



FIBA INTERNAL REGULATIONS

BOOK 4 ANTI-DOPING

These Internal Regulations were adopted by the FIBA Central Board on 29 December 2020, entered into force on 1 January 2021, and revised on 1 January 2022, 25 August 2022, and 30 April 2023.



TABLE OF CONTENTS

INTRODUCTION

ARTICLE 1	DEFINITION OF DOPING	6
ARTICLE 2	ANTI-DOPING RULE VIOLATIONS	6
ARTICLE 3	PROOF OF DOPING	9
ARTICLE 4	THE PROHIBITED LIST	11
ARTICLE 5	<i>TESTING</i> AND INVESTIGATIONS	16
ARTICLE 6	ANALYSIS OF <i>SAMPLES</i>	22
ARTICLE 7	<i>RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS</i>	24
ARTICLE 8	RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION	28
ARTICLE 9	INTENTIONALLY LEFT BLANK	31
ARTICLE 10	SANCTIONS ON INDIVIDUALS	31
ARTICLE 11	<i>CONSEQUENCES TO TEAMS</i>	45
ARTICLE 12	SANCTIONS BY <i>FIBA</i> AGAINST OTHER SPORTING BODIES.....	45
ARTICLE 13	APPEALS	46
ARTICLE 14	CONFIDENTIALITY AND REPORTING	51
ARTICLE 15	IMPLEMENTATION OF DECISIONS.....	57
ARTICLE 16	STATUTE OF LIMITATIONS	58
ARTICLE 17	<i>EDUCATION</i>	58
ARTICLE 18	ADDITIONAL ROLES AND RESPONSIBILITIES OF <i>NATIONAL FEDERATIONS</i>	58
ARTICLE 19	ADDITIONAL ROLES AND RESPONSIBILITIES OF <i>FIBA</i>	60
ARTICLE 20	ADDITIONAL ROLES AND RESPONSIBILITIES OF <i>ATHLETES</i>	60
ARTICLE 21	ADDITIONAL ROLES AND RESPONSIBILITIES OF <i>ATHLETE SUPPORT PERSONNEL</i>	60
ARTICLE 22	ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER <i>PERSONS</i> SUBJECT TO THESE ANTI-DOPING RULES	61
ARTICLE 23	INTERPRETATION OF THE CODE.....	62
ARTICLE 24	FINAL PROVISIONS	62
APPENDIX 1: DEFINITIONS		65
APPENDIX 2: TESTING GUIDELINES.....		74
APPENDIX 3: OBLIGATIONS FOR ORGANISERS IN DOPING CONTROL MATTERS...		80

INTRODUCTION

Preface

These *FIBA* Internal Regulations governing anti-doping (the “Anti-Doping Rules”) are adopted and implemented in accordance with *FIBA*'s responsibilities under the revised World Anti-Doping Code, ed. 2021 (the “Code”), and in furtherance of *FIBA*'s continuing efforts to eradicate doping in sport.

These Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which Basketball (in all its disciplines) is played. *Athletes* and other *Persons* accept these rules as a condition of participation and shall be bound by them. Aimed at enforcing anti-doping rules in a global and harmonized manner, these rules are distinct in nature from criminal and civil laws. They are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings, although they 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.

As provided in the Code, *FIBA* shall be responsible for conducting all aspects of *Doping Control*. Any aspect of *Doping Control* or anti-doping Education may be delegated by *FIBA* to a *Delegated Third Party*), however, *FIBA* shall require the *Delegated Third Party* to perform such aspects in compliance with the *Code*, *International Standards*, and these Anti-Doping Rules.

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

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

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

All cross-references in these Anti-Doping Rules shall be understood as referring to articles of this Book 4 of the *FIBA* Internal Regulations, unless a different Book is expressly mentioned.

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 *Athlete*'s natural talents.

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

- Health
- Ethics, fair play and honesty
- *Athletes'* 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.

Scope of these Anti-Doping Rules

These Anti-Doping Rules shall apply to:

- (a) *FIBA* including its board members, directors, officers and specified employees and its *Delegated Third Parties* and the *Delegated Third Parties'* employees who are involved in any aspect of *Doping Control*;
- (b) each of the *National Federations*, including their board members, directors, officers and specified employees and their *Delegated Third Parties* and the *Delegated Third Parties'* employees who are involved in any aspect of *Doping Control*; and
- (c) the following *Athletes*, *Athlete Support Personnel* and other *Persons*:
 - (i) all *Athletes* and *Athlete Support Personnel* that have registered at least once with *FIBA* (e.g. *Athletes* entered in *FIBA's* player database) or a *National Federation*, or with any member or affiliate organisation of *FIBA* or any *National Federation* (including without limitation any clubs, teams, associations, or leagues) or any other national and/or international leagues;
 - (ii) all *Athletes* and *Athlete Support Personnel* that participate in such capacity in *Events*, *Competitions* and other activities organised, convened, authorised or recognised by *FIBA* any *National Federation*, or by any member or affiliate organisation of any *National Federation* (including without limitation, whether

recognised by *FIBA* or not, any clubs, teams, associations, or leagues), or any other national and/or international leagues;

- (iii) any other *Athlete* or *Athlete Support Personnel* or other *Person* that, by virtue of membership of an accreditation, a license or other contractual arrangement, or otherwise, is subject to the authority of *FIBA*, any *National Federation*, or of any member or affiliate organisation of any *National Federation* (including without limitation, whether recognised by *FIBA* or not, any clubs, teams, associations), or any other national and/or international leagues for purposes of anti-doping; and
- (iv) *Athletes* who are not regular members of *FIBA* or a *National Federation* but who want to be eligible to compete in a particular *International Event*. *FIBA* may include such *Athletes* in its *Registered Testing Pool* or *Testing Pool(s)* so that they are required to provide information about their whereabouts for purposes of Testing under these *Anti-Doping Rules* for at least one month prior to the *International Event* in question.

Each of the abovementioned *Persons* is deemed, as a condition of participation or involvement in the sport, to have agreed to and be bound by these *Anti-Doping Rules*, and to have submitted to the authority of *FIBA* to enforce these *Anti-Doping Rules*, including any *Consequences* for the breach thereof, and to the jurisdiction of the hearing panels specified in Article 8 and Article 13 to hear and determine cases and appeals brought under these *Anti-Doping Rules*.

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

- a. *Athletes* competing in a *FIBA Event*; and
- b. *Athletes* included by *FIBA* in a *Registered Testing Pool* or other *Testing Pool(s)* (when such *Testing Pool* is established by *FIBA*).

In addition to any obligations set forth under this Book 4, all provisions of the Code of Conduct (see Book 1) regarding the conduct of investigations apply equally to the investigation of any anti-doping rule violation. *FIBA* may delegate any such investigations to the *FIBA Integrity Officer*.

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.

Athletes or other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods that 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 an *Athlete's Sample*

- 2.1.1** It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.
- 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 *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analysed; or, where the *Athlete's B Sample* is analysed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or where the *Athlete's A or B Sample* is split into two (2) parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.
- 2.1.3** Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* 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 an Athlete of a Prohibited Substance or a Prohibited Method

2.2.1 It is the *Athletes'* 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 *Athlete's* part be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

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

2.3 Evading, Refusing or Failing to Submit to Sample Collection by an Athlete

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

2.4 Whereabouts Failures by an Athlete

Any combination of three (3) missed tests and/or filing failures, as defined in the *International Standard for Results Management*, within a twelve (12) -month period by an *Athlete* in a *Registered Testing Pool*.

2.5 Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person

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

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

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

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person

2.8 Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition

2.9 Complicity or Attempted Complicity by an Athlete or Other Person

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*.

2.10 Prohibited Association by an Athlete or Other Person

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

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

2.10.1.2 If not subject to the authority of an *Anti-Doping Organisation* 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 Organisation* must establish that the *Athlete* or other *Person* knew of the *Athlete Support Person's* disqualifying status.

The burden shall be on the *Athlete* or other *Person* to establish that any association with an *Athlete Support Person* described in Article 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

Anti-Doping Organisations that are aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to *WADA*.

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

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.

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

FIBA shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether *FIBA* 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 *Athlete* 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.

3.2 Methods of Establishing Facts and Presumptions

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

- 3.2.1** 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 *Athlete* 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.

- 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 *Athlete* 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*.

If the *Athlete* 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 FIBA shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

- 3.2.3** Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or these Anti-Doping Rules shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defence to an anti-doping rule violation; provided, however, if the *Athlete* or other *Person* establishes that a departure from one of the specific *International Standard* provisions listed below could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or whereabouts failure, then FIBA 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 *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*, in which case FIBA shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- (ii) a departure from the *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 FIBA shall have the burden to

establish that such departure did not cause the anti-doping rule violation;

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

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

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

3.2.5 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete'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 *FIBA*.

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

These Anti-Doping Rules incorporate the *Prohibited List*, which is published and revised by *WADA* as described in Article 4.1 of the *Code*. For information, the *Prohibited List* is available on *FIBA's* official website (www.FIBA.basketball) and on *WADA's* website (www.wada-ama.org).

