Anti-Doping Organizations* via *ADAMS* in accordance with the *UCI TUE Regulations*.

*[Comments to Article 4.4.3: A Rider should not assume that his/her application for grant or recognition of a TUE (or for renewal of a TUE) will be granted. Any Use or Possession or Administration of a Prohibited Substance or Prohibited Method before an application has been granted is entirely at the Rider's own risk.*

*If the UCI refuses to recognize a TUE granted by a National Anti-Doping Organization only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the UCI TUE Regulations, the matter should not be referred to WADA for review. Instead, the file should be completed and re-submitted to the UCI.]*

### 4.4.4 *TUE Recognition*

- 4.4.4.1 The *UCI* may, in accordance with the *UCI TUE Regulations*, publish notice on its *website* that it may automatically recognize *TUE* decisions made pursuant to Article 4.4 (or certain categories of such decisions) rendered by specified *Anti-Doping Organizations*.
- 4.4.4.2 Where the *Rider* already has a *TUE* granted by a *National Anti-Doping Organization* and the *Rider's TUE* falls into a category of *TUEs* that are automatically recognized at the time the *TUE* is granted, he/she does not need to apply to the *UCI* for recognition of that *TUE*.
- 4.4.4.3 Where the *Rider* already has a *TUE* granted by a *National Anti-Doping Organization*, but the *Rider's TUE* does not fall into a category of *TUEs* that are automatically recognized, the *Rider* shall submit a request for recognition of the *TUE* to the *UCI*. He must obtain recognition of the *TUE* prior to participating in any *International Event*. If that *TUE* meets the criteria set out in the *UCI TUE Regulations*, then the *UCI* must recognize it.

If the *UCI* considers that the *TUE* does not meet the criteria and so refuses to recognize it, the *UCI* must notify the *Rider* and the *Rider's National Anti-Doping Organization* promptly, with reasons. The *Rider* or the *National Anti-Doping Organization* shall have twenty-one (21) days from such notification to refer the matter to *WADA* for review in accordance with Article 4.4.8.

If the matter is referred to *WADA* for review, the *TUE* granted by the *National Anti-Doping Organization* remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international-level *Competition*) pending *WADA's* decision.

## UCI CYCLING REGULATIONS

If the matter is not referred to WADA for review within the twenty-one (21) day deadline, the *Rider's National Anti-Doping Organization* must determine whether the original TUE granted by that *National Anti-Doping Organization* should nevertheless remain valid for national-level *Competition* and *Out-of-Competition Testing* (provided that the *Rider* ceases to be an *International-Level Rider* and does not participate in international-level *Competition*). Pending the *National Anti-Doping Organization's* decision, the TUE remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international-level *Competition*).

4.4.4.4 If the UCI chooses to test a *Rider* who is not an *International-Level Rider*, the UCI must recognize a TUE granted to that *Rider* by his/her *National Anti-Doping Organization* unless the *Rider* is required to apply for recognition of the TUE pursuant to Article 4.4.2.1.

### 4.4.5 TUE Application Process

4.4.5.1 If the *Rider* does not already have a TUE granted by his or her *National Anti-Doping Organization* for the substance or method in question, the *Rider* must apply directly to the UCI for a TUE as soon as the need arises and in accordance with the UCI TUE Regulations.

4.4.5.2 If the UCI denies the *Rider's* application, it must notify the *Rider* promptly, with reasons.

4.4.5.3 If the UCI grants the *Rider's* application, it must notify not only the *Rider* but also his or her *National Anti-Doping Organization*. If the *National Anti-Doping Organization* considers that the TUE granted by the UCI does not meet the criteria set out in the UCI TUE Regulations, it has twenty-one (21) days from such notification to refer the matter to WADA for review in accordance with Article 4.4.8.

4.4.5.4 If the *National Anti-Doping Organization* refers the matter to WADA for review, the TUE granted by the UCI remains valid for international-level *Competition* and *Out-of-Competition Testing* (but is not valid for national-level *Competition*) pending WADA's decision. If the *National Anti-Doping Organization* does not refer the matter to WADA for review, the TUE granted by the UCI becomes valid for national-level *Competition* as well when the twenty-one (21) day review deadline expires.

### 4.4.6 Retroactive TUE Applications

If the UCI chooses to collect a *Sample* from a *Rider* who is neither an *International-Level Rider* nor a *National-Level Rider*, and that *Rider* is Using a *Prohibited Substance* or *Prohibited Method* for therapeutic reasons, the UCI must permit that *Rider* to apply for a retroactive TUE.

### 4.4.7 Expiration, Withdrawal or Reversal of a TUE

A TUE granted pursuant to these Anti-Doping Rules:

(a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality;

(b) will be withdrawn if the *Rider* does not promptly comply with any requirements or conditions imposed by the TUEC upon grant of the TUE;

(c) may be withdrawn by the TUEC if it is subsequently determined that the criteria for grant of a TUE are not in fact met; or

(d) may be reversed on review by WADA or on appeal.

## UCI CYCLING REGULATIONS

### 4.4.8 Reviews and Appeals of *TUE* Decisions

- 4.4.8.1 *WADA* must review the *UCI*'s decision not to recognize a *TUE* granted by the *National Anti-Doping Organization* that is referred to *WADA* by the *Rider* or the *Rider's National Anti-Doping Organization*. In addition, *WADA* must review the *UCI*'s decision to grant a *TUE* that is referred to *WADA* by the *Rider's National Anti-Doping Organization*. *WADA* may review any other *TUE* decisions at any time, whether upon request by those affected or on its own initiative. If the *TUE* decision being reviewed meets the criteria set out in the *UCI TUE Regulations*, *WADA* will not interfere with it. If the *TUE* decision does not meet those criteria, *WADA* will reverse it.

*[Comment to Article 4.4.8: WADA shall be entitled to charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Article 4.4.8.1; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]*

- 4.4.8.2 Any *TUE* decision by the *UCI* that is not reviewed by *WADA*, or that is reviewed by *WADA* but is not reversed upon review, may be appealed by the *Rider* and/or the *Rider's National Anti-Doping Organization*, exclusively to *CAS*.

*[Comment to Article 4.4.8.2: In such cases, the decision being appealed is the UCI's TUE decision, not WADA's decision not to review the TUE decision or (having reviewed it) not to reverse the TUE decision. However, the time to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given notice of the appeal so that it may participate if it sees fit.]*

- 4.4.8.3 A decision by *WADA* to reverse a *TUE* decision may be appealed by the *Rider*, the *National Anti-Doping Organization* and/or the *UCI*, exclusively to *CAS*.
- 4.4.8.4 A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a *TUE* or for review of a *TUE* decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

### 4.5 Monitoring Program

*WADA*, in consultation with *Signatories* and governments, shall establish a monitoring program regarding substances which are not on the *Prohibited List*, but which *WADA* wishes to monitor in order to detect potential patterns of misuse in sport. In addition, *WADA* may include in the monitoring program substances that are on the *Prohibited List*, but which are to be monitored under certain circumstances - e.g., *Out-of-Competition Use* of some substances prohibited *In-Competition* only or the combined *Use* of multiple substances at low doses ("stacking") - in order to establish prevalence of *Use* or to be able to implement adequate decisions in regards to their analysis by laboratories or their status within the *Prohibited List*.

*WADA* shall publish the substances that will be monitored. Laboratories will report the instances of reported *Use* or detected presence of these substances to *WADA*. *WADA* shall make available to International Federations and *National Anti-Doping Organizations*, on at least an annual basis, aggregate information by sport regarding the monitored substances. Such monitoring program reports shall not contain additional details that could link the monitoring results to specific *Samples*. *WADA* shall implement measures to ensure that strict anonymity of individual *Riders* is maintained with respect to such reports.

The reported *Use* or detected presence of a monitored substance shall not constitute an anti-doping rule violation.

## UCI CYCLING REGULATIONS

### Article 5 TESTING AND INVESTIGATIONS

#### 5.1 Purpose of Testing and Investigations

- 5.1.1 *Testing* and investigations may be undertaken for any anti-doping purpose.
- 5.1.2 *Testing* shall be undertaken to obtain analytical evidence as to whether the *Rider* has violated Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Rider's Sample*) or Article 2.2 (*Use or Attempted Use* by a *Rider* of a *Prohibited Substance* or a *Prohibited Method*).

*[Comment to Article 5.1: Where Testing is conducted for anti-doping purposes, the analytical results and data may be used for other legitimate purposes under the Anti-Doping Organization's rules. See, e.g., Comment to Article 23.2.2 of the Code.]*

#### 5.2 Authority to Test

Any *Rider* may be required to provide a *Sample* at any time and at any place by any *Anti-Doping Organization* with *Testing* authority over him or her.

- 5.2.1 Subject to the limitations for *Event Testing* set out in Article 5.3, the *UCI* shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Riders* specified in the Introduction to these Anti-Doping Rules (Section "Scope of these Anti-Doping Rules").
- 5.2.2 The *UCI* may require any *Rider* over whom it has *Testing* authority, who has not retired, including *Riders* serving a period of *Ineligibility*, to provide a *Sample* at any time and at any place.

*[Comment to Article 5.2.2: The UCI may obtain additional authority to conduct Testing by means of bilateral or multilateral agreements with other Signatories. Unless the Rider has identified a sixty (60) minute Testing window between the hours of 11:00 p.m. and 6:00 a.m., or has otherwise consented to Testing during that period, the UCI will not test a Rider during that period unless it has a serious and specific suspicion that the Rider may be engaged in doping. A challenge to whether the UCI had sufficient suspicion for Testing during this time period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]*

- 5.2.3 *WADA* shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.10 of the *Code*.
- 5.2.4 If the *UCI* delegates or contracts any part of *Testing* to a *National Anti-Doping Organization* directly or through a *National Federation*, 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 *UCI* shall be notified. The responsibility for *Results Management* in either case shall be as set forth in Article 7.1.

#### 5.3 Event Testing

- 5.3.1 Except as otherwise provided below, only a single organization shall have authority to conduct *Testing* at *Event Venues* during an *Event Period*.
- 5.3.2 At *UCI International Events*, the *UCI* shall have authority to conduct *Testing* and the collection of *Samples* shall be initiated and directed by the *UCI*.

Any *Testing* during the *Event Period* outside the *Event Venues* shall be coordinated with the *UCI*.

- 5.3.3 If an *Anti-Doping Organization*, which would otherwise have *Testing* authority, desires to conduct *Testing* of *Riders* at the *Event Venues* during the *Event Period*, the *Anti-Doping Organization* shall first confer with the *UCI* to obtain permission to conduct and coordinate such *Testing*.

## UCI CYCLING REGULATIONS

If the *Anti-Doping Organization* is not satisfied with the response from the *UCI*, the *Anti-Doping Organization* may, in accordance with the procedures described in the *UCI Testing & Investigations Regulations*, ask *WADA* for permission to conduct *Testing* and to determine how to coordinate such *Testing*.

*WADA* shall not grant approval for such *Testing* before consulting with and informing the *UCI*. *WADA*'s decision shall be final and not subject to appeal.

Unless otherwise provided in the authorization to conduct *Testing*, such tests shall be considered *Out-of-Competition* tests. *Results Management* for any such test shall be the responsibility of the *Anti-Doping Organization* initiating the test unless provided otherwise in the authorization to conduct *Testing*.

*[Comment to Article 5.3.3: Before giving approval to a National Anti-Doping Organization to initiate and conduct Testing at a UCI International Event, WADA shall consult with the UCI. Before giving approval to the UCI to initiate and conduct Testing at a National Event, WADA shall consult with the National Anti-Doping Organization of the country where the Event takes place. The Anti-Doping Organization "initiating and directing Testing" may, if it chooses, enter into agreements with a Delegated Third Party to which it delegates responsibility for Sample collection or other aspects of the Doping Control process.]*

- 5.3.4 At *National Events*, the *National Anti-Doping Organization* of that country shall have authority to conduct *Testing*. Notwithstanding the foregoing, the *UCI* may elect to conduct *Testing* during a *National Event* on *Riders* under its *Testing* authority participating in such *Event*, including at the *Event Venues*, with the authorization of the *Anti-Doping Organization* having *Testing* responsibility for the *Event*.

### 5.4 Testing Requirements

- 5.4.1 The *UCI* shall conduct test distribution planning and *Testing* as required by the *UCI Testing & Investigations Regulations*.
- 5.4.2 Where reasonably feasible, *Testing* shall be coordinated through *ADAMS* in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.
- 5.4.3 The *UCI Testing & Investigations Regulations* are an integral part of these *Anti-Doping Rules*.

They may be amended by the *UCI* from time to time (including upon amendment of the corresponding *International Standard* or *Technical Document* by *WADA*) and are available in their current version on the *UCI Website*.

### 5.5 Rider Whereabouts Information

The *UCI* has adopted a 'pyramid' or 'tiered approach', placing *Riders* into different whereabouts pools, referred to as the *Registered Testing Pool*, *Testing Pool* and other pool(s), depending upon how much whereabouts information it needs to conduct the amount of *Testing* allocated to those *Riders*.

In accordance with the foregoing, four different tiers are established:

Tier 1: *Riders* included in the *UCI Registered Testing Pool* (RTP) and therefore required to provide full whereabouts information;

Tier 2: *Riders* included in the *UCI Testing Pool* (TP) and therefore required to provide limited whereabouts information;

Tier 3: *Riders* included in the *UCI General Pool* (GP) and whose whereabouts information is therefore limited to that collected from their *Team*;

Tier 4: *Riders* who are not required to provide whereabouts information.

Whereabouts information provided by a *Rider* will be accessible through *ADAMS* to *WADA* and to other *Anti-Doping Organizations* having authority to test that *Rider* as provided in Article 5.2.

## UCI CYCLING REGULATIONS

Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating 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 shall 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.

### 5.5.1 Registered Testing Pool

- 5.5.1.1 The UCI shall establish a *Registered Testing Pool* of those *Riders* who are required to provide whereabouts information in the manner specified in the *UCI Testing & Investigations Regulations*.
- 5.5.1.2 *Riders* included in the *UCI Registered Testing Pool* shall be subject to *Consequences* for Article 2.4 violations (*Whereabouts Failure by a Rider*) as provided in Article 10.3.2.
- 5.5.1.3 The UCI shall make available through ADAMS and may publish on its website a list which identifies those *Riders* included in its *Registered Testing Pool* by name.
- 5.5.1.4 *Riders* shall be notified i) when they are included in the *UCI Registered Testing Pool* and ii) when they are removed from the *UCI Registered Testing Pool* as provided for under the *UCI Testing & Investigations Regulations*.
- 5.5.1.5 For purposes of Article 2.4, a *Rider's* failure to comply with the requirements of the *UCI Testing & Investigations Regulations* shall be deemed a filing failure or a missed test, as defined in Annex B of the *UCI Results Management Regulations*, where the conditions set forth in Annex B are met.
- 5.5.1.6 A *Rider* in the UCI's *Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements and subject to Article 2.4 (*Whereabouts Failure by a Rider*) unless and until: (a) the *Rider* has been given written notice by the UCI that he/she is removed from the *UCI Registered Testing Pool*; or (b) the *Rider* gives written notice to the UCI of his/her retirement as set forth in the *UCI Testing & Investigations Regulations*.

[Comment to Article 5.5.1.6: Retirement is effective once the UCI has received the *Rider's* written notice of his/her retirement].

### 5.5.2 Testing Pool

The UCI may, in accordance with the *UCI Testing & Investigations Regulations*, collect whereabouts information from *Riders* who are not included within the *UCI Registered Testing Pool*. More specifically, the UCI may establish a *Testing Pool*, which includes *Riders* who are subject to less stringent whereabouts requirements than *Riders* included in the *UCI Registered Testing Pool*.