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 *FIBA* or its *National Federations*. All *Athletes* 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 *Athletes* and other *Persons* to familiarise themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

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. FIBA may request that WADA expand the *Prohibited List* for the sport of basketball in general or for any of its disciplines. FIBA may also request that WADA include additional substances or methods in its Monitoring Program that have the potential for abuse in the sport of basketball. WADA shall make the final decision on such requests by FIBA.

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

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 an *Athlete* 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 *International Standard for Therapeutic Use Exemptions*.

4.4.2 *TUE* Applications

4.4.2.1 *Athletes* who are not *International-Level Athletes* shall apply to their *National Anti-Doping Organisation* for a *TUE*. If the *National Anti-Doping Organisation* denies the application, the *Athlete* may appeal exclusively to the appellate body described in Article 13.2.2.

4.4.2.2 *Athletes* who are *International-Level Athletes* shall apply to *FIBA*.

4.4.3 *TUE* Recognition

4.4.3.1 Where the *Athlete* already has a *TUE* granted by their *National Anti-Doping Organisation* pursuant to Article 4.4 of the *Code for the Prohibited Substance or Prohibited Method* in question, and if that *TUE* meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, *FIBA* must recognise it for purposes of international-level *Competition*. If *FIBA* considers that the *TUE* does not meet those criteria and so refuses to recognise it, *FIBA* must notify the *Athlete* and the *Athlete's National Anti-Doping Organisation* promptly, with reasons. The *Athlete* or the *National Anti-Doping Organisation* shall have twenty-one (21) days from such notification to refer the matter to *WADA* for review in accordance with Article 4.4.7.

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

4.4.3.2 If *FIBA* chooses to test an *Athlete* who is not an *International-Level Athlete*, *FIBA* must recognise a *TUE* granted to that *Athlete* by their *National Anti-Doping Organisation* unless the *Athlete* is required to apply for recognition of the *TUE* pursuant to Articles 5.8 and 7.0 of the *International Standard for Therapeutic Use Exemptions*.

4.4.4 *TUE* Application Process

4.4.4.1 If the *Athlete* does not already have a *TUE* granted by their *National Anti-Doping Organisation* for the substance or method in question, the *Athlete* must apply directly to *FIBA*;

4.4.4.2 An application to *FIBA* for grant or recognition of a *TUE* must be made as soon as possible, save where Articles 4.1 or 4.3 of the *International Standard for Therapeutic Use Exemptions* apply. The application shall be made in accordance with Article 6 of the *International Standard for Therapeutic Use Exemptions*, using the form posted on *FIBA*'s website at www.FIBA.basketball/anti-doping/tue.

- (a) *FIBA* shall appoint a panel of physicians to consider applications for the grant or recognition of *TUE*s in accordance with Article 4.4.4.3(a) below (the "*TUE Committee*");
- (b) The *TUEC* shall consist of a minimum of five (5) members with experience in the care and treatment of *Athletes* and sound knowledge of clinical, sports and exercise medicine. The *TUE Committee* will include, ex officio, the Chairman of the *FIBA* Medical Commission;
- (c) The *TUE Committee* shall promptly evaluate and decide upon the application in accordance with *FIBA*'s protocols, if any, posted on its website (www.FIBA.basketball) and the relevant provisions of the *International Standard for Therapeutic Use Exemptions* and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete application. Where the application is made in a reasonable time prior to an *Event*, the *TUE Committee* must use its best endeavours to issue its decision before the start of the *Event*; and
- (d) The *TUE Committee* is entitled to the benefit of legal counsel, if needed.

4.4.4.5 Subject to Article 4.4.4.6, the TUE Committee decision shall be the final decision of *FIBA* and may be appealed in accordance with Article 4.4.7. *FIBA* TUE Committee decision shall be notified in writing to the *Athlete*, and to *WADA* and other *Anti-Doping Organisations* in accordance with the *International Standard for Therapeutic Use Exemptions*. It shall also promptly be reported into *ADAMS*.

4.4.4.6 If *FIBA* (or the *National Anti-Doping Organisation*, where it has agreed to consider the application on behalf of *FIBA*) denies the *Athlete's* application, it must notify the *Athlete* promptly, with reasons. If *FIBA* grants the *Athlete's* application, it must notify not only the *Athlete* but also their *National Anti-Doping Organisation*. If the *National Anti-Doping Organisation* considers that the *TUE* granted by *FIBA* does not meet the criteria set out in the *International Standard for Therapeutic Use Exemptions*, it has twenty-one (21) days from such notification to refer the matter to *WADA* for review in accordance with Article 4.4.7.

If the *National Anti-Doping Organisation* refers the matter to *WADA* for review, the *TUE* granted by *FIBA* 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 Organisation* does not refer the matter to *WADA* for review, the *TUE* granted by *FIBA* becomes valid for national-level *Competition* as well when the twenty-one (21) day review deadline expires.

4.4.5 Retroactive *TUE* Applications

If *FIBA* chooses to collect a *Sample* from an *Athlete* who is not an *International-Level Athlete* or a *National-Level Athlete*, and that *Athlete* is *Using a Prohibited Substance or Prohibited Method* for therapeutic reasons, *FIBA* must permit that *Athlete* to apply for a retroactive *TUE*.

4.4.6 Expiration, Withdrawal or Reversal of a *TUE*

4.4.6.1 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 *Athlete* does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the *TUE*; (c) may be withdrawn by the TUE Committee 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.

4.4.6.2 *Athletes shall not be subject to any Consequences based on their Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE prior to the effective date of expiry, withdrawal, or reversal of the TUE. The review pursuant to Article 5.1.1.1 of the International Standard for Results Management of an Adverse Analytical Finding, reported shortly after the TUE expiry, withdrawal or reversal, shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Prohibited Method prior to that date, in which event no anti-doping rule violation shall be asserted.*

4.4.7 Reviews and Appeals of TUE Decisions

4.4.7.1 *WADA must review FIBA's decision not to recognise a TUE granted by the National Anti-Doping Organisation that is referred to WADA by the Athlete or the Athlete's National Anti-Doping Organisation. In addition, WADA must review FIBA's decision to grant a TUE that is referred to WADA by the Athlete's National Anti-Doping Organisation. 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 International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.*

4.4.7.2 *Any TUE decision by FIBA (or by a National Anti-Doping Organisation where it has agreed to consider the application on behalf of FIBA) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and/or the Athlete's National Anti-Doping Organisation, exclusively to CAS.*

4.4.7.3 *A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the National Anti-Doping Organisation and/or FIBA, exclusively to CAS.*

4.4.7.4 *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.*

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. They shall be conducted in conformity with the provisions of the *International Standard for Testing and Investigations* and the specific protocols of *FIBA* supplementing that International Standard, if any.

5.1.2 *Testing* shall be undertaken to obtain analytical evidence as to whether the *Athlete* has violated Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*) or Article 2.2 (*Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*).

5.2 Authority to Test

5.2.1 Subject to the limitations for *Event Testing* set out in Article 5.3, *FIBA* shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* specified in the Introduction to these Anti-Doping Rules (Section “Scope of these Anti-Doping Rules”).

5.2.2 *FIBA* may require any *Athlete* over whom it has *Testing* authority (including any *Athlete* serving a period of *Ineligibility*) to provide a *Sample* at any time and at any place.

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 Except for *Testing* during an *Event Period*, for which Article 5.3 applies, if *FIBA* delegates or contracts any part of *Testing* to a *National Anti-Doping Organisation* directly or through a *National Federation*, that *National Anti-Doping Organisation* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *National Anti-Doping Organisation's* expense. If additional *Samples* are collected or additional types of analysis are performed, *FIBA* shall be notified at least twenty-four (24) hours in advance of each additional *Sample* collection or additional type of analysis.

5.3 Event Testing

5.3.1 Except as provided in Article 5.3.2, only a single organisation shall have authority to conduct *Testing* at *Event Venues* during an *Event Period*, as follows:

- For all *FIBA Events*, *FIBA*. *FIBA* may delegate its authority to another *Anti-Doping Organisation* for *FIBA Club Competitions*; and
- At other *International Events*, the ruling body of the Event.

At *National Events*, the *National Anti-Doping Organisation* of that country shall have authority to conduct *Testing*. At the request of *FIBA* (or other international organisation that is the ruling body for an *Event*), any *Testing* during the *Event Period* outside of the *Event Venues* shall be coordinated with *FIBA* (or the relevant ruling body of the *Event*).

- 5.3.2** If an *Anti-Doping Organisation* that would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at an *Event* desires to conduct *Testing* at *Event Venues* during the *Event Period*, the *Anti-Doping Organisation* shall first confer with *FIBA* (or other international organisation that is the ruling body of the *Event*) to obtain permission to conduct and coordinate such *Testing*. If the *Anti-Doping Organisation* is not satisfied with the response from *FIBA* (or other international organisation that is the ruling body of the *Event*), the *Anti-Doping Organisation* may, in accordance with the procedures described in the *International Standard for Testing and Investigations*, 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 *FIBA* (or other international organisation which is the ruling body for the *Event*). *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 Organisation* initiating the test unless provided otherwise in the rules of the ruling body of the *Event*.