- 5.5.2.1 *Riders* included in the *UCI Testing Pool* shall not be subject to *Consequences* for Article 2.4 violations (*Whereabouts Failure by a Rider*) as provided in Article 10.3.2. However, a *Rider's* failure to comply with the requirements of the *UCI Testing & Investigations Regulations* might result in the UCI elevating the *Rider* to the *UCI Registered Testing Pool*.
- 5.5.2.2 *Riders* shall be notified i) when they are included in the *UCI Testing Pool* and ii) when they are removed from the *UCI Testing Pool* as provided for under the *UCI Testing & Investigations Regulations*.

## UCI CYCLING REGULATIONS

- 5.5.2.3 A *Rider* in the *UCI Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements unless and until (a) the *Rider* has been given written notice by the *UCI* that he/she is removed from the *UCI Testing Pool*; or (b) the *Rider* gives written notice to the *UCI* of his or her retirement as set forth in the *UCI Testing & Investigations Regulations*.

[Comment to Article 5.5.2.3: Retirement is effective once the *UCI* has received the *Rider's* written notice of his/her retirement].

### 5.5.3 *UCI Team* Whereabouts

- 5.5.3.1 *UCI WorldTeams*, *UCI ProTeams* and *UCI Women's WorldTeams* must submit their provisional annual training camp and *Competition* schedule before the beginning of the next year, including a provisional list of *Participants*, to the best of their knowledge. This information shall then be updated on a regular basis and provided upon request.

- 5.5.3.2 At a minimum, *UCI WorldTeams*, *UCI ProTeams* and *UCI Women's WorldTeams* will submit their provisional training camp and *Competition* schedule for the next year on 15 December and will update it on 15 February, 15 April, 15 June, 15 August, 15 October.

[Comment: When a *Team* does not know precisely what its training camps/Competitions schedules or the attendance will be for the upcoming season, it must provide the information to the best of its knowledge and then update the information on a regular basis.]

- 5.5.3.3 Other *Teams* registered in the *UCI* (i.e. other than *UCI WorldTeams*, *UCI ProTeams* and *UCI Women's WorldTeams*) can also be subject to this obligation upon *UCI's* request.

- 5.5.3.4 *Teams* subject to the *Team* whereabouts obligation under this provision shall appoint a person responsible for providing this information in their *Team*.

- 5.5.3.5 In the event the set deadlines are not respected, the *Team* shall pay a fine of 1000 CHF for each day of delay to the *UCI*.

In addition, when the delays exceed fifteen (15) days, the *Team* shall, unless circumstances of exceptional nature require otherwise, be suspended from participation in any *International Event* for a period determined by the *UCI Disciplinary Commission*. The suspension shall not be less than fifteen (15) days and no more than forty-five (45) days.

- 5.5.3.6 A reminder shall be sent to the *Teams* before the expiration of the relevant deadlines indicating the applicable consequences for non-compliance.

## 5.6 Retired *Riders* Returning to *Competition*

- 5.6.1 If a *Rider* in the *UCI Registered Testing Pool* retires in accordance with the *UCI Testing & Investigations Regulations* and then wishes to return to active participation in sport, the *Rider* shall not compete in *International Events* until the *Rider* has made himself or herself available for *Testing*, by giving six (6) months prior written notice to the *UCI*.

WADA, in consultation with the *UCI* and the *Rider's National Anti-Doping Organization*, may grant an exemption to the six (6) month written notice rule where the strict application of that rule would be unfair to the *Rider*. This decision may be appealed under Article 13.

[Comment to Article 5.6.1: WADA has developed a protocol and exemption application form that *Riders* must use to make such requests, and a decision template that the *UCI* must use. Both documents are available on WADA's website.]

## UCI CYCLING REGULATIONS

- 5.6.1.1 Any competitive results obtained in violation of this Article 5.6.1 shall be *Disqualified*, unless the *Rider* can establish that he or she could not have reasonably known that this was an *International Event*.
- 5.6.2 If a *Rider* retires from sport while subject to a period of *Ineligibility*, the *Rider* must notify the *Anti-Doping Organization* that imposed the period of *Ineligibility* in writing of such retirement. If the *Rider* then wishes to return to active competition in sport, the *Rider* shall not compete in *International Events* or *National Events* until the *Rider* has made himself or herself 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 *Rider* retired, if that period was longer than six (6) months) to the *UCI*.

### 5.7 Investigation and Intelligence Gathering

The *UCI* shall ensure that it has the capability to conduct investigations and gather intelligence as required by the *UCI Testing & Investigations Regulations*.

- 5.7.1 In addition to conducting *Testing*, the *UCI* shall have the power to gather intelligence and conduct investigations in accordance with the requirements of the *Code*, these Anti-Doping Rules and the *UCI Testing and Investigations Regulations* into matters that may evidence or lead to the discovery of evidence of an anti-doping rule violation or other breach of these Anti-Doping Rules. Such investigations may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other *Signatories* and/or relevant authorities. The *UCI* shall have discretion, whenever deemed appropriate, to stay its own investigation or ongoing proceedings, pending the outcome of investigations being conducted by other *Signatories* and/or other relevant authorities.
- 5.7.2 Where a *Rider* or other *Person* knows that any other *Rider* or other *Person* has committed an anti-doping rule violation or other breach of these Anti-Doping Rules, it shall be the obligation of the *Rider* or other *Person* to report such knowledge to the *UCI* as soon as possible. The *Rider* or other *Person* shall have a continuing obligation to report any new knowledge regarding any anti-doping rule violation or other breach of these Anti-Doping Rules to the *UCI* even if their prior knowledge has already been reported.
- 5.7.3 The *UCI* may at any stage (including after an anti-doping rule violation charge) make a *Demand* to a *Rider* or other *Person* to provide the *UCI* with any information, record, article, thing or material in their possession or control that the *UCI* in its discretion reasonably believes may evidence or lead to the discovery of evidence of an anti-doping rule violation or other breach of these Anti-Doping Rules.
- 5.7.4 Pursuant to Article 5.7.3, the *UCI* may require a *Rider* or other *Person* to, including without limitation:
- a) Attend an interview before the *UCI*, or to answer any question, or to provide a written statement setting out their knowledge of any relevant facts and circumstances;
  - b) provide (or procure to the best of their ability the provision by any third party) for inspection, copying and/or downloading any records or file in hardcopy or electronic format, that the *UCI* reasonably believes may contain relevant information (such as itemised telephone bills, bank statements, ledgers, notes, files, correspondence, emails, messages, servers);
  - c) provide (or procure to the best of their ability the provision by any third party) for inspection, copying and/or downloading any electronic storage device in which the *UCI* reasonably believes relevant information may be stored (such as cloud based servers, computers, hard drives, tapes, disks, mobile telephones, laptop computers, tablets and other mobile storage devices);
  - d) provide full and unlimited access to their premises for the purpose of securing information, records, articles, material or other things that are the subject of a *Demand*;
  - e) provide passwords, login credentials and other identifying information required to access electronically stored records that are the subject of a *Demand*.

## UCI CYCLING REGULATIONS

- 5.7.5 Subject to Article 5.7.7, a *Rider* or other *Person* must comply with a *Demand* in such reasonable period of time as determined by the *UCI* and set out in the *Demand*. Each *Rider* or other *Person* waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold any information, record, article or thing requested in a *Demand*.
- 5.7.6 If a *Rider* or other *Person* refuses without compelling justification to comply with the *Demand* such conduct shall be considered as a *Failure to Cooperate*.
- 5.7.7 Where a *Demand* relates to any information, record, or thing that the *UCI* reasonably believes is capable of being damaged, altered, destroyed or hidden (any electronic storage device or electronically stored information shall be deemed to meet this criterion), then for the purposes of preserving the evidence, the *UCI* may require a *Rider* or other *Person* to comply immediately with the *Demand*.

In such a case:

- a) the *Rider* or other *Person* must immediately comply with the *Demand* and permit the *UCI* to take immediate possession of, copy and/or download the information, record, article or thing ;
  - b) a refusal or failure by a *Rider* or other *Person* to comply immediately with the *Demand*, without compelling justification, shall constitute a *Failure to Cooperate* ;
  - c) any attempted or actual damage, alteration, destruction or hiding of such information, record, article or thing upon receipt of or after the *Demand* may be pursued as an anti-doping rule violation under Article 2.5 (*Tampering or Attempted Tampering*).
- 5.7.8 Any information, record, article or material provided to the *UCI* under this provision will be kept confidential except when it becomes necessary to disclose such information, record, article or thing to pursue the investigation of and/or to bring, or as part of, proceedings relating to an anti-doping rule violation or other breach of these Anti-Doping Rules, or when such information, record, article or thing is reported to administrative, professional or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations, or is otherwise required by law.
- 5.7.9 If a *Rider* or other *Person* obstructs or delays an investigation (e.g., by providing false, misleading or incomplete information or documentation and/or by tampering or destroying any documentation or other information that may be relevant to the investigation), such conduct may be pursued as an anti-doping rule violation under Article 2.5 (*Tampering or Attempted Tampering*).
- 5.7.10 The *UCI Disciplinary Commission* shall have jurisdiction to hear any cases of *Failure to Cooperate* under this Article 5.7, unless the *UCI* and the *Rider* or other *Person* agree with the consequences of the relevant breach.
- 5.7.11 The *UCI* will decide whether there is a prima facie *Failure to Cooperate* and if so, refer the matter to the *UCI Disciplinary Commission*.
- 5.7.12 *Failure to Cooperate* shall be sanctioned with one or more of the following disciplinary measures:
- a *Provisional Suspension*,
  - a period of *ineligibility* up to six years, and/or
  - a fine.
- 5.7.13 The decision of the *UCI Disciplinary Commission* is subject to an appeal to CAS. The time limit to appeal is 21 days upon receipt of the decision by the *Rider* or the Other *Person*.

(text modified on 20.02.2023)

## UCI CYCLING REGULATIONS

### 5.8 Independent Observer Program

The *UCI* and the organizing committees for the *UCI's Events*, as well as the *National Federations* and the organizing committees for *National Events*, shall authorize and facilitate the *Independent Observer Program* at such *Events*.

## Article 6 ANALYSIS OF SAMPLES

*Samples* shall be analyzed in accordance with the following principles:

### 6.1 Use of Accredited, Approved Laboratories and Other Laboratories

6.1.1 For purposes of directly establishing an *Adverse Analytical Finding* under Article 2.1, *Samples* shall be analyzed only in *WADA*-accredited laboratories or laboratories otherwise approved by *WADA*. The choice of the *WADA*-accredited or *WADA*-approved laboratory used for the *Sample* analysis shall be determined exclusively by the *UCI*.

6.1.2 As provided in Article 3.2, facts related to anti-doping rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of *WADA*-accredited or approved laboratories.

*[Comment to Article 6.1: Violations of Article 2.1 may be established only by Sample analysis performed by a WADA-accredited laboratory, or another laboratory approved by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]*

### 6.2 Purpose of Analysis of Samples and Data

*Samples* and related analytical data or *Doping Control* information shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by *WADA* pursuant to the monitoring program described in Article 4.5, or to assist the *UCI* in profiling relevant parameters in a *Rider's* urine, blood or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.

*Samples* may be collected and stored for future further analysis and/or reanalysis.

*[Comment to Article 6.2: For example, relevant Doping Control-related information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 2.2, or both.]*

### 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 *Rider's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes shall 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 *Rider*. 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*.

*[Comment to Article 6.3: As is the case in most medical or scientific contexts, use of Samples and related information for quality assurance, quality improvement, method improvement and development or to establish reference populations is not considered research. Samples and related information used for such permitted non-research purposes must also first be processed in such a manner as to prevent them from being traced back to the particular Rider, having due regard to the principles set out in Article 19 of the Code, as well as the requirements of the International Standard for Laboratories and International Standard for the Protection of Privacy and Personal Information.]*

### 6.4 Standards for Sample Analysis and Reporting

*WADA* accredited Laboratories shall analyze *Samples* and reports results in conformity with the *International Standard* for Laboratories.

Laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by the *UCI*. Results from any such analysis shall be reported to the *UCI* and have the same validity and *Consequences* as any other analytical result.

## UCI CYCLING REGULATIONS

*[Comment to Article 6.4: The objective of this Article is to extend the principle of "Intelligent Testing" to the Sample analysis menu so as to most effectively and efficiently detect doping. It is recognized that the resources available to fight doping are limited and that increasing the Sample analysis menu may, in some sports and countries, reduce the number of Samples which can be analyzed.]*

### **6.5 Further Analysis of a Sample Prior to or During Results Management or Hearing Process**

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a *Sample* prior to the time the *UCI* notifies a *Rider* that the *Sample* is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification the *UCI* wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Rider* or approval from a hearing body.

### **6.6 Further Analysis of a Sample After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge**

After a laboratory has reported a *Sample* as negative, or the *Sample* has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of either the *Anti-Doping Organization* that initiated and directed *Sample* collection or *WADA*.

Any other *Anti-Doping Organization* with authority to test the *Rider* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of the *Anti-Doping Organization* that initiated and directed *Sample* collection or *WADA* and shall be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by *WADA*, or another *Anti-Doping Organization* shall be at *WADA's* or that organization's expense.

Further analysis of *Samples* shall conform with the requirements of the *International Standard for Laboratories*.

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

Where *WADA*, an *Anti-Doping Organization* with *Results Management* authority, and/or a *WADA*-accredited laboratory (with approval from *WADA* or the *Anti-Doping Organization* with *Results Management* authority) wishes to split an A or B *Sample* for the purpose of using the first part of the split *Sample* for an A *Sample* analysis and the second part of the split *Sample* for confirmation, then the procedures set forth in the *International Standard for Laboratories* shall be followed.

### **6.8 Ownership of Samples**

*Samples* collected from a *Rider* under these Anti-Doping Rules are owned by the *UCI*.

The *UCI* may transfer ownership of the *Samples* to another *Anti-Doping Organization* or receive ownership of *Samples* from other *Anti-Doping Organizations*, upon request.

### **6.9 WADA's Right to Take Possession of Samples and Data**

*WADA* may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* 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 shall 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 shall provide such notice to the laboratory and each *Anti-Doping Organization* whose *Samples* or data have been taken by *WADA* within a reasonable time after taking possession. After analysis and any investigation of a seized *Sample* or data, *WADA* may direct another *Anti-Doping Organization* with authority to test the *Rider* to assume *Results Management* responsibility for the *Sample* or data if a potential anti-doping rule violation is discovered.

*[Comment to Article 6.9: Resistance or refusal to WADA taking physical possession of Samples or data could constitute Tampering, Complicity or an act of non-compliance as provided in the International Standard for Code Compliance by Signatories, and could also constitute a violation of the International Standard for Laboratories. Where necessary, the laboratory and/or the Anti-Doping Organization shall assist WADA in ensuring that the seized Sample or data are not delayed in exiting the applicable country.]*

## UCI CYCLING REGULATIONS

*WADA would not, of course, unilaterally take possession of Samples or analytical data without good cause related to a potential anti-doping rule violation, non-compliance by a Signatory or doping activities by another Person. However, the decision as to whether good cause exists is for WADA to make in its discretion and shall not be subject to challenge. In particular, whether there is good cause or not shall not be a defense against an anti-doping rule violation or its Consequences.]*

### 6.10 Costs of Testing and Analysis

The costs of *In-Competition Testing* initiated and directed by the *UCI* shall be borne by the organizer of the *Event*.

The costs of *Out-of-Competition Testing* directed by the *UCI* shall be borne by the *UCI*. The costs of *Out-of-Competition Testing* directed by a *National Federation* so authorized at its request shall be borne by that *National Federation*.

The ultimate allocation of *Testing* and *Sample* analysis costs shall be as set forth in Article 10.12.

## Article 7 RESULTS MANAGEMENT & INVESTIGATIONS

### 7.1 Responsibility for Conducting Results Management

Except as otherwise provided in Articles 6.6, 6.9 and Article 7.1, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of the *Anti-Doping Organization* that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, the *Anti-Doping Organization* which first provides notice to a *Rider* or other *Person* of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation).

#### 7.1.1 General Responsibility of the UCI

The *UCI* shall have responsibility for *Results Management* conducted under these Anti-Doping Rules as follows, subject to Articles 7.1.2, 7.1.3 and 7.1.4. below:

- a) For potential violations arising in connection with *Testing* conducted by the *UCI* under these Anti-Doping Rules, including investigations against *Rider Support Personnel* or other *Persons* potentially involved in such violations;

*[Comment: violations arising in connection with Testing shall include, without limitation, Article 2.1, 2.2 (where the violation is based on Test results), 2.3 or 2.5]*

- b) For potential violation of these Anti-Doping Rules where no *Testing* is involved and where the following apply:

either:

- i) for all violations involving *International-Level Riders*, *Rider Support Personnel* or other *Persons* who have an involvement in any capacity in *International Events* or with *International-Level Riders*; or:
- ii) for all violations occurring in connection with - or discovered on the occasion of - an *International Event*;

but only

where the *UCI* is the *Anti-Doping Organization* which first provides notice to a *Rider*, *Rider Support Personnel* or other *Person* of an asserted anti-doping rule violation and then diligently pursues that anti-doping rule violation.

## UCI CYCLING REGULATIONS

### 7.1.2 Default Responsibility of the UCI as an International Federation

7.1.2.1 In circumstances where the rules of a *National Anti-Doping Organization* do not give the *National Anti-Doping Organization* authority over a *Rider* or other *Person* who is not a national, resident, licence holder or member of a sport organization of that country, or the *National Anti-Doping Organization* declines to exercise such authority, *Results Management* shall be conducted by the *UCI* or by a third party with authority over the *Rider* or other *Person* as directed by these Anti-Doping Rules.

7.1.2.2 In the event a *Major Event Organization* assumes only limited *Results Management* responsibility relating to a *Sample* initiated and taken during an *Event* conducted by a *Major Event Organization*, or an anti-doping rule violation occurring during such *Event*, the case shall be referred by the *Major Event Organization* to the *UCI* for completion of *Results Management*.

[Comment to Article 7.1.2.2: The *Major Event Organization* for that *Event* shall assume *Results Management* responsibility to at least the limited extent of conducting a hearing to determine whether an anti-doping rule violation was committed and, if so, the applicable *Disqualifications* under Articles 9 and 10.1, any forfeiture of any medals, points, or prizes from that *Event*, and any recovery of costs applicable to the anti-doping rule violation.]

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

### 7.1.3 Responsibilities in Specific Circumstances

7.1.3.1 *Results Management* in relation to a potential whereabouts failure (a filing failure or a missed test) and, where applicable, to a potential violation under Article 2.4 shall be administered by the *UCI* if the *Rider* in question files his or her whereabouts information with the *UCI*, as provided in the *UCI Results Management Regulations*. The *Anti-Doping Organization* that determines a filing failure or a missed test shall submit that information to *WADA* through *ADAMS*, where it will be made available to other relevant *Anti-Doping Organizations*.

7.1.3.2 *Results Management* for *Adverse Passport Findings* or *Atypical Passport Findings* and related review shall be conducted by the *UCI* if the *UCI* is the *Rider's* passport custodian.

7.1.3.3 Where a *National Anti-Doping Organization* elects to collect additional *Samples* pursuant to Article 5.2.4, then it shall be considered the *Anti-Doping Organization* that initiated and directed *Sample* collection. However, where the *National Anti-Doping Organization* only directs the laboratory to perform additional types of analysis at the *National Anti-Doping Organization's* expense, then the *UCI* shall be considered the *Anti-Doping Organization* that initiated and directed *Sample* collection.

## UCI CYCLING REGULATIONS

### 7.1.4 Resolution of Conflict of Responsibilities

If a dispute arises between the *UCI* and another *Anti-Doping Organization* over which *Anti-Doping Organization* has *Results Management* and/or investigation responsibility, *WADA* shall decide which organization has such responsibility. *WADA*'s decision may be appealed to *CAS* within seven (7) days of notification of the *WADA* decision by any of the *Anti-Doping Organizations* involved in the dispute. The appeal shall be dealt with by *CAS* in an expedited manner and shall be heard before a single arbitrator. Any *Anti-Doping Organization* seeking to conduct *Results Management* outside of the authority provided in this Article 7.1 may seek approval to do so from *WADA*.

### 7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

The *UCI* shall carry out the review and notification of *Adverse Analytical Findings*, *Atypical Findings*, *Athlete Biological Passport Findings*, potential failures to comply, potential whereabouts failures and any other potential anti-doping rule violation under its *Results Management* responsibility in accordance with the *UCI Results Management Regulations*.

### 7.3 Provisional Suspensions

The imposition of a mandatory *Provisional Suspension*, the possibility to voluntarily accept a *Provisional Suspension* and the related consequences and proceedings are provided in the *UCI Results Management Regulations*.

### 7.4 Results Management Decisions

*Results Management* decisions or adjudications by the *UCI* or other *Anti-Doping Organizations* must not purport to be limited to a particular geographic area or sport and shall address and determine without limitation 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 that have been violated, and
- (ii) all *Consequences* flowing from the anti-doping rule violation(s), including applicable *Disqualifications* under Articles 9 and 10.10, any forfeiture of medals or prizes, any period of *Ineligibility* (and the date it begins to run) and any *Financial Consequences*.

[Comment to Article 7.4: *Results Management* decisions include *Provisional Suspensions*.

*With the exception of Results Management decisions by Major Event Organizations, each decision by an Anti-Doping Organization should address whether an anti-doping rule violation was committed and all Consequences flowing from the violation, including any Disqualifications other than Disqualification under Article 10.1 (which is left to the ruling body for an Event). Pursuant to Article 15, such decision and its imposition of Consequences shall have automatic effect in every sport in every country. For example, for a determination that a Rider committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the Rider's results obtained in the Competition would be Disqualified under Article 9 and all other competitive results obtained by the Rider from the date the Sample was collected through the duration of the period of Ineligibility are also Disqualified under Article 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the Major Event Organization's responsibility to decide whether the Rider's other individual results in the Event prior to Sample collection are also Disqualified under Article 10.1.]*

### 7.5 Notification of Results Management Decisions

The *UCI* shall notify *Riders*, other *Persons*, relevant *Signatories* and *WADA* of *Results Management* decisions as provided in Article 14 and in the *UCI Results Management Regulations*.

The *UCI* may also inform the *Rider's* or other *Person's National Federation* and/or *Team*.

## 7.6 Retirement from Sport

If a *Rider* or other *Person* retires while the *UCI's Results Management* process is underway, the *UCI* retains authority to complete its *Results Management* process. If a *Rider* or other *Person* retires before any *Results Management* process has begun, and the *UCI* would have had *Results Management* authority over the *Rider* or other *Person* at the time the *Rider* or other *Person* committed an anti-doping rule violation, the *UCI* retains authority to conduct *Results Management*.

*[Comment to Article 7.6: Conduct by a Rider or other Person before the Rider or other Person was subject to the authority of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Rider or other Person membership in a sports organization.]*

## Article 8 **RESULTS MANAGEMENT: NOTICE OF CHARGE, AGREEMENT, FAILURE TO CHALLENGE AND HEARING PROCESS**

When, following the *Results Management* process described in Article 7, the *UCI* makes an assertion that an anti-doping rule violation was committed, it shall so notify the *Rider* or other *Person* concerned and the case shall be referred to the *UCI Anti-Doping Tribunal*, unless i) the *Rider* or other *Person* agrees with the *UCI* on the *Consequences* of the anti-doping rule violation or ii) the *Rider* or other *Person* fails to challenge the *UCI's* assertion that an anti-doping rule violation has occurred within the specific time period provided in the *UCI Results Management Regulations* or iii) all parties agree that the matter to be heard in a single hearing directly at *CAS* in accordance with Article 8.4.

### 8.1 Notice of Charge

If, after receipt of the *Rider* or other *Person's* explanation or expiry of the deadline to provide such explanation, the *UCI* is (still) satisfied that the *Rider* or other *Person* has committed (an) anti-doping rule violation(s), the *UCI* shall promptly charge the *Rider* or other *Person* with the anti-doping rule violation(s) he or she is asserted to have breached in accordance with the *UCI Results Management Regulations*.

### 8.2 Acceptance of *Consequences* and Failure to Challenge the Anti-Doping Rule Violation

8.2.1 In the event that the *Rider* or other *Person* either (i) admits the anti-doping rule violation and accepts the proposed *Consequences* or (ii) is deemed to have admitted the violation and accepted the *Consequences* in accordance with Article 8, the *UCI* shall promptly notify the relevant parties with a right of appeal.

Such agreement shall be considered as a decision by the *UCI* which replaces a decision of the *UCI Anti-Doping Tribunal* and put an end to the proceedings. The agreement may be appealed to *CAS* by the *Anti-Doping Organizations* having a right to appeal under Article 13.2.3. The *Rider* or other *Person* and the *UCI* shall have no right to appeal.

The *UCI* may reopen the case if new facts, or facts that were not known to the *UCI* at the time of the agreement, are subsequently brought to its knowledge, the nature of which would have led the *UCI* not to conclude the agreement or to conclude the agreement with different terms. If an appeal is pending before *CAS* at this point, the *UCI* shall be entitled to raise these new facts or circumstances in the *CAS* proceedings.

*Public Disclosure* of the agreement shall be conducted in accordance with Article 14.4.

8.2.2 Subject to Article 8.4, in the event that the *Rider* or other *Person* requests a hearing, the matter shall be referred to the *UCI Anti-Doping Tribunal* and be dealt with pursuant to Article 8.3.

### 8.3 Hearing Process

#### 8.3.1 *UCI Anti-Doping Tribunal*

The *UCI* shall establish an *UCI Anti-Doping Tribunal* to hear anti-doping rule violations asserted under these Anti-Doping Rules. The *UCI Anti-Doping Tribunal* shall be *Operationally Independent*.

## UCI CYCLING REGULATIONS

The *UCI Anti-Doping Tribunal*, its composition and its procedures shall be determined in specific procedural rules established by the *UCI* and made available on its website.

The *UCI Anti-Doping Tribunal* is financed by the *UCI* and the *National Federations*. The financial contribution of the *National Federations* shall be through payment of a fee due whenever a procedure is initiated before the *UCI Anti-Doping Tribunal*. Such fee is paid by the *National Federation* of the *Licence-Holder* against whom the procedure is initiated.

*[Comment to Article 8.3.1: The relevant National Federation is the National Federation of the Licence-Holder at the time of the Anti-Doping Rule Violation.]*

### 8.3.2 Jurisdiction of the *UCI Anti-Doping Tribunal*

The *UCI Anti-Doping Tribunal* shall have jurisdiction over all matters in which

- An anti-doping rule violation is asserted by the *UCI* based on a *Results Management* or investigation process under Article 7;
- An anti-doping rule violation is asserted by another *Anti-Doping Organization* under its rules, and all parties (in particular the *Anti-Doping Organization* and the *Rider* or other *Person* concerned) agree to submit the matter to the *UCI Anti-Doping Tribunal*, with the agreement of the *UCI*; or
- The *UCI* decides to assert an anti-doping rule violation against a *Rider* or other *Person* subject to these Anti-Doping Rules, based on a failure by another organization to initiate or diligently pursue a hearing process or where the *UCI* otherwise finds it appropriate for a fair hearing process to be granted.

### 8.3.3 Decision by the *UCI Anti-Doping Tribunal*

Upon hearing the matter as provided for in its procedural rules, the *UCI Anti-Doping Tribunal* shall issue a written, reasoned decision in a timely manner, in accordance with the *UCI Results Management Regulations*.

The decision may be appealed to *CAS* as provided in Article 13. The decision shall be notified to the *Rider* or other *Person* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3.

If no appeal is brought against the decision, then

- a) if the decision is that an anti-doping rule violation was committed, the decision shall be *Publicly Disclosed* as provided in Article 14.4.2;
- b) if the decision is that no anti-doping rule violation was committed, then the decision shall only be *Publicly Disclosed* with the consent of the *Rider* or other *Person* who is the subject of the decision. The principles contained at Article 14.4.7 shall be applied in cases involving a *Minor*, *Protected Person* or *Recreational Athlete*.

## 8.4 Single Hearing Before *CAS*

Anti-doping rule violations asserted under these Anti-Doping Rules may, with the consent of the *Rider* or other *Person*, the *UCI* and *WADA*, be heard in a single hearing directly at *CAS*.

*[Comment to Article 8.4: In some cases, the combined cost of holding a hearing in the first instance at the international or national level, then rehearing the case de novo before CAS can be very substantial. Where all of the parties identified in this Article are satisfied that their interests will be adequately protected in a single hearing, there is no need for the Rider or Anti-Doping Organizations to incur the extra expense of two hearings. An Anti-Doping Organization may participate in the CAS hearing as an observer.]*

## UCI CYCLING REGULATIONS

### 8.5 **Event Hearings**

Hearings held in connection with *Events* may be conducted by an expedited process as permitted by the procedural rules of the *UCI Anti-Doping Tribunal*.

### 8.6 **Waiver of Hearing**

The right to a hearing may be waived either expressly or by the *Rider's* or other *Person's* failure to challenge an *Anti-Doping Organization's* assertion that an anti-doping rule violation has occurred within the specific time period provided in the *UCI Results Management Regulations*.

### 8.7 **Notice of Decision**

The reasoned hearing decision, or in cases where the hearing has been waived, the Acceptance of Consequences, shall be provided by the *UCI* to the *Rider* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3 as provided in Article 14 and published in accordance with Article 14.4.

## Article 9 **AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

An anti-doping rule violation in *Individual Sports* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any medals, points and prizes.

*[Comment to Article 9: Consequences for Teams are as provided in Article 11]*

**Article 10 SANCTIONS ON INDIVIDUALS**

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

An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Rider's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Rider's* anti-doping rule violation and whether the *Rider* tested negative in the other *Competitions*.

*[Comment to Article 10.1: Whereas Article 9 Disqualifies the result in a single Competition in which the Rider tested positive (e.g., individual pursuit), this Article may lead to Disqualification of all results in all races during the Event (e.g., the UCI Track World Championships).]*

10.1.1 If the *Rider* establishes that he or she bears *No Fault* or *Negligence* for the violation, the *Rider's* individual results in the other *Competitions* shall not be *Disqualified*, unless the *Rider's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Rider's* anti-doping rule violation.

Notwithstanding the application of Article 10.1, the *Rider* shall be removed from the final general ranking of the *Event* in case of *Disqualification* under Article 9 of a *Competition* within that *Event*.

**10.2 Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method**

The period of *Ineligibility* for a violation of Article 2.1, 2.2 or 2.6 shall be as follows, subject to potential elimination, reduction or suspension pursuant to Article 10.5, 10.6 or 10.7:

10.2.1 The period of *Ineligibility*, subject to Article 10.2.4, shall be four (4) years where:

10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance* or a *Specified Method*, unless the *Rider* or other *Person* can establish that the anti-doping rule violation was not intentional.

*[Comment to Article 10.2.1.1: While it is theoretically possible for a Rider or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 a Rider will be successful in proving that the Rider acted unintentionally without establishing the source of the Prohibited Substance.]*

10.2.1.2 The anti-doping rule violation involves a *Specified Substance*, or a *Specified Method* and the *UCI* can establish that the anti-doping rule violation was intentional.

10.2.2 If Article 10.2.1 does not apply, subject to Article 10.2.4.1, the period of *Ineligibility* shall be two (2) years.

10.2.3 As used in Article 10.2, the term "intentional" is meant to identify those *Riders* or other *Persons* who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall be rebuttably presumed to be not "intentional" if the substance is a *Specified Substance* and the *Rider* can establish that the *Prohibited Substance* was *Used Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered "intentional" if the substance is not a *Specified Substance* and the *Rider* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context in a context unrelated to sport performance.