5.4 Testing Requirements

- 5.4.1** *FIBA* shall conduct test distribution planning as required by the *International Standard for Testing and Investigations*.
- 5.4.2** Where reasonably feasible, *Testing* shall be coordinated through *ADAMS* in order to maximise the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.
- 5.4.3** *Testing* shall be performed according to the *International Standard for Testing and Investigations* and Appendix 2 to these Anti-Doping Rules.

5.5 Athlete Whereabouts Information

- 5.5.1** *FIBA* may establish a *Registered Testing Pool* of those *Athletes* who are required to provide whereabouts information in the manner specified in the *International Standard for Testing and Investigations* and who shall be subject to *Consequences* for Article 2.4 violations as provided in Article 10.3.2. *FIBA* shall coordinate with *National Anti-*

Doping Organisations to identify such *Athletes* and to collect their whereabouts information.

- 5.5.2** *FIBA* shall make available through *ADAMS* a list that identifies those *Athletes* included in its *Registered Testing Pool* by name. *FIBA* shall regularly review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall periodically (but not less than quarterly) review the list of *Athletes* in its *Registered Testing Pool* to ensure that each listed *Athlete* continues to meet the relevant criteria. *Athletes* shall be notified before they are included in the *Registered Testing Pool* and when they are removed from that pool. The notification shall contain the information set out in the *International Standard for Testing and Investigations*.
- 5.5.3** Where an *Athlete* is included in an international *Registered Testing Pool* by *FIBA* and in a national *Registered Testing Pool* by their *National Anti-Doping Organisation*, the *National Anti-Doping Organisation* and *FIBA* shall agree between themselves which of them shall accept that *Athlete's* whereabouts filings; in no case shall an *Athlete* be required to make whereabouts filings to more than one of them.
- 5.5.4** In accordance with the *International Standard for Testing and Investigations*, each *Athlete* in the *Registered Testing Pool* shall do the following: (a) advise *FIBA* of his/her whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make himself or herself available for *Testing* at such whereabouts.
- 5.5.5** For purposes of Article 2.4, an *Athlete's* failure to comply with the requirements of the *International Standard for Testing and Investigations* shall be deemed a filing failure or a missed test, as defined in Annex B of the *International Standard for Results Management*, where the conditions set forth in Annex B are met.
- 5.5.6** An *Athlete* in *FIBA's Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set in the *International Standard for Testing and Investigations* unless and until (a) the *Athlete* gives written notice to *FIBA* that he or she has retired or (b) *FIBA* has informed him or her that he or she no longer satisfies the criteria for inclusion in *FIBA's Registered Testing Pool*.
- 5.5.7** Whereabouts information provided by an *Athlete* while in the *Registered Testing Pool* will be accessible through *ADAMS* to *WADA* and to other *Anti-Doping Organisations* having authority to test that *Athlete* as provided in Article 5.2. 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*.

- 5.5.8** In accordance with the *International Standard for Testing and Investigations*, FIBA may establish a *Testing Pool*, for *Athletes* not included in the *Registered Testing Pool* and require such *Athletes* to provide and update, either directly or through their club or *National Federation*, specific whereabouts information requested by FIBA.
- 5.5.9** FIBA shall notify *Athletes* before they are included in the *Testing Pool* and when they are removed. Such notification shall include the whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Articles 5.5.10 and 5.5.11.
- 5.5.10** *Athletes* included in the *Testing Pool* shall provide FIBA with the whereabouts information requested by FIBA from time to time, so that they may be located and subjected to *Testing*.
- 5.5.11** Failure to comply with FIBA's whereabouts requirements for its *Testing Pools* may lead to (a) a sanction in accordance with Book 1, Chapter 6; (b) the *Athlete's* inclusion in the Registered Testing Pool.
- 5.5.12** FIBA may, in accordance with the *International Standard for Testing and Investigations*, collect whereabouts information from *Athletes* who are not included within a *Registered Testing Pool* or *Testing Pool*. If it chooses to do so, an *Athlete's* failure to provide requested whereabouts information on or before the date required by FIBA or the *Athlete's* failure to provide accurate whereabouts information may result in FIBA elevating the *Athlete* to FIBA's *Registered Testing Pool*.

5.6 Team Whereabouts Information

- 5.6.1** FIBA may establish a Testing Pool of teams required to comply with whereabouts requirements set out by FIBA from time to time. Teams shall be notified of their inclusion in the *Testing Pool* and shall furnish FIBA with any whereabouts information requested so that they may be located and subjected to *Testing*. This may include:
- a. Training dates;
 - b. Start and finish times of training;
 - c. Venue of training sessions;
 - d. Dates of travel;
 - e. Accommodation;
 - f. Home address or address of regular overnight stay of each *Athlete* of the team.
- 5.6.2** The following shall constitute team whereabouts violations:

- a. The failure to provide *FIBA* with whereabouts information within the deadline communicated to the team;
- b. Incomplete or inaccurate whereabouts information;
- c. The absence of one or more Athletes from a test conducted on the team.

Team whereabouts violations may incur a monetary fine in accordance with Book 1, Chapter 6 (Sanctions) of the *FIBA* Internal Regulations.

- 5.6.3** All *Athletes* belonging to teams in the *Testing Pool* are deemed to be aware of the whereabouts information provided by their team and must be present and available for *Testing* in accordance with that information. In addition to potential Consequences for an anti-doping rule violation, any *Athlete* not present for *Testing* in accordance with the whereabouts information provided by the team may be included in the *Registered Testing Pool* and be required to submit whereabouts information to *FIBA* in accordance with Article 5.6.

5.7 Retired Athletes Returning to Competition

- 5.7.1** If an *International-Level Athlete* or *National-Level Athlete* in *FIBA*'s *Registered Testing Pool* retires and then wishes to return to active participation in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has made himself or herself available for *Testing*, by giving six-months prior written notice to *FIBA* and their *National Anti-Doping Organisation*.

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

Any individual competitive results obtained in violation of this Article 5.7.1 shall be *Disqualified* unless the *Athlete* can establish that he or she could not have reasonably known that this was an *International Event* or a *National Event*.

- 5.7.2** If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* must notify the *Anti-Doping Organisation* that imposed the period of *Ineligibility* in writing of such retirement. If the *Athlete* then wishes to return to active competition in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has made himself or herself available for *Testing* by giving six-months prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six (6) months) to *FIBA* and to their *National Anti-Doping Organisation*, including (if requested) complying with the whereabouts requirements of Annex I to the *International Standard for Testing and Investigations*.

5.8 Independent Observer Program

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

ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analysed 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 analysed 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 *FIBA*.

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.

6.2 Purpose of Analysis of Samples and Data

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

6.3 Research on Samples and Data

Samples, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Athlete's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes 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 *Athlete*. 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*.

6.4 Standards for Sample Analysis and Reporting

Laboratories shall analyse *Samples* and report results in conformity with the *International Standard* for Laboratories.

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

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

There shall be no limitation on the authority of a Laboratory to conduct repeat or additional analysis on a *Sample* prior to the time *FIBA* notifies an *Athlete* that the *Sample* is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification *FIBA* wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Athlete* 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 Organisation* that initiated and directed *Sample* collection or *WADA*. Any other *Anti-Doping Organisation* with authority to test the *Athlete* that wishes to conduct further analysis on a stored *Sample* may do so only with the written permission of the *Anti-Doping Organisation* 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 Organisation* shall be at *WADA*'s or that organisation'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 Organisation* with *Results Management* authority, and/or a *WADA*-accredited laboratory (with approval from *WADA* or the *Anti-Doping Organisation* 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 *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 Organisation*. Upon request by *WADA*, the laboratory or *Anti-Doping Organisation* 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 Organisation* before taking possession of a *Sample* or data, it shall provide such notice to the laboratory and each *Anti-Doping Organisation* 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*

Organisation with authority to test the *Athlete* to assume *Results Management* responsibility for the *Sample* or data if a potential anti-doping rule violation is discovered.

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

Results Management under these Anti-Doping Rules establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner.

7.1 Responsibility for Conducting *Results Management*

7.1.1 Except as otherwise provided in Articles 6.6, 6.8 and Code Article 7.1, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of the *Anti-Doping Organisation* that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, the *Anti-Doping Organisation* which first provides notice to an *Athlete* or other *Person* of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation).

The foregoing paragraph notwithstanding, *FIBA* is the sole *Results Management* authority for all anti-doping rule violations arising from or in connection with:

- a *FIBA Event*, regardless of the authority that conducted *Testing*; and
- any *Out-of-Competition Testing* conducted by *FIBA* on any *Athlete*.