*[Comment to Article 10.2.3: Article 10.2.3 provides a special definition of "intentional" which is to be applied solely for purposes of Article 10.2.]*

## UCI CYCLING REGULATIONS

10.2.4 Notwithstanding any other provision in Article 10.2, where the anti-doping rule violation involves a *Substance of Abuse*:

10.2.4.1 If the *Rider* can establish that any ingestion or *Use* occurred *Out-of-Competition* and was unrelated to sport performance, then the period of *Ineligibility* shall be three (3) months *Ineligibility*.

In addition, the period of *Ineligibility* calculated under this Article 10.2.4.1 may be reduced to one (1) month if the *Rider* or other *Person* satisfactorily completes a *Substance of Abuse* treatment program approved by the *UCI*. The period of *Ineligibility* established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.

*[Comment to Article 10.2.4.1: The determinations as to whether the treatment program is approved and whether the Rider or other Person has satisfactorily completed the program shall be made in the sole discretion of the UCI. This Article is intended to give the UCI the leeway to apply its own judgment to identify and approve legitimate and reputable, as opposed to "sham", treatment programs. It is anticipated, however, that the characteristics of legitimate treatment programs may vary widely and change over time such that it would not be practical for the UCI to develop mandatory criteria for acceptable treatment programs.]*

10.2.4.2 If the ingestion, *Use* or *Possession* occurred *In-Competition*, and the *Rider* can establish that the context of the ingestion, *Use* or *Possession* was unrelated to sport performance, then the ingestion, *Use* or *Possession* shall not be considered intentional for purposes of Article 10.2.1 and shall not provide a basis for a finding of *Aggravating Circumstances* under Article 10.4.

### 10.3 *Ineligibility* for Other Anti-Doping Rule Violations

The period of *Ineligibility* for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Articles 10.6 or 10.7 are applicable:

10.3.1 For violations of Article 2.3 or 2.5, the period of *Ineligibility* shall be four (4) years except:

- (i) in the case of failing to submit to *Sample* collection, if the *Rider* can establish that the commission of the anti-doping rule violation was not intentional, the period of *Ineligibility* shall be two (2) years;
- (ii) in all other cases, if the *Rider* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two (2) years to four (4) years depending on the *Rider* or other *Person's* degree of *Fault*; or
- (iii) in a case involving a *Protected Person* or *Recreational Rider*, 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 Rider's* degree of *Fault*.

10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Rider's* degree of *Fault*.

The flexibility between two (2) years and one (1) year of *Ineligibility* in this Article is not available to *Riders* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Rider* was trying to avoid being available for *Testing*.

10.3.3 For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility*, depending on the seriousness of the violation.

An Article 2.7 or Article 2.8 violation involving a *Protected Person* shall be considered a particularly serious violation and, if committed by *Rider Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Rider Support Personnel*.

## UCI CYCLING REGULATIONS

In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

*[Comment to Article 10.3.3: Those who are involved in doping Riders or covering up doping should be subject to sanctions which are more severe than the Riders who test positive. Since the authority of sport organizations is generally limited to Ineligibility for accreditation, membership and other sport benefits, reporting Rider Support Personnel to competent authorities is an important step in the deterrence of doping.]*

10.3.4 For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation.

10.3.5 For violations of Article 2.10, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Rider* or other *Person's* degree of *Fault* and other circumstances of the case.

*[Comment to Article 10.3.5: Where the "other Person" referenced in Article 2.10 is an entity and not an individual, that entity may be disciplined as provided in Article 12.]*

10.3.6 For violations of Article 2.11, the period of *Ineligibility* shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation by the *Rider* or other *Person*.

*[Comment to Article 10.3.6: Conduct that is found to violate both Article 2.5 (Tampering) and Article 2.11 (Acts by a Rider or Other Person to Discourage or Retaliate Against Reporting to Authorities) shall be sanctioned based on the violation that carries the more severe sanction.]*

### 10.4 Aggravating Circumstances which may Increase the Period of *Ineligibility*

If the *UCI* establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (*Trafficking* or *Attempted Trafficking*), 2.8 (*Administration* or *Attempted Administration*), 2.9 (*Complicity* or *Attempted Complicity*) or 2.11 (*Acts by a Rider* or *Other Person* to *Discourage* or *Retaliate Against Reporting*) that *Aggravating Circumstances* are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased by an additional period of *Ineligibility* of up to two (2) years depending on the seriousness of the violation and the nature of the *Aggravating Circumstances*, unless the *Rider* or other *Person* can establish that he or she did not knowingly commit the anti-doping rule violation.

*[Comment to Article 10.4: Violations under Articles 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) and 2.11 (Acts by a Rider or Other Person to Discourage or Retaliate Against Reporting to Authorities) are not included in the application of Article 10.4 because the sanctions for these violations already build in sufficient discretion up to a lifetime ban to allow consideration of any Aggravating Circumstance.]*

### 10.5 Elimination of the Period of *Ineligibility* where there is *No Fault* or *Negligence*

If a *Rider* or other *Person* establishes in an individual case that he or she bears *No Fault* or *Negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.

*[Comment to Article 10.5: This Article and Article 10.6.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example, where a Rider could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, No Fault or Negligence would not apply in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Riders are responsible for what they ingest (Article 2.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a Prohibited Substance by the Rider's personal physician or trainer without disclosure to the Rider (Riders are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Rider's food or drink by a spouse, coach or other Person within the Rider's circle of associates (Riders are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Article 10.6 based on No Significant Fault or Negligence.]*

## UCI CYCLING REGULATIONS

### 10.6 Reduction of the Period of *Ineligibility* based on *No Significant Fault or Negligence*

#### 10.6.1 Reduction of Sanctions in Particular Circumstances for Violations of Article 2.1, 2.2 or 2.6.

All reductions under Article 10.6.1 are mutually exclusive and not cumulative.

##### 10.6.1.1 *Specified Substances or Specified Methods*

Where the anti-doping rule violation involves a *Specified Substance* (other than a *Substance of Abuse*) or *Specified Method*, and the *Rider* or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years of *Ineligibility*, depending on the *Rider's* or other *Person's* degree of *Fault*.

##### 10.6.1.2 *Contaminated Products*

In cases where the *Rider* or other *Person* can establish both *No Significant Fault or Negligence* and that the detected *Prohibited Substance* (other than a *Substance of Abuse*) came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Rider* or other *Person's* degree of *Fault*.

*[Comment to Article 10.6.1.2: In order to receive the benefit of this Article, the Rider or other Person must establish not only that the detected Prohibited Substance came from a Contaminated Product but must also separately establish No Significant Fault or Negligence. It should be further noted that Riders are on notice that they take nutritional supplements at their own risk. The sanction reduction based on No Significant Fault or Negligence has rarely been applied in Contaminated Product cases unless the Rider has exercised a high level of caution before taking the Contaminated Product. In assessing whether the Rider can establish the source of the Prohibited Substance, it would, for example, be significant for purposes of establishing whether the Rider actually Used the Contaminated Product, whether the Rider had declared the product which was subsequently determined to be contaminated on the Doping Control form.]*

*This Article should not be extended beyond products that have gone through some process of manufacturing. Where an Adverse Analytical Finding results from environment contamination of a "non-product" such as tap water or lake water in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, typically there would be No Fault or Negligence under Article 10.5.]*

##### 10.6.1.3 *Protected Person or Recreational Rider*

Where the anti-doping rule violation not involving a *Substance of Abuse* is committed by a *Protected Person* or *Recreational Rider*, and the *Protected Person* or *Recreational Rider* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Protected Person* or *Recreational Rider's* degree of *Fault*.

#### 10.6.2 Application of *No Significant Fault or Negligence* beyond the Application of Article 10.6.1

If a *Rider* or other *Person* establishes in an individual case where Article 10.6.1 is not applicable that he or she bears *No Significant Fault or Negligence*, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of *Ineligibility* may be reduced based on the *Rider* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight (8) years.

*[Comment to Article 10.6.2: Article 10.6.2 may be applied to any anti-doping rule violation except those Articles where intent is an element of the anti-doping rule violation (e.g., Article 2.5, 2.7, 2.8, 2.9 or 2.11) or an element of a particular sanction (e.g., Article 10.2.1) or a range of Ineligibility is already provided in an Article based on the Rider or other Person's degree of Fault.]*

## UCI CYCLING REGULATIONS

### 10.7 Elimination, Reduction, or Suspension of Period of *Ineligibility* or other *Consequences* for Reasons other than *Fault*

#### 10.7.1 *Substantial Assistance* in Discovering or Establishing *Code* Violations

10.7.1.1 The *UCI* may, prior to an appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the *Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case where the *Rider* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in:

- (i) the *Anti-Doping Organization* discovering or bringing forward an anti-doping rule violation by another *Person*; or
- (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to the *UCI* or other *Anti-Doping Organization* with *Results Management* responsibility; or
- (iii) which results in *WADA* initiating a proceeding against a *Signatory*, *WADA*-accredited laboratory, or *Athlete* passport management unit (as defined in the *International Standard for Laboratories*) for non-compliance with the *Code*, *International Standard* or *Technical Document*; or
- (iv) with the approval by *WADA*, which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping.

After an appellate decision under Article 13 or the expiration of time to appeal, the *UCI* may only suspend a part of the otherwise applicable *Consequences* with the approval of *WADA*.

The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Rider* or other *Person* and the significance of the *Substantial Assistance* provided by the *Rider* or other *Person* to the effort to eliminate doping in sport, non-compliance with the *Code* and/or sport integrity violations. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.9.3.2.

If so requested by a *Rider* or other *Person* who seeks to provide *Substantial Assistance*, the *UCI* shall allow the *Rider* or other *Person* to provide the information to it subject to a *Without Prejudice Agreement*.

If the *Rider* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of *Consequences* was based, the *UCI* shall reinstate the original *Consequences*. If the *UCI* decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that decision may be appealed by any *Person* entitled to appeal under Article 13.

## UCI CYCLING REGULATIONS

10.7.1.2 To further encourage *Riders* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organizations*, at the request of the *UCI* or at the request of the *Rider* or other *Person* who has, or has been asserted to have, committed an anti-doping rule violation, or other violation of these Rules, *WADA* may agree at any stage of the *Results Management* process, including after an appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of *Ineligibility* and other *Consequences*. In exceptional circumstances, *WADA* may agree to suspensions of the period of *Ineligibility* and other *Consequences* for *Substantial Assistance* greater than those otherwise provided in this Article, or even no period of *Ineligibility*, no mandatory *Public Disclosure* and/or no return of prize money or payment of fines or costs. *WADA*'s approval shall be subject to reinstatement of *Consequences*, as otherwise provided in this Article. Notwithstanding Article 13, *WADA*'s decisions in the context of this Article 10.7.1.2 may not be appealed.

10.7.1.3 If the *UCI* suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3 as provided in Article 14.2.

In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA* may authorize the *UCI* to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

*[Comment to Article 10.7.1: The cooperation of Riders, Rider Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.]*

### 10.7.2 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

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

*[Comment to Article 10.7.2: This Article is intended to apply when a Rider or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Rider or other Person believes he or she is about to be caught. The amount by which Ineligibility is reduced should be based on the likelihood that the Rider or other Person would have been caught had he or she not come forward voluntarily.]*

### 10.7.3 Application of Multiple Grounds for Reduction of a Sanction

Where a *Rider* or other *Person* establishes entitlement to reduction in sanction under more than one provision of Article 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.5, and 10.6. If the *Rider* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Article 10.7, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

## UCI CYCLING REGULATIONS

### 10.8 Results Management Agreements

#### 10.8.1 One (1) Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

Where a *Rider* or other *Person*, after being notified by the *UCI* of a potential anti-doping rule violation that carries an asserted period of *Ineligibility* of four (4) or more years (including any period of *Ineligibility* asserted under Article 10.4), admits the violation and accepts the asserted period of *Ineligibility* no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the *Rider* or other *Person* may receive a one (1) year reduction in the period of *Ineligibility* asserted by the *UCI*. Where the *Rider* or other *Person* receives the one (1) year reduction in the asserted period of *Ineligibility* under this Article 10.8.1, no further reduction in the asserted period of *Ineligibility* shall be allowed under any other Article.

*[Comment to Article 10.8.1: For example, if the UCI alleges that a Rider has violated Article 2.1 for Use of an anabolic steroid and asserts the applicable period of Ineligibility is four (4) years, then the Rider may unilaterally reduce the period of Ineligibility to three (3) years by admitting the violation and accepting the three (3) year period of Ineligibility within the time specified in this Article, with no further reduction allowed. This resolves the case without any need for a hearing.]*

#### 10.8.2 Case Resolution Agreement

Where the *Rider* or other *Person* admits an anti-doping rule violation after being confronted with the anti-doping rule violation by the *UCI* and agrees to *Consequences* acceptable to the *UCI* and *WADA*, at their sole discretion, then:

- (a) the *Rider* or other *Person* may receive a reduction in the period of *Ineligibility* based on an assessment by the *UCI* and *WADA* of the application of Articles 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the *Rider* or other *Person's* degree of *Fault* and how promptly the *Rider* or other *Person* admitted the violation; and
- (b) the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

In each case, however, where this Article is applied, the *Rider* or other *Person* shall serve at least one-half of the agreed-upon period of *Ineligibility* going forward from the earlier of the date the *Rider* or other *Person* accepted the imposition of a sanction or a *Provisional Suspension* which was subsequently respected by the *Rider* or other *Person*. The decision by *WADA* and the *UCI* to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of, the period of *Ineligibility* are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

If so requested by a *Rider* or other *Person* who seeks to enter into a case resolution agreement under this Article, the *UCI* shall allow the *Rider* or other *Person* to discuss an admission of the anti-doping rule violation with it subject to a *Without Prejudice Agreement*.

*[Comment to Article 10.8: Any mitigating or aggravating factors set forth in this Article 10 shall be considered in arriving at the Consequences set forth in the case resolution agreement and shall not be applicable beyond the terms of that agreement.]*

### 10.9 Multiple Violations

#### 10.9.1 Second or Third Anti-Doping Rule Violation

10.9.1.1 For a *Rider* or other *Person's* second anti-doping rule violation, the period of *Ineligibility* shall be the greater of:

- (a) A six (6) month period of *Ineligibility*; or
- (b) A period of *Ineligibility* in the range between:

## UCI CYCLING REGULATIONS

- (i) the sum of the period of *Ineligibility* imposed for the first anti-doping rule violation plus the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and
- (ii) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

The period of *Ineligibility* within this range shall be determined based on the entirety of the circumstances and the *Rider* or other *Person's* degree of *Fault* with respect to the second violation.

10.9.1.2 A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.5 or 10.6 or involves a violation of Article 2.4. In these particular cases, the period of *Ineligibility* shall be from eight (8) years to lifetime *Ineligibility*.

10.9.1.3 The period of *Ineligibility* established in Articles 10.9.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.

10.9.2 An anti-doping rule violation for which a *Rider* or other *Person* has established *No Fault* or *Negligence* shall not be considered a violation for purposes of this Article 10.9. In addition, an anti-doping rule violation sanctioned under Article 10.2.4.1 shall not be considered a violation for purposes of Article 10.9.

10.9.3 Additional Rules for Certain Potential Multiple Violations

10.9.3.1 For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be considered a second violation if the *UCI* can establish that the *Rider* or other *Person* committed the additional anti-doping rule violation after the *Rider* or other *Person* received notice pursuant to Article 7, or after the *UCI* made reasonable efforts to give notice of the first anti-doping rule violation. If the *UCI* cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of *Aggravating Circumstances*. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 10.10.