7.1.2 In circumstances where the rules of a *National Anti-Doping Organisation* do not give the *National Anti-Doping Organisation* authority over an *Athlete* or other *Person* who is not a national, resident, license holder, or member of a basketball organisation of that country, or the *National Anti-Doping Organisation* declines to exercise such authority, *Results Management* for violations in the sport of basketball shall be conducted by *FIBA*, provided that *FIBA* has authority over the *Athlete*, or by a third party with authority over the *Athlete* or other *Person* as directed by *FIBA*.

7.1.3 For the sport of basketball, in the event the *Major Event Organisation* assumes only limited *Results Management* responsibility relating to a *Sample* initiated and taken during an *Event* conducted by a *Major Event Organisation*, or an anti-doping rule violation occurring during such *Event*, the case shall be referred by the *Major Event Organisation* to *FIBA* for completion of *Results Management*.

7.1.4 *Results Management* in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by *FIBA* or the *National Anti-Doping Organisation* with whom the *Athlete* in question files whereabouts information, as provided in the *International*

Standard for Results Management. If FIBA determines a filing failure or a missed test, it shall submit that information to WADA through ADAMS, where it will be made available to other relevant *Anti-Doping Organisations*.

- 7.1.5** FIBA shall conduct *Results Management* for *Adverse Passport Findings* or *Atypical Passport Findings* for all *Athletes* for whom their biological passport is under FIBA custody.
- 7.1.6** For potential anti-doping rule violations in the sport of basketball and for which FIBA has authority over the *Athlete* or other *Person* in question, WADA may direct FIBA to conduct *Results Management* in particular circumstances in which a different *Anti-Doping Organisation* failed or refused to conduct *Results Management*. The other *Anti-Doping Organisation* shall reimburse FIBA for the costs and attorney fees for conducting *Results Management* and a failure to reimburse these costs shall be considered an act of non-compliance. If FIBA refuses to conduct *Results Management* within a reasonable deadline set by WADA, WADA may direct another *Anti-Doping Organisation* with authority over the *Athlete* or other *Person*, that is willing to do so, to take *Results Management* responsibility in place of FIBA. In such case, FIBA shall reimburse the costs and attorney fees for conducting *Results Management* to the other *Anti-Doping Organisation* designated by WADA, and a failure to reimburse the costs and attorney fees shall be considered an act of non-compliance.
- 7.1.7** If a dispute arises between *Anti-Doping Organisations* over which *Anti-Doping Organisation* has results management responsibility, WADA shall decide which organisation has such responsibility. WADA's decision may be appealed to CAS within seven 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.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

FIBA shall carry out the review and notification with respect to any potential anti-doping rule violation in accordance with the *International Standard for Results Management*.

7.3 Identification of Prior Anti-Doping Rule Violations

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

7.4 Provisional Suspensions

7.4.1 Mandatory Provisional Suspension after an Adverse Analytical Finding or Adverse Passport Finding

If *FIBA* receives an *Adverse Analytical Finding* or an *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* review process) for a *Prohibited Substance* or a *Prohibited Method* that is not a *Specified Substance* or a *Specified Method*, it shall impose a *Provisional Suspension* on the *Athlete* promptly upon or after the review and notification required by Article 7.2.

A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to *FIBA* or the *FIBA* Disciplinary Panel that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under Article 10.2.4.1.

FIBA or the *FIBA* Disciplinary Panel's decision not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* or to lift an optional *Provisional Suspension* imposed as per Article 7.4.2 shall not be appealable.

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

FIBA may impose a *Provisional Suspension* for anti-doping rule violations not covered by Article 7.4.1 prior to the analysis of the *Athlete's* B Sample or final hearing as described in Article 8.

An optional *Provisional Suspension* may be lifted at the discretion of *FIBA* at any time prior to *FIBA* Disciplinary Panel's decision under Article 8, unless provided otherwise in the *International Standard for Results Management*.

7.4.3 Opportunity for Hearing or Appeal

Notwithstanding Articles 7.4.1 and 7.4.2, a *Provisional Suspension* may not be imposed unless the *Athlete* or other *Person* is given: (a) an opportunity for a *Provisional Hearing*, either before or on a timely basis after the imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after the imposition of the *Provisional Suspension*.

The imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, may be appealed in an expedited process in accordance with Article 13.2.

7.4.4 Voluntary Acceptance of *Provisional Suspension*

Athletes on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B *Sample* (or waiver of the B *Sample*) or ten (10) days from the notice of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notice.

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

Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.4.1 or 7.4.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

7.4.5 If a *Provisional Suspension* is imposed based on an A *Sample Adverse Analytical Finding* and a subsequent B *Sample* analysis (if requested by the *Athlete* or FIBA) does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1. In circumstances where the *Athlete* (or the *Athlete's* team) has been removed from a *Competition* or *Event* based on a violation of Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, then, if it is still possible for the *Athlete* or team to be reinserted, without otherwise affecting the *Competition* or *Event*, the *Athlete* or team may continue to take part in the *Competition* or *Event*.

7.5 Results Management Decisions

Results Management decisions or adjudications by FIBA must not purport to be limited to a particular geographic area or the sport of basketball 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 (including prize money), any period of *Ineligibility* (and the date it begins to run) and any *Financial Consequences*.

7.6 Notification of Results Management Decisions

FIBA shall notify Athletes, other Persons, Signatories and WADA of Results Management decisions as provided in Article 14 and in the International Standard for Results Management.

7.7 Retirement from Sport

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

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

For any *Person* who is asserted to have committed an anti-doping rule violation, *FIBA* shall provide a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in compliance with the *Code* and the *International Standard for Results Management*.

8.1 Fair Hearings

8.1.1 Fair and Impartial Hearing Panel

FIBA has established the Anti-Doping Division of the *FIBA* Disciplinary Panel, which has exclusive first instance jurisdiction to hear and determine whether an *Athlete* or other *Person*, subject to these Anti-Doping Rules, has committed an anti-doping rule violation and, if applicable, to impose relevant *Consequences* (see Book 1 of the *FIBA* Internal Regulations) as well as to decide on any other anti-doping matter (see Article 13.2).

8.1.1.1 *FIBA* shall ensure that the Anti-Doping Division of the Disciplinary Panel is free of conflict of interests and that its composition, term of office, professional experience, Operational Independence and adequate financing comply with the requirements of the International Standard for Results Management.

8.1.1.2 Board members, staff members, commission members, consultants and officials of *FIBA* or its affiliates (e.g. *National Federations*), 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 the Anti-Doping Division of the Disciplinary Panel. In particular, no member of the Anti-Doping Division of the Disciplinary Panel member shall have previously considered any *TUE* application, *Results Management* decision, or appeals in the same given case.

8.1.1.3 The Anti-Doping Division of the Disciplinary Panel shall be in a position to conduct the hearing and decision-making process without interference from FIBA or any third party and conform with the requirements for an *Operationally Independent* hearing panel and as set forth in the Article 8 of the *International Standard for Results Management*.

8.1.2 Hearing Process

8.1.2.1 When *FIBA* sends a notice of charge to an *Athlete* or other *Person* for a potential anti-doping rule violation, and the *Athlete* or other *Person* (i) does not accept *FIBA*'s proposed *Consequences*; and (ii) does not waive a hearing in accordance with Article 8.3.1 or Article 8.3.2, then the case shall be referred to the Anti-Doping Division of the *FIBA* Disciplinary Panel for hearing and adjudication, which shall be conducted in accordance with the principles described in Articles 8 and 9 of the *International Standard for Results Management* and Book 1 of the *FIBA* Internal Regulations.

8.1.2.2 Upon appointment to the Anti-Doping Division of the *FIBA* Disciplinary Panel, each member must also sign a declaration that there are no facts or circumstances known to him or her which might call into question their impartiality in the eyes of any of the parties, other than those circumstances disclosed in the declaration.

8.1.2.3 In principle, proceedings shall be conducted based on the parties' written submissions. If the relevant Panel on its own initiative or at the request of one of the parties decides to hold an oral hearing, such hearing shall take place by video conference (unless decided otherwise by the panel). A party may request an *in-persona* hearing if it advances the costs for such a hearing, as determined by the Panel.

8.1.2.4 The *Athlete* or other *Person* along with the filing of a request to have a matter heard by the Anti-Doping Division of the *FIBA* Disciplinary Panel, must pay the non-reimbursable fee set forth in Appendix 4. The parties and the joined parties shall be responsible for the costs of their own counsel, witnesses, experts and interpreters. In its decision, the Panel shall determine whether and to what extent the parties shall be responsible for the costs of the proceeding. When making its determination, the Panel shall in particular take

into account the outcome of the proceedings and the conduct and the financial resources of the parties.

8.1.2.5 Hearings held in connection with *Events* in respect to *Athletes* and other *Persons* who are subject to these Anti-Doping Rules may be conducted by an expedited process where permitted by *FIBA*, having regard to the *Event* schedule and *FIBA* Calendar.

8.1.2.6 *WADA*, the *National Federation* of the *Athlete* (i.e. for which national team the *Athlete* is eligible to play) or other *Person* (i.e. the *National Federation* of his or her citizenship) and the *National Anti-Doping Organisation* of the *Athlete* or other *Person* (as per the above) may attend the hearing as observers. In any event, *FIBA* shall keep them fully apprised as to the status of pending cases and the result of all hearings.

8.2 Notice of Decisions

8.2.1 At the end of the hearing, or promptly thereafter, the Panel shall issue a written decision that conforms with Article 9 of the *International Standard for Results Management* and that includes the full reasons for the decision, the period of *Ineligibility* imposed, and the *Disqualification* of results under Article 10.10.

8.2.2 *FIBA* shall notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping Organisations* with a right to appeal under Article 13.2.3, and shall promptly report it into *ADAMS*. The decision may be appealed as provided in Article 13.

8.3 Resolution without a hearing

8.3.1 An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may waive a hearing and agree with the *Consequences* that are mandated by these *Anti-Doping Rules* or (where some discretion as to *Consequences* exists under these *Anti-Doping Rules*) that have been proposed by *FIBA*.

8.3.2 Alternatively, if the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the *FIBA* asserting the violation, then shall be deemed to have waived a hearing, to have admitted the violation, and to have accepted the *Consequences* as set forth according to Article 8.3.1.

8.3.3 In cases where Article 8.3.1 or 8.3.2 applies, a hearing before the Anti-Doping Division of the *FIBA* Disciplinary Panel shall not be required. Instead *FIBA* shall promptly issue a written decision that conforms with Article 9 of the *International Standard for Results*

Management and that includes the full reasons for the decision, the period of *Ineligibility* imposed, the *Disqualification* of results under Article 10.10 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.

- 8.3.4** *FIBA* shall notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping Organisations* with a right to appeal under Article 13.2.3, and shall promptly report it into *ADAMS*. *FIBA* shall *Publicly Disclose* that decision in accordance with Article 14.3.2.
- 8.3.5** *FIBA* may reopen the case if new facts, or facts that were not known to *FIBA* at the time of the resolution, are subsequently brought to its knowledge, the nature of which would have led *FIBA* not to conclude the agreement or to conclude the agreement with different terms. If an appeal is pending before *CAS* at this point, *FIBA* shall be entitled to raise these new facts or circumstances in the *CAS* proceedings.

8.5 Single Hearing Before CAS

Anti-doping rule violations asserted against *International-Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, *FIBA* (where it has *Results Management* responsibility in accordance with Article 7) and *WADA*, be heard in a single hearing directly at *CAS*.

ARTICLE 9 INTENTIONALLY LEFT BLANK

ARTICLE 10 SANCTIONS ON INDIVIDUALS

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

- 10.1.1** 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 *Athlete's* individual results obtained in that *Event* (including without limitation: most valuable player, member of the All-Star five, ranking points in 3x3, winner of skill challenges etc.) with all *Consequences*, including forfeiture of all medals, points and prizes (including prize money), except as provided in Article 10.1.2.

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

- 10.1.2** If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified*, unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule

violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

For all other matters relating to *Disqualification*, refer to Article 11.

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 *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.

10.2.1.2 The anti-doping rule violation involves a *Specified Substance* or a *Specified Method* and *FIBA* 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 *Athletes* 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 *Athlete* 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 *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.

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 *Athlete* 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 *Athlete* or other *Person* satisfactorily completes a *Substance of Abuse* treatment program approved by *FIBA*. 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.

10.2.4.2 If the ingestion, *Use* or *Possession* occurred *In-Competition*, and the *Athlete* 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 Article 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 *Athlete* 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 *Athlete* 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 *Athlete* or other *Person's* degree of *Fault*; or (iii) in a case involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.
- 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 *Athlete's* degree of *Fault*. The flexibility between two (2) years and one (1) year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* 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 *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. 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.

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 *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.

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 *Athlete* or other *Person*.

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

If *FIBA* 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 an Athlete 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 *Athlete* or other *Person* can establish that he or she did not knowingly commit the anti-doping rule violation.

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

If an *Athlete* 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.

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 *Athlete* 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 *Athlete's* or other *Person's* degree of *Fault*.

10.6.1.2 *Contaminated Products*

In cases where the *Athlete* 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 *Athlete* or other *Person's* degree of *Fault*.

10.6.1.3 *Protected Persons or Recreational Athletes*

Where the anti-doping rule violation not involving a *Substance of Abuse* is committed by a *Protected Person* or *Recreational Athlete*, and the *Protected Person* or *Recreational Athlete* 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 Athlete's* degree of *Fault*.

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

If an *Athlete* 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 *Athlete* 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.

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 *FIBA* 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 *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organisation*, criminal authority or professional disciplinary body which results in: (i) the *Anti-Doping Organisation* 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 *FIBA* or other *Anti-Doping Organisation* 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, *FIBA* 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 *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport, 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 of these Anti-Doping Rules.

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

If the *Athlete* 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, *FIBA* shall reinstate the original *Consequences*. If *FIBA* 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.

10.7.1.2 To further encourage *Athletes* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organisations*, at the request of *FIBA* or at the request of the *Athlete* or other *Person* who has, or has been asserted to have, committed an anti-doping rule violation, or other violation of the *Code*, *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 prizes (including 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 *FIBA* 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 Organisations* with a right to appeal under Article 13.2.3 as provided in Article 14. In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA* may authorize *FIBA* to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

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

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

10.7.3 Application of Multiple Grounds for Reduction of a Sanction

Where an *Athlete* 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 *Athlete* 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*.

10.8 Results Management Agreements

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

Where an *Athlete* or other *Person*, after being notified by *FIBA* 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 *Athlete* or other *Person* may receive a one (1) -year reduction in the period of *Ineligibility* asserted by *FIBA*. Where the *Athlete* 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.

10.8.2 Case Resolution Agreement

Where the *Athlete* or other *Person* admits an anti-doping rule violation after being confronted with the anti-doping rule violation by *FIBA* and agrees to *Consequences* acceptable to *FIBA* and *WADA*, at their sole discretion, then: (a) the *Athlete* or other *Person* may receive a reduction in the period of *Ineligibility* based on an assessment by *FIBA* 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 *Athlete* or other *Person*'s degree of *Fault* and how promptly the *Athlete* 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 *Athlete* 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 *Athlete* or other *Person* accepted the imposition of a sanction or a *Provisional Suspension* that was subsequently respected by the *Athlete* or other *Person*. The decision by *WADA* and *FIBA* 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 an *Athlete* or other *Person* who seeks to enter into a case resolution agreement under this Article, *FIBA* shall allow the *Athlete* or other *Person* to discuss an admission of the anti-doping rule violation with it subject to a *Without Prejudice Agreement*.

10.9 Multiple Violations

10.9.1 Second or Third Anti-Doping Rule Violation

10.9.1.1 For an *Athlete* 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:
 - (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 *Athlete* 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 fulfils

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 an *Athlete* 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 *FIBA* can establish that the *Athlete* or other *Person* committed the additional anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7, or after *FIBA* made reasonable efforts to give notice of the first anti-doping rule violation. If *FIBA* 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.

10.9.3.2 If *FIBA* establishes that an *Athlete* 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.

10.9.3.3 If *FIBA* establishes that an *Athlete* 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 *FIBA* establishes that an *Athlete* 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-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 individual results in the *Competition* which produced the positive *Sample* under Article 10.1, all other competitive results of the *Athlete* 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 (including prize money).

10.11 Forfeited Prizes

If *FIBA* recovers prizes (including prize money) forfeited as a result of an anti-doping rule violation, it shall take reasonable measures to allocate and distribute these prizes (including prize money) to the *Athletes* who would have been entitled to it had the forfeiting *Athlete* not competed.

10.12 *Financial Consequences*

10.12.1 Where an *Athlete* or other *Person* commits an anti-doping rule violation, *FIBA* may, in its discretion and subject to the principle of proportionality, elect to (a) recover from the *Athlete* or other *Person* costs incurred by *FIBA* or a *FIBA Event* organiser and that are associated with the anti-doping rule violation, regardless of the period of *Ineligibility* imposed and/or (b) fine the *Athlete* or other *Person* in an amount up to CHF 50,000, only in cases where the maximum period of *Ineligibility* otherwise applicable has already been imposed.

- 10.12.2** The imposition of a financial sanction or the *FIBA's* recovery of costs shall not be considered a basis for reducing the *Ineligibility* or other sanction which would otherwise be applicable under these Anti-Doping Rules.

10.13 Commencement of *Ineligibility* Period

Where an *Athlete* 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 *Athlete* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control*, and the *Athlete* or other *Person* can establish that such delays are not attributable to the *Athlete* or other *Person*, *FIBA* or *FIBA* Disciplinary Panel, if applicable, 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 by the *Athlete* alone during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.

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

10.13.2.1 If a *Provisional Suspension* is respected by the *Athlete* or other *Person*, then the *Athlete* 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 *Athlete* or other *Person* does not respect a *Provisional Suspension*, then the *Athlete* 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 *Athlete* 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 an *Athlete* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from *FIBA* and thereafter respects the *Provisional Suspension*, the *Athlete* 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 *Athlete* 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.