[Comment to Article 10.9.3.1: The same rule applies where, after the imposition of a sanction, the *UCI* discovers facts involving an anti-doping rule violation that occurred prior to notification for a first anti-doping rule violation – e.g., the *UCI* shall impose a sanction based on the sanction that could have been imposed if the two (2) violations had been adjudicated at the same time, including the application of *Aggravating Circumstances*.]

10.9.3.2 If the *UCI* establishes that a *Rider* or other *Person* committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of *Ineligibility* for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of *Ineligibility* is served consecutively, rather than concurrently, with the period of *Ineligibility* imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

## UCI CYCLING REGULATIONS

10.9.3.3 If the *UCI* establishes that a *Rider* or other *Person* committed a violation of Article 2.5 in connection with the *Doping Control* process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the period of *Ineligibility* for such violation shall be served consecutively, rather than concurrently, with the period of *Ineligibility*, if any, imposed for the underlying anti-doping rule violation. Where this Article 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.4 If the *UCI* establishes that a *Rider* or other *Person* has committed a second or third anti-doping rule violation during a period of *Ineligibility*, the periods of *Ineligibility* for the multiple violations shall run consecutively, rather than concurrently.

### 10.9.4 Multiple Anti-Doping Rule Violations during Ten (10) Year Period

For purposes of Article 10.9, each anti-doping rule violation must take place within the same ten (10) year period in order to be considered multiple violations.

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

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9, all other competitive results of the *Rider* obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

*[Comment to Article 10.10: Nothing in these Anti-Doping Rules precludes clean Riders or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such Person.]*

### 10.11 **Forfeited Prize Money**

If the *UCI* recovers prize money forfeited as a result of an anti-doping rule violation, it shall take reasonable measures to allocate and distribute this prize money to the *Riders* who would have been entitled to it had the forfeiting *Rider* not competed.

*[Comment to Article 10.11: This Article is not intended to impose an affirmative duty on the UCI to take any action to collect forfeited prize money. If the UCI elects not to take any action to collect forfeited prize money, it may assign its right to recover such money to the Rider(s) who should have otherwise received the money. "Reasonable measures to allocate and distribute this prize money" could include using collected forfeited prize money as agreed upon by the UCI and its Riders.]*

### 10.12 **Financial Consequences**

10.12.1 In addition to the *Consequences* provided for in Article 10.1-10.10, violation under these Anti-Doping Rules shall be sanctioned with a fine as follows.

10.12.1.1 A fine shall be imposed in case a *Rider* or other *Person* exercising a professional activity in cycling is found to have committed an intentional anti-doping rule violation within the meaning of Article 10.2.3.

*[Comments: 1. A member of a Team registered with the UCI shall be considered as exercising a professional activity in cycling. 2. Suspension of part of a period of Ineligibility has no influence on the application of this Article].*

## UCI CYCLING REGULATIONS

10.12.1.2 The amount of the fine shall be equal to the net annual income from cycling that the *Rider* or other *Person* was entitled to for the whole year in which the anti-doping violation occurred. In the event that the anti-doping violation relates to more than one (1) year, the amount of the fine shall be equal to the average of the net annual income from cycling that the *Rider* or other *Person* was entitled to during each year covered by the anti-doping rule violation.

*[Comment: Income from cycling includes the earnings from all the contracts with the Team and the income from image rights, amongst others.]*

The net income shall be deemed to be 70 (seventy) % of the corresponding gross income. The *Rider* or other *Person* shall have the burden of proof to establish that the applicable national income tax legislation provides otherwise.

10.12.1.3 Bearing in mind the seriousness of the offence, the quantum of the fine may be reduced where the circumstances so justify, including:

1. Nature of anti-doping rule violation and circumstances giving rise to it;
2. Timing of the commission of the anti-doping rule violation;
3. *Rider* or other *Person's* financial situation;
4. Cost of living in the *Rider* or other *Person's* place of residence;
5. *Rider* or other *Person's* cooperation during the proceedings and/or *Substantial Assistance* as per Article 10.7.1;
6. *Rider's* admission of the anti-doping rule violation in accordance with the requirements provided under Article 10.8.

In all cases, no fine may exceed CHF 1,500,000.

10.12.1.4 For the purpose of this article, the *UCI* shall have the right to receive a copy of the full contracts and other related documents from the *Rider* or other *Person*, the auditor or relevant *National Federation*.

*[Comment: No fine may be considered a basis for reducing the period of Ineligibility or other sanction which would otherwise be applicable under these Anti-Doping Rules].*

### 10.12.2 Liability for Costs of the Procedures

If the *Rider* or other *Person* is found to have committed an anti-doping rule violation, he or she shall bear, unless the *UCI Anti-Doping Tribunal* determines otherwise:

1. The cost of the proceedings as determined by the *UCI Anti-Doping Tribunal*, if any.
2. The cost of the *Results Management* by the *UCI*; the amount of this cost shall be CHF 2'500, unless a higher amount is claimed by the *UCI* and determined by the *UCI Anti-Doping Tribunal*.
3. The cost of the B *Sample* analysis, where applicable.
4. The costs incurred for *Out-of-Competition Testing*; the amount of this cost shall be CHF 1'500, unless a higher amount is claimed by the *UCI* and determined by the *UCI Anti-Doping Tribunal*.

## UCI CYCLING REGULATIONS

5. The cost for the A and/or B *Sample* laboratory documentation package where requested by the *Rider*.
6. The cost for the documentation package of *Samples* analyzed for the *Biological Passport*, where applicable.

If the *Rider* or other *Person* admits the anti-doping rule violation in accordance with the requirements provided under Article 10.8, the *UCI* may waive the reimbursement of these costs in whole or in part. The factors listed under 10.12.1.3 may also be considered in relation to a possible reduction of costs under this provision.

The *National Federation* of the *Rider* or other *Person* shall be jointly and severally liable for its payment to the *UCI*.

### 10.13 Commencement of *Ineligibility* Period

Where a *Rider* is already serving a period of *Ineligibility* for an anti-doping rule violation, any new period of *Ineligibility* shall commence on the first day after the current period of *Ineligibility* has been served. Otherwise, except as provided below, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed.

#### 10.13.1 Delays Not Attributable to the *Rider* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control*, and the *Rider* or other *Person* can establish that such delays are not attributable to the *Rider* or other *Person*, the *UCI* may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.

*[Comment to Article 10.13.1: In cases of anti-doping rule violations other than under Article 2.1, the time required for an Anti-Doping Organization to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the Rider or other Person has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used.]*

#### 10.13.2 Credit for *Provisional Suspension* or Period of *Ineligibility* Served

10.13.2.1 If a *Provisional Suspension* is respected by the *Rider* or other *Person*, then the *Rider* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. If the *Rider* or other *Person* does not respect a *Provisional Suspension*, then the *Rider* or other *Person* shall receive no credit for any period of *Provisional Suspension* served. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Rider* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.

10.13.2.2 If a *Rider* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from the *UCI* and thereafter respects the *Provisional Suspension*, the *Rider* or other *Person* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Rider* or other *Person's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.

*[Comment to Article 10.13.2.2: A Rider's voluntary acceptance of a Provisional Suspension is not an admission by the Rider and shall not be used in any way to draw an adverse inference against the Athlete.]*

## UCI CYCLING REGULATIONS

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

### 10.14 Status During *Ineligibility* or *Provisional Suspension*

#### 10.14.1 Prohibition Against Participation During *Ineligibility* or *Provisional Suspension*

No *Rider* or other *Person* who has been declared *Ineligible* or is subject to a *Provisional Suspension* may, during a period of *Ineligibility* or *Provisional Suspension*, participate in any capacity in a *Competition* or activity (other than authorized anti-doping *Education* or rehabilitation programs) authorized or organized by any *Signatory*, *Signatory's* member organization, or a club or other member organization of a *Signatory's* member organization, or in *Competitions* authorized or organized by any professional league or any international or national-level *Event* organization or any elite or national-level sporting activity funded by a governmental agency.

A *Rider* or other *Person* subject to a period of *Ineligibility* longer than four (4) years may, after completing four (4) years of the period of *Ineligibility*, participate as a *Rider* in local sport events not sanctioned or otherwise under the authority of a *Code Signatory* or member of a *Code Signatory*, but only so long as the local sport event is not at a level that could otherwise qualify such *Rider* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*, and does not involve the *Rider* or other *Person* working in any capacity with *Protected Persons*.

A *Rider* or other *Person* subject to a period of *Ineligibility* shall remain subject to these Anti-Doping Rules, in particular to *Testing* and any requirement by the *UCI* to provide whereabouts information.

*[Comment to Article 10.14.1: For example, subject to Article 10.14.2 below, Ineligible Riders cannot participate in a training camp, exhibition or practice organized by their National Federation or a club which is a member of that National Federation or which is funded by a governmental agency. Further, an Ineligible Rider may not compete in a non-Signatory professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory International Event organization or a non-Signatory national-level Event organization without triggering the Consequences set forth in Article 10.14.3. The term "activity" also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organization described in this Article. Ineligibility imposed in one sport shall also be recognized by other sports (see Article 15.1, Automatic Binding Effect of Decisions). A Rider or other Person serving a period of Ineligibility is prohibited from coaching or serving as a Rider Support Person in any other capacity at any time during the period of Ineligibility, and doing so could also result in a violation of Article 2.10 by another Rider. Any performance standard accomplished during a period of Ineligibility shall not be recognized by the UCI or its National Federations for any purpose.]*

#### 10.14.2 Return to Training

As an exception to Article 10.14.1, a *Rider* may return to train with a *Team* or to use the facilities of a club or other member organization of the *UCI's* or other *Signatory's* member organization during the shorter of: (1) the last two (2) months of the *Rider's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.

*[Comment to Article 10.14.2: In many Team Sports and some individual sports (e.g., ski jumping and gymnastics), Riders cannot effectively train on their own so as to be ready to compete at the end of the Rider's period of Ineligibility. During the training period described in this Article, an Ineligible Rider may not compete or engage in any activity described in Article 10.14.1 other than training.]*

#### 10.14.3 Violation of the Prohibition of Participation During *Ineligibility* or *Provisional Suspension*

Where a *Rider* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.14.1, the results of such

## UCI CYCLING REGULATIONS

participation shall be *Disqualified* and a new period of *Ineligibility* equal in length to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility*, including a reprimand and no period of *Ineligibility*, may be adjusted based on the *Rider* or other *Person's* degree of *Fault* and other circumstances of the case. The determination of whether a *Rider* or other *Person* has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the *Anti-Doping Organization* whose *Results Management* led to the imposition of the initial period of *Ineligibility*. This decision may be appealed under Article 13.

In the case where the *UCI* is competent, the *UCI* shall carry out the proceedings in accordance with the *UCI Results Management Regulations*.

A *Rider* or other *Person* who violates the prohibition against participation during a *Provisional Suspension* described in Article 10.14.1 shall receive no credit for any period of *Provisional Suspension* served and the results of such participation shall be *Disqualified*.

Where a *Rider Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility* or a *Provisional Suspension*, the *UCI* (or the *Anti-Doping Organization* that has jurisdiction over the *Rider Support Person* or other *Person*, if the *UCI* does not have such jurisdiction) shall impose sanctions for a violation of Article 2.9 for such assistance.

### 10.14.4 Withholding of Financial Support during *Ineligibility*

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.5 or 10.6, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by the *UCI* and its *National Federations*.

## 10.15 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.4.

## Article 11 CONSEQUENCES TO TEAMS

### 11.1 Testing of Teams

Where more than one (1) member of a *Team* in a *Team Competition* has been notified of an anti-doping rule violation under Article 7 in connection with an *Event*, the ruling body for the *Event* shall conduct appropriate *Target Testing* of all members of the *Team* during the *Event Period*.

### 11.2 Disqualification of *Team Competition* Results

If a *Rider* is found to have committed an anti-doping rule violation in connection with a *Team Competition* in which he participated as a member of a *Team*, the *Team* shall be *Disqualified* from that *Competition*.

If such *Rider* is *Disqualified* from other *Competitions* of the same *Event* under Article 10.1, any *Team*, whether composed differently or not, of which such *Rider* was a member, shall be *Disqualified* from the same *Team Competitions* as the *Rider*.

### 11.3 Suspension of a *Team* Registered with the *UCI*

11.3.1 If two *Riders* and/or other *Persons* contracted to a *Team* registered with the *UCI* receive notice of:

- a) an *Adverse Analytical Finding* for a *Prohibited Method* or a *Prohibited Substance* that is neither a *Specified Substance* nor a *Substance of Abuse* and there is no *prima facie* indication that i) at least one anti-doping rule violation has no reasonable prospect of being upheld or ii) at least one anti-doping rule violation was not intentional in the sense of Article 10.2;  
and/or

## UCI CYCLING REGULATIONS

- b) an asserted anti-doping rule violation arising from an *Adverse Passport Finding* after a review under Article 7.2; and/or
- c) another asserted anti-doping rule violation as per Articles 2.2 where the *Prohibited Substance* or *Method* used is neither a *Specified Substance* nor a *Substance of Abuse*, or Articles 2.3, 2.5, 2.6, 2.7, 2.8, 2.9 2.10 or 2.11.

and the commission of these anti-doping rule violations occurred within a twelve-month (12) period, the *Team* shall, unless circumstances of exceptional nature require otherwise, be suspended from participation in any *International Event* for a period determined by the *UCI Disciplinary Commission* (through its President or a member designated to act in his stead). The suspension shall not be less than fifteen (15) days and not more than forty-five (45) days.

*[Comment to Article 11.3.1: For cases of asserted anti-doping rule violation(s) arising from an Adverse Passport Finding, the relevant date(s) to determine if the commission of the two violations occurred within the same twelve-month period shall be the period of time during which the Rider used a Prohibited Method or a Prohibited Substance according to the Expert Panel.*

*For the purpose of this Article:*

- *Irrespective of the Anti-Doping Organization responsible for Results Management, any (potential) anti-doping rule violation, which came to the UCI's knowledge shall be taken into account.*
- *The relevant Team is the Team to which the Rider or other Person was contracted at the time of the commission of the anti-doping rule violation]*

The *Team* shall be invited by the *UCI Disciplinary Commission* to provide its position.

The proceedings shall be conducted in an expedited manner and, unless the *UCI Disciplinary Commission* orders otherwise, by written submissions only.

The *UCI Disciplinary Commission* will take its decision taking into account all of the circumstances of the case.

*[Comment to Article 11.3.1: Factors to be considered by the UCI Disciplinary Commission in deciding the duration (or in circumstances of exceptional nature only, the principle) of the suspension include, but are not limited to:*

- *whether there is any prima facie indication that at least one anti-doping rule violation has no reasonable prospect of being upheld;*
- *whether there is any prima facie indication that at least one anti-doping rule violation was not intentional in the sense of Article 10.2;*
- *the nature of the anti-doping rule violation and the circumstances giving rise to it;*
- *the Team's general approach towards anti-doping: i.e. whether the Team applied due diligence and took measures that could reasonably be expected in order to avoid the commission of anti-doping rule violations;*
- *whether there is any prima facie indication that the Team (through its Team members or staff) was involved in one or both of the anti-doping rule violations;*
- *whether some other facts or circumstances exist that, in the UCI Disciplinary Commission's opinion, make it clearly unfair to impose a suspension;*
- *the Team's race calendar.]*

11.3.2 The start date and period of *suspension* shall be determined so that the *suspension* is effective.

*[Comment to Article 11.3.2: The application of the suspension may be suspended at the end of the season and the rest of the suspension time may be served at the beginning of the next season. Subject to the discretion of the UCI Disciplinary Commission, the suspension may take effect during an ongoing Event or on the first day of the next Event on the Team's race calendar.]*

The decision of the *UCI Disciplinary Commission* is immediately enforceable and can be appealed by the *Team* or the *UCI* to the *CAS* within five (5) days of receipt of the decision.