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 *Athlete* elected not to compete or was suspended by a team.

10.13.2.4 Where a period of *Ineligibility* is imposed upon a team, unless fairness requires otherwise, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of team *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.]

10.14 Status During *Ineligibility* or *Provisional Suspension*

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

No *Athlete* 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 authorised anti-doping *Education* or rehabilitation programs) authorised, endorsed or organised by any *Signatory*, *Signatory's* member organisation, or a club or other member organisation of a *Signatory's* member organisation, or in *Competitions* authorised or organised by any professional league (whether recognised by *FIBA* or not etc.), an academic institution (e.g. *NCAA*) or any international- or national-level *Event* organisation (including without limitation the competitions mentioned in articles 2-2 and 2-3) or any elite or national-level sporting activity funded by a governmental agency.

An *Athlete* 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 an *Athlete* 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 *Athlete* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*, and does not involve the *Athlete* or other *Person* working in any capacity with *Protected Persons*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing* and any requirement by *FIBA* to provide whereabouts information.

10.14.2 Return to Training

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

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

Where an *Athlete* 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 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 *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the *Anti-Doping Organisation* whose *Results Management* led to the imposition of the initial period of *Ineligibility*. This decision may be appealed under Article 13.

An *Athlete* 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 an *Athlete Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility* or a *Provisional Suspension*, *FIBA* shall impose sanctions for a violation of Article 2.9 for such assistance, if *FIBA* has authority over such *Person*.

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 *FIBA* and its *National Federations*.

10.15 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.3.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 Target Testing

Where more than one member of a team has been notified of a possible anti-doping rule violation under Article 7 in connection with an *Event*, the team shall be subject to *Target Testing* during the *Event Period*.

11.2 Consequences

If a member of a team is found to have committed an anti-doping rule violation during an *Event Period*, the result of the game shall remain valid. Subject to Article 11.3, if more than one *Athlete* is found to have committed an anti-doping rule violation during an *Event Period*, the team may be subject to *Disqualification* or other disciplinary action, in addition to any *Consequences* imposed upon the individual *Athlete(s)* committing the anti-doping rule violation. Only the Secretary General of *FIBA* may take a decision based on this Article in relation to – and for the purposes of – a main official competition of *FIBA* (as defined in Article 2-2). In case of a *Disqualification*, the team shall not be allowed to finish the *Event* and shall lose the game by forfeit, as well as the games that have already been played.

11.3 No Fault or Negligence

If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* team shall not be *Disqualified* from the *Event*, unless a) the number of *Athletes* found to have committed an anti-doping rule violation during the *Event Period* and who do not fall under the provisions of this Article 11.3 is still more than one; or b) the team's results in the *Event* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

ARTICLE 12 SANCTIONS BY FIBA AGAINST OTHER SPORTING BODIES

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

12.2 A *National Federation* shall be obligated to reimburse *FIBA*, upon *FIBA's* request, for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* in connection with a *FIBA Event*.

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

- 12.3.1** If more than three but less than eight violations of these Anti-Doping Rules (other than violations involving Article 2.4) are committed by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period. In such event, *FIBA* may, in its discretion, elect to: (a) ban all officials from that *National Federation* for participation in any *FIBA* activities for a period of up to two years and/or (b) fine the *National Federation* in an amount of up to CHF 200,000 (For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)
- 12.3.1.1 If eight or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4) are committed in addition to the violations described in Article 12.3.1 by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period, then *FIBA* may suspend that *National Federation's* membership and/or participation in *FIBA Events* for a period of up to 4 years.
- 12.3.2** More than one *Athlete* or other *Person* from a *National Federation* commits an *Anti-Doping Rule* violation during an *International Event*. In such event, *FIBA* may fine that *National Federation* in an amount of up to CHF 100,000.
- 12.3.3** A *National Federation* has failed to make diligent efforts to keep *FIBA* informed about an *Athlete's* whereabouts after receiving a request for that information from *FIBA*. In such event, *FIBA* may fine the *National Federation* in an amount of up to CHF 25,000 per *Athlete* in addition to all of *FIBA's* costs incurred in *Testing* that *National Federation's Athletes*.

ARTICLE 13 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 13.7 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 (or any subsequent) 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.

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.

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 before the FIBA Appeals' Panel, WADA may appeal such decision directly to CAS without having to exhaust other remedies in FIBA's process.

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

13.2.1 Subject to Article 13.1.3 the following anti-doping matters:

- a decision by FIBA that an anti-doping rule violation was committed;
- a decision by FIBA imposing Consequences or not imposing Consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed;
- a decision by FIBA 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-months' notice requirement for a retired Athlete 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 FIBA not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the International Standard for Results Management;
- a decision to impose, or lift, a Provisional Suspension as a result of a Provisional Hearing;
- FIBA's failure to comply with Article 7.4;
- a decision by FIBA that FIBA lacks authority to rule on an alleged anti-doping rule violation or its Consequences;
- a decision by FIBA to suspend, or not suspend, Consequences or to reinstate, or not reinstate, Consequences under Article 10.7.1;
- failure by FIBA to comply with Articles 7.1.4 and 7.1.5 of the Code;
- failure by FIBA to comply with Article 10.8.1;
- a decision by FIBA under Article 10.14.3;

- a decision by *FIBA* not to implement another *Anti-Doping Organisation's* decision under Article 15; and
- a decision under Article 27.3 of the *Code*

may be appealed exclusively as provided in this Article 13.2.

13.2.2 Appeals against decisions of the Anti-Doping Division of the *FIBA* Disciplinary Panel

Appeals against decisions of the Anti-Doping Division of the *FIBA* Disciplinary Panel may be lodged exclusively with *CAS* in accordance with the provisions applicable for such proceeding. Recourse to a state court is not permitted. An appeal to the *FIBA* Appeals' Panel is excluded.

13.2.3 *Persons* Entitled to Appeal

The following parties shall have the right to appeal a decision as set forth in this Article 13.2:

- a. the *Athlete* or other *Person* who is the subject of the decision being appealed;
- b. the other party to the case in which the decision was rendered;
- c. *FIBA*;
- d. the *National Anti-Doping Organisation* of the *Person's* country of residence or countries where the *Person* is a national or license holder;
- e. the International Olympic Committee where the decision may have an effect in relation to the Olympic Games, including decisions affecting eligibility for the Olympic Games; and
- f. *WADA*.

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

13.2.3.1 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.

13.2.3.2 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 *Athlete* 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.

13.3 Failure to Render a Timely Decision by *FIBA*

Where, in a particular case, *FIBA* 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 *FIBA* 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 *FIBA*.

13.4 Appeals Relating to *TUEs*

TUE decisions may be appealed exclusively as provided in Article 4.4.

13.5 Notification of Appeal Decisions

FIBA shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organisations* that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.

13.6 Time for Filing Appeals

13.6.1 Appeals to *CAS*

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

- a. Within fifteen (15) days from the notice of the decision, such party/ies shall have the right to request a copy of the full case file pertaining to the decision from the *Anti-Doping Organisation* that had *Results Management* authority;
- b. If such a request is made within the fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to *CAS*.

13.6.2 The above notwithstanding, 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 having a right to appeal could have appealed, or
- b. Twenty-one (21) days after *WADA*'s receipt of the complete file relating to the decision.

13.7 Decisions made by *National Federations* (see Article 20.3.2 of the *Code*) and the application of *FIBA* sanctions by *National Federations*

13.7.1 *National Federations* shall immediately inform and shall cause organisations outside *FIBA* to immediately inform the Secretariat of *FIBA* and *WADA* of any sanction that is imposed within their country. This information must be accompanied by a copy of the complete file on the *Doping Control* test and/or the anti-doping rule violation. Failure to abide by this rule may be sanctioned by *FIBA* with a fine of up to CHF 25,000.

13.7.2 In order to ensure that decisions adopted by organisations other than *FIBA* are in line with the *Code* and the regulations of *FIBA*, the Secretary General of *FIBA* may, upon request or *ex officio*:

- a. decide that a decision taken by a *National Federation* in accordance with Article 20.3.2 of the *Code* or by organisations outside *FIBA* and its *National Federations* (e.g. state bodies or other national or international sports organisations inside or outside the Olympic movement) be adopted for the purposes of *FIBA Events*, if the following requirements are cumulatively met:
 - i. the accused *Person* has been cited properly;
 - ii. he has been given an opportunity to be heard;
 - iii. the decision has been properly communicated;
 - iv. the decision is not in conflict with the regulations of *FIBA*;
 - v. extending the sanction does not conflict with *ordre public*.

In deciding whether the above-mentioned requirements are fulfilled, the Secretary General of *FIBA*, the Anti-Doping Division of the Disciplinary Panel or the *CAS* shall not review the merits of the decision in question.

Under exceptional circumstances, the Secretary General of *FIBA* may request the parties involved to state their position only as regards the fulfilment of the above-mentioned requirements. No *Person* shall be entitled to challenge the substance of the decision in question; or

- b. submit
 - i. an appeal in accordance with Article 13 of the *Code*, if the decision was taken by an *Anti-Doping Organisation*;

- ii. the case to the Anti-Doping Division of the *FIBA* Disciplinary Panel mentioned in Article 8.1, if the decision was taken by an organisation other than an *Anti-Doping Organisation*.

13.7.3 When a case is submitted to the Anti-Doping Division of the *FIBA* Disciplinary Panel in accordance with Article 13.8.2.b above, it shall decide whether and to what extent *Consequences* shall be imposed for the purposes of *FIBA Events* on an *Athlete* or other *Person*. The implicated *Athlete* or other *Person* has the right to be heard. He/she may be *Provisionally Suspended* in accordance with Article 7.4 of these Rules before the hearing.

13.7.4 If any *Consequences* are imposed by *FIBA* under these Anti-Doping Rules or a *National Federation* decision is adopted for the purposes of *FIBA Events*, all *National Federations* and persons affiliated, licensed or recognised by them (clubs, leagues, players, coaches, agents, referees etc.) shall apply this decision, and shall take all necessary action to render such decision effective. To this end, *FIBA* shall publish such decision on its website. The *National Federations* shall access the *FIBA* website on a regular basis.

13.7.5 In the event of what would be an anti-doping rule violation under the *Code* within the territory of a *National Federation* where the competent disciplinary authority is an organisation other than an *Anti-Doping Organisation*, the Anti-Doping Division of the *FIBA* Disciplinary Panel is authorised to impose *Consequences* on an *Athlete* or other *Person* according to these Anti-Doping Regulations. The implicated *Athlete* or other *Person* has the right to be heard. He/she may be *Provisionally Suspended* in accordance with Article 7.9 of these Rules before the hearing.

ARTICLE 14 CONFIDENTIALITY AND REPORTING

14.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Rule Violations

14.1.1 Notice of Anti-Doping Rule Violations to Athletes and other Persons

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

If at any point during *Results Management* up until the anti-doping rule violation charge, *FIBA* decides not to move forward with a matter, it must notify the *Athlete* or other *Person*, (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*).

14.1.2 Notice of Anti-Doping Rule Violations to *National Anti-Doping Organisations* and *WADA*

Notice of the assertion of an anti-doping rule violation to *WADA* and the *National Anti-Doping Organisation* that has authority over the *Athlete* or other *Person* and shall occur as provided under Articles 7 and 14, simultaneously with the notice to the *Athlete* or other *Person*.

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

14.1.3 Content of an Anti-Doping Rule Violation Notice

Notification of an anti-doping rule violation shall include: the *Athlete's* or other *Person's* name, country, sport and discipline within the sport, the *Athlete'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 *International Standard for Results Management*.

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.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 14.1.1 *WADA* and the *National Anti-Doping Organisation* that has authority over the *Athlete* or other *Person* 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.

14.1.5 Confidentiality

The recipient organisations 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 *FIBA* has made *Public Disclosure* as permitted by Article 14.3.

14.1.6 Protection of Confidential Information by an Employee or Agent of the *FIBA*

FIBA shall take reasonable measures to ensure that information concerning *Adverse Analytical Findings*, *Atypical Findings*, and other asserted anti-doping rule violations remains confidential until such information is *Publicly Disclosed* in accordance with Article 14.3.

FIBA's specified employees (whether permanent or otherwise), contractors, agents, consultants, and Delegated Third Parties shall be subject to fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorised disclosure of such confidential information.

14.2 Notice of Anti-Doping Rule Violation or Violations of *Ineligibility* or *Provisional Suspension* Decisions and Request for Files

14.2.1 Anti-doping rule violation decisions or decisions related to violations of *Ineligibility* or *Provisional Suspension* rendered pursuant to Article 7.6, 8.2, 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, *FIBA* shall provide an English or French summary of the decision and the supporting reasons.

14.2.2 An *Anti-Doping Organisation* 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.

14.3 Public Disclosure

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

14.3.2 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, *FIBA* must *Publicly Disclose* the disposition of the anti-doping matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any) and the *Consequences* imposed. *FIBA* must

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

- 14.3.3** 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, *FIBA* may make public such determination or decision and may comment publicly on the matter.
- 14.3.4** In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the fact that the decision has been appealed may be *Publicly Disclosed*. However, the decision itself and the underlying facts may not be *Publicly Disclosed* except with the consent of the *Athlete* or other *Person* who is the subject of the decision. *FIBA* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 14.3.5** Publication shall be accomplished at a minimum by placing the required information on the *FIBA*'s website, www.FIBA.basketball, and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*.
- 14.3.6** Except as provided in Articles 14.3.1 and 14.3.3, neither *FIBA* nor any *Anti-Doping Organisation*, *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 *Athlete*, other *Person* or their entourage or other representatives.
- 14.3.7** The mandatory *Public Disclosure* required in Article 14.3.2 shall not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*, *Protected Person* or *Recreational Athlete*. Any optional *Public Disclosure* in a case involving a *Minor*, *Protected Person* or *Recreational Athlete* shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting

- 14.4.1** *National Federations* shall report all results of all *Testing* (see Article 18.4) within their jurisdiction to *FIBA* at the end of every year sorted by *Athlete* and identifying each date on which the *Athlete* was tested, the entity conducting the test, and whether the test was *In-Competition* or *Out-of-Competition*. Non-compliance with this rule may be sanctioned

by *FIBA* in accordance with Book 1, Chapter 6. *FIBA* may periodically publish *Testing* data received from the *National Federations* as well as comparable data from *Testing* under *FIBA* jurisdiction.

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

14.5 Doping Control Information Database and Monitoring of Compliance

To enable *WADA* to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable *Doping Control* information among *Anti-Doping Organisations*, *FIBA* shall report to *WADA* through *ADAMS Doping Control*-related information, including, in particular:

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

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

- 14.5.1** To facilitate coordinated test distribution planning, avoid unnecessary duplication in *Testing* by various *Anti-Doping Organisations*, and to ensure that *Athlete Biological Passport* profiles are updated, *FIBA* 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*.
- 14.5.2** To facilitate *WADA*'s oversight and appeal rights for *TUEs*, *FIBA* 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*.
- 14.5.3** To facilitate *WADA*'s oversight and appeal rights for *Results Management*, *FIBA* 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*.

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

14.5.5 When a *National Federation* has received an *Adverse Analytical Finding* in relation to an *Athlete*, it shall report the following information to *FIBA* and *WADA* within fourteen (14) days of the process described in Articles 7.2.2 and 7.2.3: the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The *National Federation* shall also regularly update *FIBA* on the status and findings of any review or proceedings conducted pursuant to Article 7, Article 8 or Article 13 of the *Code*, and comparable information shall be provided to *FIBA* within fourteen (14) days of the notification described in Article 7, with respect to other violations of these Anti-Doping Rules. In any case in which the period of *Ineligibility* is eliminated or reduced under Article 10, *FIBA* shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Failure to abide by this rule may be sanctioned by *FIBA* with a fine of up to CHF 25,000.

14.5.5.1 *FIBA* shall not disclose this information beyond those persons within their organisations with a need to know until the *National Federation* has made *Public Disclosure* or has failed to make *Public Disclosure* as required in Article 14.3 above.

14.6 Data Privacy

14.6.1 *FIBA* may collect, store, process or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct its *Anti-Doping Activities* under 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.

14.6.2 Without limiting the foregoing, *FIBA* shall:

- a. Only process personal information in accordance with a valid legal ground;
- b. Notify any *Participant* or *Person* subject to these Anti-Doping Rules, in a manner and form that complies with applicable laws and the *International Standard* for the Protection of Privacy and Personal Information, that their personal information may be processed by *FIBA* and other *Persons* for the purpose of the implementation of these Anti-Doping Rules;
- c. Ensure that any third-party agents (including any *Delegated Third Party*) with whom *FIBA* shares the personal information of any

Participant or *Person* is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

14.7 Delivery of Notice to *Athletes* or other *Persons*

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

ARTICLE 15 IMPLEMENTATION OF DECISIONS

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

15.1.1 Subject to Article 13, a decision of an anti-doping rule violation made by a *Signatory Anti-Doping Organisation*, an appellate body (Article 13.2.2 of the *Code*) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon *FIBA*, 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 *Athlete* or other *Person* has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1) in all sports within the authority of any *Signatory* during the *Provisional Suspension*.

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

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

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

15.1.2 *FIBA* shall recognise 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 *FIBA* receives actual notice of the decision or the date the decision is placed into *ADAMS*.

- 15.1.3** A decision by an *Anti-Doping Organisation*, a national appellate body or *CAS* to suspend, or lift, *Consequences* shall be binding upon *FIBA* without any further action required, on the earlier of the date *FIBA* 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 Organisation* made in an expedited process during an *Event* shall not be binding on *FIBA* unless the rules of the *Major Event Organisation* provide the *Athlete* or other *Person* with an opportunity to an appeal under non-expedited procedures.