## UCI CYCLING REGULATIONS

The CAS proceedings shall be conducted in an expedited manner, by a Sole Arbitrator, in English or French. In the event that the Parties fail to agree on a Sole Arbitrator within three (3) days of the filing of the Statement of Appeal, the CAS Division President will appoint the Sole Arbitrator without delay.

11.3.3 In the event of any further notice of:

- a) an *Adverse Analytical Finding* for a *Prohibited Method* or a *Prohibited Substance* that is neither a *Specified Substance* nor a *Substance of Abuse* and there is no *prima facie* indication that i) at least one anti-doping rule violation has no reasonable prospect of being upheld or ii) at least one anti-doping rule violation was not intentional in the sense of Article 10.2;

and/or

- b) an asserted anti-doping rule violation arising from an *Adverse Passport Finding* after a review under Article 7.2; and/or
- c) another asserted anti-doping rule violation as per Articles 2.2 where the *Prohibited Substance* or *Method* used is neither a *Specified Substance* nor a *Substance of Abuse*, or Articles 2.3, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10 or 2.11.

and the commission of these violations occurred within a twelve-month period, the *Team* shall be suspended from participation in any *International Event* for a period determined by the *UCI Disciplinary Commission*, taking into account all the circumstances of the case. The suspension shall be subject to the same procedure and requirements as provided for in Article 11.3.1 and Article 11.3.2 except with respect to the length of the ban which shall not be less than fifteen (15) days and not more than twelve (12) months.

### 11.4 Financial Consequences to Teams

11.4.1 In addition to the suspension provided for in Article 11.3, a *UCI WorldTeam* or *UCI ProTeam* shall pay a fine to the *UCI* if two *Riders* and/or other *Persons* of the *Team* are sanctioned for anti-doping rule violations that took place within a twelve-month (12) period.

The fine is due when the second *Rider* or other *Person's* sanction becomes final. The amount of the fine shall be 5 (five) % of the annual *Team* budget based on which the *Team* licence was granted for the year during which the second sanction becomes final.

For the purpose of this article, the *UCI* shall have the right to obtain the amount of the annual *Team* budget from the auditor.

11.4.2 In addition to the suspension provided for in Article 11.3, a *UCI WorldTeam* or *UCI ProTeam* shall pay a fine to the *UCI* if more than two *Riders* and/or other *Persons* of the *Team* are sanctioned for anti-doping rule violations that took place within a twelve-month (12) period. The fine is due when the third *Rider* or other *Person's* sanction becomes final. The amount of the fine shall be 5 (five) % of the annual *Team* budget based on which the *Team* licence was granted for the year during which the third or additional sanction becomes final.

*[Comment to Article 11.4: Unlike Article 11.2, the imposition of the fine against the Team is based on strict liability.]*

For the purpose of this article, the *UCI* shall have the right to obtain the amount of the annual *Team* budget from the auditor.

## Article 12 SANCTIONS BY THE UCI AGAINST OTHER SPORTING BODIES

Sanctions against the *UCI's* member organizations or other sporting bodies, where relevant, are provided under the *UCI* Regulations.

**Article 13 RESULTS MANAGEMENT: APPEALS**

**13.1 Decisions Subject to Appeal**

Decisions made under the *Code* or these Anti-Doping Rules may be appealed as set forth below in Articles 13.2 through 13.4 or as otherwise provided in these Anti-Doping Rules, the *Code* or the *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

**13.1.1 Scope of Review Not Limited**

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.

*[Comment to Article 13.1.1: The revised language is not intended to make a substantive change to the 2015 UCI Anti-Doping Rules, but rather for clarification. For example, where a Rider was charged in the first instance hearing only with Tampering, but the same conduct could also constitute Complicity, an appealing party could pursue both Tampering and Complicity charges against the Rider in the appeal.]*

**13.1.2 CAS Shall Not Defer to the Findings Being Appealed**

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

*[Comment to Article 13.1.2: CAS proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.]*

**13.1.3 WADA Not Required to Exhaust Internal Remedies**

Where WADA has a right to appeal under Article 13 and no other party has appealed a final decision within the *Anti-Doping Organization's* process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the *Anti-Doping Organization's* process.

*[Comment to Article 13.1.3: Where a decision has been rendered before the final stage of an Anti-Doping Organization's process (for example, a first hearing) and no party elects to appeal that decision to the next level of the Anti-Doping Organization's process (e.g., the Managing Board), then WADA may bypass the remaining steps in the Anti-Doping Organization's internal process and appeal directly to CAS.]*

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

- A decision that an anti-doping rule violation was committed;
- a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation;
- a decision that no anti-doping rule violation was committed;
- a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription);
- a decision by WADA not to grant an exception to the six (6) months' notice requirement for a retired *Rider* to return to competition under Article 5.6.1;
- a decision by WADA assigning *Results Management* under Article 7.1 of the *Code*;
- a decision by an *Anti-Doping Organization* 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 *UCI Results Management Regulations* or the *International Standard for Results Management*;

## UCI CYCLING REGULATIONS

- a decision to impose, or lift, a *Provisional Suspension* as a result of a *Provisional Hearing*;
- an *Anti-Doping Organization's* failure to comply with Article 7.3;
- a decision that an *Anti-Doping Organization* lacks authority to rule on an alleged anti-doping rule violation or its *Consequences*;
- a decision to suspend, or not suspend, *Consequences* or to reinstate, or not reinstate, *Consequences* under Article 10.7.1;
- failure to comply with Articles 7.1.3.2 and 7.1.3.3;
- failure to comply with Article 10.8.1;
- a decision under Article 10.14.3;
- a decision by an *Anti-Doping Organization* not to implement another *Anti-Doping Organization's* decision under Article 15; and
- a decision under Article 27.3 of the *Code* or these regulations

may be appealed exclusively as provided in this Article 13.2.

### 13.2.1 Appeals Involving *International-Level Riders* or *International Events*

In cases arising from participation in an *International Event* or in cases involving *International-Level Riders*, the decision may be appealed exclusively to CAS.

*[Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]*

### 13.2.2 Appeals Involving Other *Riders* or Other *Persons*

In cases where Article 13.2.1 is not applicable, a decision made by the *UCI Anti-Doping Tribunal* under Article 8, or a decision made by the *UCI Disciplinary Commission* may be appealed exclusively to CAS.

In all other cases, decisions made against *Riders* or other *Persons* may be appealed to an appellate body, in accordance with rules adopted by the *National Anti-Doping Organization*.

The rules for such appeal shall respect the following principles:

- a timely hearing;
- a fair, impartial, *Operationally Independent* and *Institutionally Independent* hearing panel;
- the right to be represented by counsel at the *Person's* own expense; and
- a timely, written, reasoned decision.

If no such body as described above is in place and available at the time of the appeal, the *Rider* or other *Person* shall have a right to appeal to CAS.

### 13.2.3 *Persons* Entitled to Appeal

#### 13.2.3.1 Appeals Involving *International-Level Riders* or *International Events*

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS:

- the *Rider* or other *Person* who is the subject of the decision being appealed;
- the other party to the case in which the decision was rendered;
- the *UCI*;

## UCI CYCLING REGULATIONS

- the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or licence holder;
- the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- WADA.

### 13.2.3.2 Appeals Involving Other *Riders* or Other *Persons*

In cases under Article 13.2.2, the parties having the right to appeal to the national-level appeal body shall be as provided in the *National Anti-Doping Organization's* rules but, at a minimum, shall include the following parties:

- the *Rider* or other *Person* who is the subject of the decision being appealed;
- the other party to the case in which the decision was rendered;
- the *UCI*;
- the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or licence holder;
- the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- WADA.

For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and the *UCI* shall also have the right to appeal to CAS with respect to the decision of the appellate body.

Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the *Anti-Doping Organization* whose decision is being appealed and the information shall be provided if CAS so directs.

### 13.2.3.3 Duty to Notify

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.

### 13.2.3.4 Appeal from Imposition of *Provisional Suspension*

Notwithstanding any other provision herein, the only *Person* who may appeal from the imposition of a *Provisional Suspension* is the *Rider* or other *Person* upon whom the *Provisional Suspension* is imposed.

## 13.2.4 Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the *Code* are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

## UCI CYCLING REGULATIONS

*[Comment to Article 13.2.4: This provision is necessary because since 2011, CAS rules no longer permit a Rider the right to cross appeal when an Anti-Doping Organization appeals a decision after the Rider's time for appeal has expired. This provision permits a full hearing for all parties.]*

### 13.2.5 Time Limits for Appeals

*[Comment to Article 13.2.5: Whether governed by CAS rules or these Anti-Doping Rules, a party's deadline to appeal does not begin running until receipt of the decision. For that reason, there can be no expiration of a party's right to appeal if the party has not received the decision.]*

#### 13.2.5.1 Appeal by Parties to the Prior Proceedings

Unless otherwise specified in these Anti-Doping Rules, appeals under Article 13.2.1 and 13.2.2 from decisions made by the *UCI Anti-Doping Tribunal* or *UCI Disciplinary Commission* shall be filed before the CAS within thirty (30) days from the day the appealing party receives notice of the decision appealed.

#### 13.2.5.2 Appeals by Non-Parties to the Prior Proceedings

Notwithstanding the above, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings that led to the decision being appealed:

- a) Within fifteen (15) days from notice of the decision, such party/ies shall have the right to request a copy of the case file from the body that issued the decision;
- b) If such a request is made within the fifteen (15) day period, then the party making such request shall have thirty (30) days from receipt of the file to file an appeal.

#### 13.2.5.3 Appeal by WADA

The filing deadline for an appeal filed by WADA shall be the later of:

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

### 13.3 Failure to Render a Timely Decision by an *Anti-Doping Organization*

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

*[Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and Results Management process, it is not feasible to establish a fixed time period for an Anti-Doping Organization to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with the Anti-Doping Organization and give the Anti-Doping Organization an opportunity to explain why it has not yet rendered a decision.]*

### 13.4 Appeals Relating to *TUEs*

*TUE* decisions may be appealed exclusively as provided in Article 4.4 and within the time limits set forth in Article 13.2.5.

### 13.5 Notification of Appeal Decision

Any *Anti-Doping Organization* that is a party to an appeal shall promptly provide the appeal decision to the *Rider* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.

## UCI CYCLING REGULATIONS

### Article 14 CONFIDENTIALITY AND REPORTING

#### 14.1 Notice and Time Limits

##### 14.1.1 In General

Unless otherwise specified, notice by and to the *UCI* under these Anti-Doping Rules, *UCI* Regulations, procedures or other document(s) adopted in connection therewith, may be given by any means permitting proof of receipt, including registered or ordinary mail by post or private courier services, electronic mail or facsimile.

If a notice triggers the start of a time limit under these Anti-Doping Rules (including the time limit to appeal to *CAS* under Article 13), the time limit shall start running on the day following reception of the notice. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under these Rules are respected if the communications by the parties are sent before midnight, time of the location where the notification has to be made, on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the country where the notification is to be made, the time limit shall expire at the end of the first subsequent business day.

Notice shall be deemed to have occurred when delivered within the addressee's sphere of control. Proof that the addressee was, without his or her fault, not in a position to have knowledge of a notice so delivered shall be on the addressee.

##### 14.1.2 Notice to *Riders* and other *Persons* under these Anti-Doping Rules

Notice to a *Rider* or other *Person* may be accomplished by delivery of the notice to his or her *National Federation* or *Team*.

The *National Federation* or *Team* shall be responsible for making immediate contact with the *Rider* or other *Person*.

#### 14.2 Information Concerning *Adverse Analytical Findings*, *Atypical Findings*, and Other Asserted Anti-Doping Rule Violations

##### 14.2.1 Notice of Anti-Doping Rule Violations to *Riders* and other *Persons*

Notice to *Riders* or other *Persons* of anti-doping rule violations asserted against them shall be made as provided under Articles 7 and 14.

##### 14.2.2 Notice of Anti-Doping Rule Violations to *National Anti-Doping Organizations* and *WADA*

Notice of the assertion of an anti-doping rule violation to the *Rider's* or other *Person's National Anti-Doping Organization* and *WADA* shall occur as provided under Articles 7 and 14, simultaneously with the notice to the *Rider* or other *Person*.

The *Anti-Doping Organization* with *Results Management* or investigation responsibility under Article 7 shall also notify:

- the *Rider's* or other *Person's National Anti-Doping Organization*,
- the *UCI*, and
- *WADA*

of the assertion of an anti-doping rule violation simultaneously with the notice to the *Rider* or other *Person*.

The *UCI* may also inform the *Rider's* or other *Person's National Federation* or *Team*.

## UCI CYCLING REGULATIONS

### 14.2.3 Content of an Anti-Doping Rule Violation Notice

Notification of an anti-doping rule violation shall include: the *Rider's* or other *Person's* name, country, sport and discipline within the sport, the *Rider's* competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory, and other information as required by the *UCI Results Management Regulations* if the notice is given by the *UCI* or the *International Standard for Results Management* or any other applicable rules if the notice is given by another *Anti-Doping Organization*. Notification of anti-doping rule violations other than under Article 2.1 shall also include the rule violated and the basis of the asserted violation.

### 14.2.4 Status Reports

14.2.4.1 If at any point during *Results Management* up until the anti-doping rule violation charge, the *UCI* decides not to move forward with a matter, it must give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under Article 13.2.3.

14.2.4.2 Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 14.2.1, the *Rider's* or other *Person's National Anti-Doping Organization* and *WADA* shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

### 14.2.5 Confidentiality

The recipient organizations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee, National Federation, and Team*) until the *UCI* has made *Public Disclosure* as permitted by Article 14.4.

## 14.3 Notice of Anti-Doping Rule Violation or violations of *Ineligibility* or *Provisional Suspension* Decisions and Request for Files

14.3.1 Anti-doping rule violation decisions or decisions related to violations of *Ineligibility* or *Provisional Suspension* rendered pursuant to Article 7.5, 8.7, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall 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 *UCI* shall provide an English or French summary of the decision and the supporting reasons.

14.3.2 An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

## 14.4 Public Disclosure

14.4.1 After notice has been provided to the *Rider* or other *Person* in accordance with the *UCI Results Management Regulations*, and to the applicable *Anti-Doping Organizations* in accordance with Article 14.1.2, the identity of any *Rider* or other *Person* who is notified of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and nature of the violation involved, and whether the *Rider* or other *Person* is subject to a *Provisional Suspension* may be *Publicly Disclosed* by the *UCI*.

## UCI CYCLING REGULATIONS

- 14.4.2 No later than twenty (20) days after it has been determined in an appellate decision under Article 13.2.1 or 13.2.2, 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 Article 10.8, or a new period of *Ineligibility*, or reprimand, has been imposed under Article 10.14.3, the *UCI* must *Publicly Disclose* the disposition of the anti-doping matter, including the sport, the anti-doping rule violated, the name of the *Rider* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any) and the *Consequences* imposed. The *UCI* must also *Publicly Disclose* within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.

*[Comment to Article 14.4.2: Where Public Disclosure as required by Article 14.4.2 would result in a breach of other applicable laws, the Anti-Doping Organization's failure to make the Public Disclosure will not result in a determination of non-compliance with Code as set forth in Article 4.1 of the International Standard for the Protection of Privacy and Personal Information.*

*For the sake of clarity, nothing in Article 14.4.2 prevents an Anti-Doping Organization with Results Management responsibility to Publicly Disclose the disposition of a first instance decision before being final.]*

- 14.4.3 After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 13.2.1 or 13.2.2 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 *UCI* may make public such determination or decision and may comment publicly on the matter.
- 14.4.4 In any case where it is determined, after a hearing or appeal, that the *Rider* 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 *Rider* or other *Person* who is the subject of the decision. The *UCI* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Rider* or other *Person* may approve.
- 14.4.5 Publication shall be accomplished at a minimum by placing the required information on the *UCI*'s website and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*. It will be removed immediately after the expiry of the indicated time periods.
- 14.4.6 Except as provided in Articles 14.3.1 and 14.4.3, no *Anti-Doping Organization*, *National Federation*, or *WADA*-accredited laboratory, or any official of any such body, shall 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 *Rider*, other *Person* or their entourage or other representatives.
- 14.4.7 The mandatory *Public Disclosure* required in Article 14.4.2 shall not be required where the *Rider* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*, *Protected Person* or *Recreational Rider*. Any optional *Public Disclosure* in a case involving a *Minor*, *Protected Person* or *Recreational Rider* shall be proportionate to the facts and circumstances of the case.

### 14.5 Statistical Reporting

The *UCI* shall, at least annually, publish publicly a general statistical report of its *Doping Control* activities, with a copy provided to *WADA*. The *UCI* may also publish reports showing the name of each *Rider* tested and the date of each *Testing*.

## UCI CYCLING REGULATIONS

### 14.6 **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 UCI shall report to WADA through ADAMS *Doping Control*-related information, including, in particular:

- (a) *Athlete Biological Passport* data for *International-Level Riders* and *National-Level Riders*,
- (b) Whereabouts information for *Riders* including those in *Registered Testing Pools* or *Testing Pools*,
- (c) *TUE* decisions, and
- (d) *Results Management* decisions,

as required under the applicable *International Standard(s)*.

14.6.1 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 UCI shall 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.

14.6.2 To facilitate WADA's oversight and appeal rights for *TUEs*, the UCI shall 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*.

14.6.3 To facilitate WADA's oversight and appeal rights for *Results Management*, the UCI shall 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*.

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

### 14.7 **Data Privacy**

The UCI may collect, store, process or disclose personal information relating to *Riders* and other *Persons* where necessary and appropriate to conduct their *Anti-Doping Activities* under the *Code*, the *International Standards* (including specifically the *International Standard for the Protection of Privacy and Personal Information*), these *Anti-Doping Rules*, and in compliance with applicable law.

## UCI CYCLING REGULATIONS

### Article 15 IMPLEMENTATION OF DECISIONS

#### 15.1 Automatic Binding Effect of Decisions by *Signatory Anti-Doping Organizations*

- 15.1.1 A decision of an anti-doping rule violation made by a *Signatory Anti-Doping Organization*, an appellate body (Article 13.2.2) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon the *UCI*, as well as every *Signatory* in every sport with the effects described below:
- 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 *Rider* 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 Article 7.4.3 of the *Code*) automatically prohibits the *Rider* or other *Person* from participation (as described in Article 10.14.1 of the *Code*) 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 *Rider* or other *Person* from participation (as described in Article 10.14.1 of the *Code*) 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 Article 10.10 of the *Code* for a specified period automatically *Disqualifies* all results obtained within the authority of any *Signatory* during the specified period.
- 15.1.2 The *UCI* shall recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date the *UCI* receives actual notice of the decision or the date the decision is placed into *ADAMS*.
- 15.1.3 A decision by an *Anti-Doping Organization*, a national appellate body or CAS to suspend, or lift, *Consequences* shall be binding upon the *UCI* without any further action required, on the earlier of the date the *UCI* receives actual notice of the decision or the date the decision is placed into *ADAMS*.
- 15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a *Major Event Organization* made in an expedited process during an *Event* shall not be binding on the *UCI* unless the rules of the *Major Event Organization* provide the *Rider* or other *Person* with an opportunity to an appeal under non-expedited procedures.

*[Comment to Article 15.1.4: By way of example, where the rules of the Major Event Organization give the Rider or other Person the option of choosing an expedited CAS appeal or a CAS appeal under normal CAS procedure, the final decision or adjudication by the Major Event Organization is binding on other Signatories regardless of whether the Rider or other Person chooses the expedited appeal option.]*

#### 15.2 Implementation of Other Decisions by *Anti-Doping Organizations*

The *UCI* may decide to implement other anti-doping decisions rendered by *Anti-Doping Organizations* not described in Article 15.1.1 above, such as a *Provisional Suspension* prior to a *Provisional Hearing* or acceptance by the *Rider* or other *Person*.

*[Comment to Articles 15.1 and 15.2: Anti-Doping Organization decisions under Article 15.1 are implemented automatically by other Signatories without the requirement of any decision or further action on the Signatories' part. For example, when a National Anti-Doping Organization decides to Provisionally Suspend a Rider, that decision is given automatic effect at the International Federation level. To be clear, the "decision" is the one made by the National Anti-Doping Organization, there is not a separate decision to be made by the International Federation. Thus, any claim by the Rider that the Provisional Suspension*

## UCI CYCLING REGULATIONS

*was improperly imposed can only be asserted against the National Anti-Doping Organization. Implementation of Anti-Doping Organizations' decisions under Article 15.2 is subject to each Signatory's discretion. A Signatory's implementation of a decision under Article 15.1 or Article 15.2 is not appealable separately from any appeal of the underlying decision. The extent of recognition of TUE decisions of other Anti-Doping Organizations shall be determined by Article 4.4 and the UCI TUE Regulations.]*

### 15.3 Implementation of Decisions by Body that is not a Signatory

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

*[Comment to Article 15.3: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, Signatories should attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found a Rider to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in the Rider's body but the period of Ineligibility applied is shorter than the period provided for in the Code, then all Signatories should recognize the finding of an anti-doping rule violation and the Rider's National Anti-Doping Organization should conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed. A Signatory's implementation of a decision, or their decision not to implement a decision under Article 15.3, is appealable under Article 13.]*

### Article 16 **DOPING CONTROL FOR ANIMALS COMPETING IN SPORT [intentionally omitted]**

### Article 17 **STATUTE OF LIMITATIONS**

No anti-doping rule violation proceeding may be commenced against a *Rider* or other *Person* unless he or she has been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten (10) years from the date the violation is asserted to have occurred.

### Article 18 **EDUCATION**

#### 18.1 Principles

The *UCI* and *National Anti-Doping Organizations* shall, within their scope of responsibility and in cooperation with each other, plan, implement, monitor, evaluate and promote *Education* programs in line with the requirements set out in the *International Standard for Education*.

#### 18.2 Educational Course

18.2.1 *Riders* included in the *UCI Registered Testing Pool* and the *UCI Testing Pool*.

All *Riders* included in the *UCI Registered Testing Pool* and the *UCI Testing Pool* shall, within four (4) months from the notification of their inclusion in the *UCI Registered Testing Pool* or in the *Testing Pool*, successfully complete an *Anti-Doping Education* course designated by the *UCI* and register such completion.

Each *Rider* shall be personally responsible for complying with this obligation.

Any *Rider* who has not met this requirement by the set deadline shall be ineligible to compete in any *International Event* until successful completion of the course and its registration.

18.2.2 *Specific Event*

The *UCI* may decide to request that *Riders* and/or *Rider Support Personnel* complete *Educational* activities before and/or during their participation in select *Events* (e.g. Juniors World Championships) as a condition of such participation.

## UCI CYCLING REGULATIONS

### 18.2.3 *National Federation*

*National Federations* shall use their best endeavours to ensure that *Riders* who have a licence issued by their Federation, complete an *Anti-Doping Education Course* within four (4) months of the receipt of their licence from their Federation.

### 18.2.4 *Riders Return to cycling after a period of Ineligibility*

A *Rider* or other *Person* sanctioned for an anti-doping rule violation must, before returning to cycling at the end of their *period of Ineligibility*, successfully complete the online anti-doping education course designated by the *UCI* or any other anti-doping education course recognised by the *UCI*.

*(text modified on 01.03.2022)*

## Article 19 RESEARCH [Intentionally omitted]

## Article 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF SIGNATORIES AND WADA [Intentionally omitted]

## Article 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF RIDERS AND OTHER PERSONS

### 21.1 Roles and Responsibilities of *Riders*

21.1.1 To be knowledgeable of and comply with these Anti-Doping Rules and other documents adopted pursuant to these Anti-Doping Rules, as set forth in the Introduction.

21.1.2 To be available for *Sample* collection at all times.

*[Comment to Article 21.1.2: With due regard to a Rider's human rights and privacy, legitimate anti-doping considerations sometimes require Sample collection late at night or early in the morning. For example, it is known that some Riders Use low doses of EPO during these hours so that it will be undetectable in the morning.]*

21.1.3 To take responsibility, in the context of anti-doping, for what they ingest and *Use*.

21.1.4 To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules.

21.1.5 To disclose to their *National Anti-Doping Organization* and the *UCI* any decision by a non-*Signatory* finding that the *Rider* committed an anti-doping rule violation within the previous ten (10) years.

21.1.6 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.

Failure by any *Rider* to cooperate fully with the *UCI* or any other *Anti-Doping Organizations* investigating an anti-doping rule violation may result in a charge of a *Failure to Cooperate* under Article 5.7 of these Anti-Doping Rules or any other *Anti-Doping Organization's* Disciplinary Regulations.

*(text modified on 20.02.2023)*

21.1.7 To report to *Anti-Doping Organizations* any circumstances they become aware of that may constitute an anti-doping rule violation.

21.1.8 To disclose the identity of their *Support Personnel* upon request by any *Anti-Doping Organization* with authority over the *Rider*.

## UCI CYCLING REGULATIONS

### 21.2 Roles and Responsibilities of *Rider Support Personnel*

- 21.2.1 To be knowledgeable of and comply with Anti-Doping Rules and other documents adopted pursuant to these Anti-Doping Rules, as forth in the Introduction.
- 21.2.2 To cooperate with the *Rider Testing* program.
- 21.2.3 To use his or her influence on *Rider* values and behavior to foster anti-doping attitudes.
- 21.2.4 To disclose to his or her *National Anti-Doping Organization* and the *UCI* any decision by a non-*Signatory* finding that he or she committed an anti-doping rule violation within the previous ten (10) years.
- 21.2.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

Failure by any *Rider Support Personnel* to cooperate fully with the *UCI* or any other *Anti-Doping Organizations* investigating an anti-doping rule violation may result in a charge of a *Failure to Cooperate* under Article 5.7 of these Anti-Doping Rules or any other *Anti-Doping Organisation's* Disciplinary Regulations.

*(text modified on 20.02.2023)*

- 21.2.6 *Rider Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

*[Comment to Article 21.2.6: In those situations where Use or personal Possession of a Prohibited Substance or Prohibited Method by a Rider Support Person without justification is not an anti-doping rule violation under the Code, it should be subject to other sport disciplinary rules. Coaches and other Rider Support Personnel are often role models for Riders. They should not be engaging in personal conduct which conflicts with their responsibility to encourage their Riders not to dope.]*

- 21.2.7 To report to *Anti-Doping Organizations* any circumstances they become aware of that may constitute an anti-doping rule violation.

### 21.3 Roles and Responsibilities of Other *Persons* Subject to these Anti-Doping Rules

- 21.3.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the *Code* and which are applicable to them.
- 21.3.2 To disclose to their *National Anti-Doping Organization* and the *UCI* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 21.3.3 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.

Failure by any other *Person* subject to these Anti-Doping Rules to cooperate fully with the *UCI* or any other *Anti-Doping Organizations* investigating an anti-doping rule violations may result in a charge of a *Failure to Cooperate* under Article 5.7 of these Anti-Doping Rules or any other *Anti-Doping Organization's* Disciplinary Regulations.

*(text modified on 20.02.2023)*

### 21.4 Consequences of Non-Compliance with the Responsibilities of *Riders, Riders Support Personnel* or Other *Persons*

- 21.4.1 Where it considers so warranted, the *UCI* may initiate disciplinary proceedings against *Riders, Rider Support Personnel* or other *Persons* for non-compliance with Articles 21.1, 21.2 or 21.3, as applicable.
- 21.4.2 The disciplinary proceedings will be referred to the *UCI Disciplinary Commission* in accordance with *UCI Disciplinary Rules*.

## UCI CYCLING REGULATIONS

### 21.5 Roles and Responsibilities of *National Federations*

- 21.5.1 All *National Federations* shall include in their regulations the rules necessary to effectively implement these Anti-Doping Rules.
- 21.5.2 *National Federations* shall cooperate with and support the *UCI*. They shall also recognize, abide by and implement the decisions made pursuant to these Anti-Doping Rules, including the decisions imposing sanctions on *Persons* under their authority.
- 21.5.3 When a *National Federation* receives information from third parties concerning a possible anti-doping violation, it shall immediately inform the *UCI* and the relevant *National Anti-Doping Organization*.
- 21.5.4 *National Federations* shall be obliged to conduct investigations as the *UCI* may deem appropriate and inform *UCI* of the results.
- 21.5.5 *National Federations* shall cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct such investigation.
- 21.5.6 For the purpose of these Anti-Doping Rules, the *Event* organizer's *National Federation* shall take on the role of the *Licence-Holder's National Federation* as regards *Licence-Holders* who have obtained their licence directly from the *UCI*.
- 21.5.7 Without prejudice to Article 14 of the *UCI Constitution*, *National Federations* shall be obligated to reimburse the *UCI* for all costs related to a doping case in which the *National Federation* was not cooperative or did not comply with these Anti-Doping Rules.
- 21.5.8 Each *National Federation* shall report to the *UCI* on or before 31st January results of all *Doping Controls* conducted on its *Licence-Holders* during the previous year sorted by *Rider* and identifying each date on which the *Rider* was tested, the entity conducting the *Testing*, and whether the *Testing* was *In-Competition* or *Out-of-Competition*.
- 21.5.9 The report shall also list for each *Rider* concerned all decisions taken in anti-doping at the national level indicating the category (elite or other), the anti-doping rule violation charged or committed, the date of *Testing*, whether the *Testing* was *Out-of-Competition* or *In-Competition* and, if *In-Competition*, the name and date of the *Event*, the penalties imposed, the date of the decision and the body which imposed them.
- 21.5.10 The *National Federation* shall be liable to contribute to the *UCI Anti-Doping Tribunal's* costs in accordance with Article 8.3.1.
- 21.5.11 Each *National Federation* shall do its best to conduct anti-doping Education in coordination with its *National Anti-Doping Organization*.

### 21.6 Roles and Responsibilities of *Teams*

- 21.6.1 The *Team* is responsible for all costs incurred by the *UCI* and any *Delegated Third Parties* in relation to the management of any anti-doping rule violation(s) committed by its *Licence-Holders*.

The *Team* responsible is:

- a) the *Team* of which the *Licence-Holder* is a member at the time that the anti-doping rule violation is committed; this *Team* remains responsible also when the *Licence-Holder* is no longer part of the *Team* for any reason and until such time that the costs are paid in full;
- b) any other *Team* of which the *Licence-Holder* is a member after the moment that the anti-doping rule violation is committed and until such time that the costs are paid in full.

## UCI CYCLING REGULATIONS

All *Teams* concerned are responsible jointly and severally.

The paying agent and each of the principal partners of the *Team(s)* concerned shall be jointly and severally responsible for payment to the *UCI*.

The management costs include but are not limited to costs for:

- a) *Testing, Results Management*, disciplinary proceedings before any hearing body and *CAS*, proceedings before state courts.
- b) staff and the overhead of the *UCI*; services of third parties involved in *Testing* and *Results Management*; legal, scientific and other counsels; experts; witnesses; court fees, arbitration costs.

The management costs also include the costs that are imposed upon the *Licence-Holder* by or in application of the present anti-doping rules and that remain unpaid by the *Licence-Holder*.

While the anti-doping rule violation proceedings are ongoing, the *UCI* may request from any *Team* concerned that the bank guarantee in force or the bank guarantee for the next registration year is increased with such amount as the *UCI* may determine so as to cover the expected amount of the costs.

- 21.6.2 Each *Team* is responsible for following and implementing any anti-doping related obligation provided for or decided in the *Team* Licensing process.
- 21.6.3 Each *Team* is knowledgeable of and comply with all antidoping policies and rules adopted pursuant to the Code and which are applicable to them.
- 21.6.4 Each *Team* shall cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.

**Article 22      INVOLVEMENT OF GOVERNMENTS [Intentionally omitted]**

**Article 23      ACCEPTANCE AND IMPLEMENTATION [Intentionally omitted]**

**Article 24      MONITORING AND ENFORCING COMPLIANCE WITH THE CODE AND UNESCO CONVENTION [Intentionally omitted]**

**Article 25      MODIFICATION AND WITHDRAWAL [Intentionally omitted]**

## UCI CYCLING REGULATIONS

### Article 26 INTERPRETATION OF THESE ANTI-DOPING RULES

- 26.1** The official text of these Anti-Doping Rules shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.
- 26.2** The comments annotating various provisions of these Anti-Doping Rules shall be used to interpret the Anti-Doping Rules.
- 26.3** These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.
- 26.4** The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of the Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
- 26.5** Where the term “days” is used in these Anti-Doping Rules or related Regulations, it shall mean calendar days unless otherwise specified.
- 26.6** These Anti-Doping Rules shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as “First violations” or “Second violations” for purposes of determining sanctions under Article 10 for subsequent post-*Code* violations.
- 26.7** The Introduction to the Anti-Doping Rules and Appendix 1 (Definitions) shall be considered integral parts of these Anti-Doping Rules.

### Article 27 TRANSITIONAL PROVISIONS

#### 27.1 General Application of these Anti-Doping Rules

These Anti-Doping Rules shall apply in full as of 1 January 2021 (the “Effective Date”).

#### 27.2 Non-Retroactive except for Articles 10.9.4 and 17 or Unless Principle of “Lex Mitior” Applies

Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in these Anti-Doping Rules or the *Code*, unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.4 and the statute of limitations set forth in Article 17 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these Anti-Doping Rules or the *Code* (provided, however, that Article 17 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date).

#### 27.3 Application to Decisions Rendered Prior to 1 January 2021

With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Rider* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Rider* or other *Person* may apply to the *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of the 2021 *Code*. Such application must be made before the period of *Ineligibility* has expired. The decision rendered by the *Anti-Doping Organization* may be appealed pursuant to Article 13.2. The 2021 *Code* shall have no application to any antidoping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.

#### 27.4 Multiple Violations Where the First Violation Occurs Prior to 1 January 2021

For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.9.1, where the sanction for the first violation was determined based on pre-2021 *Code* rules, the period

## UCI CYCLING REGULATIONS

of *Ineligibility* which would have been assessed for that first violation had 2021 *Code* rules been applicable, shall be applied.

*Comment to Article 27.4: Other than the situation described in Article 27.4, where a final decision finding an anti-doping rule violation has been rendered prior to the existence of the Code or under the Code in force before the 2021 Code and the period of Ineligibility imposed has been completely served, the 2021 Code may not be used to re-characterize the prior violation.]*

### **27.5 Additional Amendments**

These Anti-Doping Rules may be amended from time to time by the *UCI*, subject to the transitional provisions provided in this Article 27 or any other transitional provisions that the *UCI* may adopt with the amendment.

### **27.6 Changes to the *Prohibited List***

Changes to the *Prohibited List* and *Technical Documents* relating to substances or methods on the *Prohibited List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* or *Prohibited Method* has been removed from the *Prohibited List*, a *Rider* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* or *Prohibited Method* may apply to the *Anti-Doping Organization* which had *Results Management* responsibility for the antidoping rule violation to consider a reduction in the period of *Ineligibility* in light of the removal of the substance or method from the *Prohibited List*.

## UCI CYCLING REGULATIONS

### APPENDIX 1 DEFINITIONS

*[Comment to Definitions: Defined terms shall include their plural and possessive forms, as well as those terms used as other parts of speech.]*

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

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

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

**Aggravating Circumstances:** Circumstances involving, or actions by, a *Rider* or other *Person* which may justify the imposition of a period of *Ineligibility* greater than the standard sanction. Such circumstances and actions shall include, but are not limited to: the *Rider* or other *Person Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods*, *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of *Ineligibility*; the *Rider* or *Person* engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the *Rider* or other *Person* engaged in *Tampering* during *Results Management*. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of *Ineligibility*.

**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*, these Anti-Doping Rules and/or the *UCI Regulations*.

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

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

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

## UCI CYCLING REGULATIONS

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

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

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

*Competition:* A single race organized separately (for example: each of the time trial and road race at the road World Championships; a stage in a stage race; a Cross-country Eliminator heat) or a series of races forming an organizational unit and producing a final winner and/or general classification (for example: a track sprint race tournament, a cyclo-ball tournament).

*Consequences of Anti-Doping Rule Violations* (“*Consequences*”): A *Rider's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Rider'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 *Rider* 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 Article 10.14; (c) *Provisional Suspension* means the *Rider* 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 14. *Teams* 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* shall be reported, as defined in the *International Standard* for Laboratories.

*Delegated Third Party:* Any *Person* to which the *UCI* 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 *UCI*, or individuals serving as independent contractors who perform *Doping Control* services for the *UCI* (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include CAS.

*Demand:* Any request made in writing in accordance with Article 5.7 to a *Rider* or other *Person* subject to these Anti-Doping Rules, to provide the *UCI* with any information, record, article or material in their possession or control that the *UCI* reasonably believes may evidence or lead to the discovery of evidence of an anti-doping rule violation or other breach of these Anti-Doping Rules.

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

*Doping Control:* All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management*, and investigations or proceedings relating to violations of 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 single *Competition* organized separately (for example: a one day road race) or a series of *Competitions* conducted together as a single organization (for example: road World Championships; a

## UCI CYCLING REGULATIONS

road stage race, a track World Cup *Event*); a reference to *Event* includes reference to *Competition*, unless the context indicates otherwise.

*Event Period*: Period which starts at midnight the day before the *Event* is set to take place and finishes at midnight the day on which the *Event* ends. However for Grand Tours the period commences at midnight three days before the *Event* is set to begin and finishes at midnight the day on which the *Event* ends (for example: the *Event Period* for a one-day road race scheduled to start on 19 December at 10:00 starts on 18 December at 00:01 and finishes on 19 December at 23:59).

*Event Venues*: At *UCI International Events*, the area where the *Event* is taking place as well as the accommodations where the *Riders* participating in such *Event* are staying.

*Failure to Cooperate*: Breach of Article 5.7 by a *Rider* or other *Person* of their respective obligations to cooperate as set forth in these Anti-Doping Rules, which otherwise does not amount to an anti-doping rule violation.

*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 a *Rider's* or other *Person's* degree of *Fault* include, for example, the *Rider's* or other *Person's* experience, whether the *Rider* or other *Person* is a *Protected Person*, special considerations such as impairment, the degree of risk that should have been perceived by the *Rider* and the level of care and investigation exercised by the *Rider* in relation to what should have been the perceived level of risk. In assessing the *Rider's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Rider's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that a *Rider* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Rider* 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.

*[Comment to Fault: The criteria for assessing a Rider's degree of Fault is the same under all Articles where Fault is to be considered. However, under Article 10.6.2, no reduction of sanction is appropriate unless, when the degree of Fault is assessed, the conclusion is that No Significant Fault or Negligence on the part of the Rider or other Person was involved.]*

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

*In-Competition*: *The Event Period*. However, for the purpose of the *Prohibited List*, *In-Competition* is the period commencing at 11:59 p.m. on the day before a *Competition* in which the *Rider* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

*[Comment to In-Competition: Having a universally accepted definition for In-Competition provides greater harmonization among Riders across all sports, eliminates or reduces confusion among Riders about the relevant timeframe for In-Competition Testing, avoids inadvertent Adverse Analytical Findings in between Competitions during an Event and assists in preventing any potential performance enhancement benefits from Substances prohibited Out-of-Competition being carried over to the Competition period.]*

*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.

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

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

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

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

## UCI CYCLING REGULATIONS

For the purpose of Article 5.3 exclusively, *International Events* are *Events* for which the *UCI* has *Testing* responsibility and are referred to as "*UCI International Events*". *UCI International Events* are defined annually by the *UCI*. The list of such *UCI International Events* is communicated to the relevant *Anti-Doping Organizations* before the start of the season and whenever required.

*International-Level Rider*: *Riders* who compete in sport at the international level, as defined in the Introduction of these *Anti-Doping Rules*.

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

*Licence-Holder*: A *Person* who is holder of a licence or who has applied for a licence under the *UCI Cycling Regulations*. For the avoidance of doubt, a *Licence-Holder* continues to be considered as such for the purpose of the present *Anti-Doping Rules* for all obligations that arose and for any violation that was committed and for all implications and consequences of any fact that occurred while holding a licence as well as for all obligations that continue to exist during any period of *Ineligibility* including when the *Person* concerned actually no longer holds a licence at the time of such obligation, violation or fact.

*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 shall be the country's *National Olympic Committee* or its designee.

*National Event*: A sport *Event* or *Competition* involving *International-* or *National-Level Riders* that is not an *International Event*.

*National Federation*: The member federations of the *UCI*, as set forth in the *UCI Constitution*.

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

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

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

## UCI CYCLING REGULATIONS

*No Significant Fault or Negligence:* The *Rider* 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 Rider*, for any violation of Article 2.1, the *Rider* must also establish how the *Prohibited Substance* entered the *Rider's* system.

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

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

*Participant:* Any *Rider* or *Rider Support Person*.

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

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

*[Comment to Possession: Under this definition, anabolic steroids found in a Rider's car would constitute a violation unless the Rider establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Rider did not have exclusive control over the car, the Rider knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of a Rider and spouse, the Anti-Doping Organization must establish that the Rider knew the anabolic steroids were in the cabinet and that the Rider intended to exercise control over them. The act of purchasing a Prohibited Substance alone constitutes Possession, even where, for example, the product does not arrive, is received by someone else, or is sent to a third-party address.]*

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

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

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

*Protected Person:* A *Rider* or other natural *Person* who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (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.

*[Comment to Protected Person: The Code treats Protected Persons differently than other Riders or Persons in certain circumstances based on the understanding that, below a certain age or intellectual capacity, a Rider or other Person may not possess the mental capacity to understand and appreciate the prohibitions]*

## UCI CYCLING REGULATIONS

*against conduct contained in the Code. This would include, for example, a Paralympic Athlete with a documented lack of legal capacity due to an intellectual impairment. The term "open category" is meant to exclude competition that is limited to junior or age group categories.]*

**Provisional Hearing:** For purposes of Article 7.5.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the *Rider* with notice and an opportunity to be heard in either written or oral form.

*[Comment to Provisional Hearing: A Provisional Hearing is only a preliminary proceeding which may not involve a full review of the facts of the case. Following a Provisional Hearing, the Rider remains entitled to a subsequent full hearing on the merits of the case. By contrast, an "expedited hearing", as that term is used in Article 7.5.3, is a full hearing on the merits conducted on an expedited time schedule.]*

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

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

**Recreational Rider:** A natural *Person* who is so defined by the relevant *National Anti-Doping Organization*; provided, however, the term shall not include any *Person* who within the five (5) years prior to committing any anti-doping rule violation, has been contracted to a *UCI* registered *Team*, has been an *International-Level Rider* (as defined by each *International Federation* consistent with the *International Standard for Testing and Investigations*) or *National-Level Rider* (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*.

*[Comment to Recreational Rider: The term "open category" is meant to exclude competition that is limited to junior or age group categories.]*

**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 *Rider* 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 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).

**Rider:** Any *Person* subject to these Anti-Doping Rules who competes in the sport of cycling 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 a *Rider* who is neither an *International-Level Rider* nor a *National-Level Rider*, and thus to bring them within the definition of "*Rider*". In relation to *Riders* who are neither *International-Level* nor *National-Level Riders*, 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 *Rider* over whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the *Code* must

## UCI CYCLING REGULATIONS

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 a *Rider*.

*[Comment to Rider: Individuals who participate in sport may fall in one of five categories: 1) International-Level Rider, 2) National-Level Rider, 3) individuals who are not International- or National-Level Riders but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Rider, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International- and National-Level Riders are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.]*

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

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

*[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]*

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

*Specified Method*: See Article 4.2.2.

*Specified Substance*: See Article 4.2.2.

*Strict Liability*: The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, *Fault*, *Negligence*, or knowing *Use* on the *Rider's* part be demonstrated by the *Anti-Doping Organization* in order to establish an anti-doping rule violation.

*Substance of Abuse*: See Article 4.2.3.

*Substantial Assistance*: For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

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

*[Comment to Tampering: For example, this Article would prohibit altering identification numbers on a Doping Control form during Testing, breaking the B bottle at the time of B Sample analysis, altering a Sample by the addition of a foreign substance, or intimidating or attempting to intimidate a potential witness or a witness who has provided testimony or information in the Doping Control process. Tampering includes misconduct which occurs during the Results Management process. See Article 10.9.3.3. However, actions taken as part of a Person's legitimate defense to an anti-doping rule violation charge shall not be considered Tampering. Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organizations.]*

## UCI CYCLING REGULATIONS

*Target Testing:* Selection of specific *Riders* for *Testing* based on criteria set forth in the *UCI Testing and Investigations Regulations*.

*Team:* in the sport of cycling, a sports organisation comprising *Riders* and other *Persons* supporting them with the aim of taking part in cycling *Events*, as described more precisely in Article 1.1.040 and following of the *UCI Cycling Regulations Part 1*. *Teams* registered with the *UCI* are listed under Article 1.1.041 of the *UCI Cycling Regulations Part 1*

*Team Competition:* *Competition* where participation is by *Team* from a sporting point of view and where the final winner and/or general classification is allocated per *Team* (*Team* pursuit or *Team* time trial, for example).

*Team Sport:* A sport in which the substitution of players is permitted during a *Competition*. As such, for the purpose of these Anti-Doping Rules, cycling is not a *Team Sport*.

*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.

*Testing Pool:* The tier below the *Registered Testing Pool* which includes *Riders* from whom some whereabouts information is required in order to locate and *Test* the *Rider Out-of-Competition*.

*Therapeutic Use Exemption (TUE):* A *Therapeutic Use Exemption* allows a *Rider* with a medical condition to *Use* a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *UCI Therapeutic Use Exemptions Regulations* are met.

*Therapeutic Use Exemption Committee:* The panel established by the *UCI* to consider applications for *TUEs*.

*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 a *Rider*, *Rider Support Person* or any other *Person* subject to the authority of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance Used* for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

*UCI:* Union Cycliste Internationale, the International Federation governing the sport of cycling.

*UCI Anti-Doping Commission:* the Commission established by the *UCI Constitution*

*UCI Anti-Doping Tribunal:* a body established by the *UCI* under Article 8 of these Anti-Doping Rules to hear anti-doping rule violations, or panels thereof, depending on the context.

*UCI Disciplinary Commission:* the Commission established by the *UCI Constitution*.

*UCI Website:* a website on which these Anti-Doping Rules and other documents referred to in these Anti-Doping Rules are made available in their current version.

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

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

## UCI CYCLING REGULATIONS

WADA: The World Anti-Doping Agency.

*Without Prejudice Agreement:* For purposes of Articles 10.7.1.1 and 10.8.2, a written agreement between an *Anti-Doping Organization* and a *Rider* or other *Person* that allows the *Rider* or other *Person* to provide information to the *Anti-Doping Organization* in a defined time-limited setting with the understanding that, if an agreement for *Substantial Assistance* or a case resolution agreement is not finalized, the information provided by the *Rider* or other *Person* in this particular setting may not be used by the *Anti-Doping Organization* against the *Rider* or other *Person* in any *Results Management* proceeding under the *Code*, and that the information provided by the *Anti-Doping Organization* in this particular setting may not be used by the *Rider* or other *Person* against the *Anti-Doping Organization* in any *Results Management* proceeding under the *Code*. Such an agreement shall not preclude the *Anti-Doping Organization*, *Rider* or other *Person* from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.