ARTICLE 16 STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced against an *Athlete* 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 17 EDUCATION

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

ARTICLE 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF NATIONAL FEDERATIONS

- 18.1** All *National Federations* and their members shall comply with the *International Standards* and these Anti-Doping Rules. All *National Federations* and other members shall include in their policies, rules and programs the provisions necessary to ensure that *FIBA* may enforce these Anti-Doping Rules (including carrying out *Testing*) directly in respect of *Athletes* (including *National-Level Athletes*) and other *Persons* under their anti-doping authority as specified in the Introduction to these Anti-Doping Rules (Section “Scope of these Anti-Doping Rules”).
- 18.2** These Anti-Doping Rules shall also be deemed to be incorporated either directly or by reference into each *National Federation’s* governing documents, constitution and/or rules as part of the rules of sport that bind their members so that the *National Federation* may enforce them itself directly in respect of *Athletes* (including *National-Level Athletes*) and other *Persons* under its anti-doping authority. All *National Federations* shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules.

- 18.3** By adopting these Anti-Doping Rules and incorporating them into their governing documents and rules of sport, *National Federations* shall cooperate with and support *FIBA* in that function. They shall also recognise, abide by and implement the decisions made pursuant to these Anti-Doping Rules, including the decisions imposing sanctions on *Persons* under their authority.
- 18.4** All *National Federations* shall take appropriate action to enforce compliance with the *Code*, *International Standards*, and these Anti-Doping Rules by *inter alia*:
- a. conducting *Testing* only under the documented authority of *FIBA* and using their *National Anti-Doping Organisation* or other *Sample* collection authority to collect *Samples* in compliance with the *International Standard for Testing and Investigations*;
 - b. recognizing the authority of the *National Anti-Doping Organisation* in their country in accordance with Article 5.2.1 of the *Code* and assisting as appropriate with the *National Anti-Doping Organisation's* implementation of the national *Testing* program for their sport;
 - c. analysing all *Samples* collected using a *WADA*-accredited or *WADA*-approved laboratory in accordance with Article 6.1; and
 - d. ensuring that any national level anti-doping rule violation cases discovered by *National Federations* are adjudicated by an *Operationally Independent* hearing panel in accordance with Article 8.1 and the *International Standard for Results Management*.
- 18.5** All *National Federations* shall establish rules requiring all *Athletes* preparing for or participating in a *Competition* or activity authorised or organized by a *National Federation* or one of its member organisations, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to be bound by these Anti-Doping Rules and to submit to the *Results Management* authority of the *Anti-Doping Organisation* in conformity with the *Code* as a condition of such participation. Notwithstanding whether or not the required agreement has been signed, the Rules of each *National Federation* shall specifically provide that all *Athletes*, *Athlete Support Personnel* and other *Persons* under the jurisdiction of the *National Federation* shall be bound by these Anti-Doping Rules.
- 18.6** All *National Federations* shall report any information suggesting or relating to an anti-doping rule violation to *FIBA* and to their *National Anti-Doping Organisations* and shall cooperate with investigations conducted by any *Anti-Doping Organisation* with authority to conduct the investigation.
- 18.7** All *National Federations* shall have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* under the authority of *FIBA* or the *National Federation*.

- 18.8** All *National Federations* shall conduct anti-doping *Education* in coordination with their *National Anti-Doping Organisations*.

ARTICLE 19 ADDITIONAL ROLES AND RESPONSIBILITIES OF *FIBA*

- 19.1** In addition to the roles and responsibilities described in Article 20.3 of the *Code* for International Federations, *FIBA* shall report to *WADA* on *FIBA*'s compliance with the *Code* and the *International Standards* in accordance with Article 24.1.2 of the *Code*.

ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF *ATHLETES*

- 20.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 20.2** To be available for *Sample* collection at all times.
- 20.3** To take responsibility, in the context of anti-doping, for what they ingest and *Use*.
- 20.4** 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.
- 20.5** To disclose to *FIBA* and their *National Anti-Doping Organisation* any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten (10) years.
- 20.6** To cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations.

Failure by any *Athlete* to cooperate in full with *Anti-Doping Organisations* investigating anti-doping rule violations may result in sanction in accordance with Book 1, Chapter 6, unless the conduct amounts to a violation of Article 2 of this Book 4.

- 20.7** To disclose the identity of their *Athlete Support Personnel* upon request by *FIBA* or a *National Federation*, or any other *Anti-Doping Organisation* with authority over the *Athlete*.
- 20.8** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by an *Athlete*, may result in sanction in accordance with Book 1, Chapter 6, unless the conduct amounts to a violation of Article 2 of this Book 4.

ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF *ATHLETE SUPPORT PERSONNEL*

- 21.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 21.2** To cooperate with the *Athlete Testing* program.

- 21.3** To use their influence on *Athlete* values and behaviour to foster anti-doping attitudes.
- 21.4** To disclose to *FIBA* and their *National Anti-Doping Organisation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 21.5** To cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations.

Failure by any *Athlete Support Personnel* to cooperate in full with *Anti-Doping Organisations* investigating anti-doping rule violations may result in sanction in accordance with Book 1, Chapter 6, unless the conduct amounts to a violation of Article 2 of this Book 4.

- 21.6** *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification. Any such *Use* or *Possession* may result in sanction in accordance with Book 1, Chapter 6, unless the conduct amounts to a violation of Article 2 of this Book 4.
- 21.7** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by *Athlete Support Personnel*, which does not otherwise constitute *Tampering*, may result in sanction in accordance with Book 1, Chapter 6, unless the conduct amounts to a violation of Article 2 of this Book 4.

ARTICLE 22 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ANTI-DOPING RULES

- 22.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 22.2** To disclose to *FIBA* and their *National Anti-Doping Organisation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 22.3** To cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations.

Failure by any other *Person* subject to these Anti-Doping Rules to cooperate in full with *Anti-Doping Organisations* investigating anti-doping rule violations may result in sanction in accordance with Book 1, Chapter 6, unless the conduct amounts to a violation of Article 2 of this Book 4.

- 22.4** Not to *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

- 22.5** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a *Person*, may result in sanction in accordance with Book 1, Chapter 6, unless the conduct amounts to a violation of Article 2 of this Book 4.

ARTICLE 23 INTERPRETATION OF THE CODE

- 23.1** The official text of the *Code* shall be maintained by WADA and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.
- 23.2** The comments annotating various provisions of the *Code* shall be used to interpret the *Code*.
- 23.3** The *Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.
- 23.4** The headings used for the various Parts and Articles of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.
- 23.5** Where the term “days” is used in the *Code* or an *International Standard*, it shall mean calendar days unless otherwise specified.
- 23.6** The *Code* 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.
- 23.7** The Purpose, Scope and Organization of the World Anti-Doping Program and the *Code* and Appendix 1, Definitions, shall be considered integral parts of the *Code*.

ARTICLE 24 FINAL PROVISIONS

- 24.1** Where the term “days” is used in these Anti-Doping Rules, it shall mean calendar days unless otherwise specified.
- 24.2** Except as provided in Article 24.3 below, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 24.3** These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and the *International Standards* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code* and the *International Standards*.
- 24.4** The Introduction and Appendix 1 shall be considered integral parts of these Anti-Doping Rules.

- 24.5** The comments annotating various provisions of the *Code* are incorporated by reference into these Anti-Doping Rules, shall be treated as if set out fully herein, and shall be used to interpret these Anti-Doping Rules.
- 24.6** These Anti-Doping Rules shall enter into force on 1 January 2021 (the “Effective Date”). They repeal any previous version of *FIBA’s* Anti-Doping Rules.
- 24.7** These Anti-Doping Rules shall not apply retroactively to matters pending before the Effective Date. However:
- 24.7.1** Anti-doping rule violations taking place prior to the Effective Date count as “first violations” or “second violations” for purposes of determining sanctions under Article 10 for violations taking place after the Effective Date.
- 24.7.2** 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, 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 16 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these Anti-Doping Rules (provided, however, that Article 16 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date).
- 24.7.3** Any Article 2.4 whereabouts failure (whether a filing failure or a missed test, as those terms are defined in the *International Standard for Results Management*) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the *International Standard for Results Management*, but it shall be deemed to have expired twelve (12) months after it occurred.
- 24.7.4** With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to *FIBA* or other *Anti-Doping Organisation* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these Anti-Doping Rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 13.2. These Anti-Doping Rules shall have no application to any case where

a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.

- 24.7.5** 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 rules in force prior to the Effective Date, the period of *Ineligibility* which would have been assessed for that first violation had these Anti-Doping Rules been applicable, shall be applied.
- 24.7.6** 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 a *Prohibited Method* has been removed from the *Prohibited List*, an *Athlete* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* or *Prohibited Method* may apply to *FIBA* or other *Anti-Doping Organisation* which had *Results Management* responsibility for the anti-doping 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*.

APPENDIX 1 DEFINITIONS

The Definitions included in Book 1, Article 1 of the FIBA Internal Regulations apply to this Book 4 (Anti-Doping) as well. In the event of discrepancy or conflict, the Definitions below shall prevail.

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*.

Aggravating Circumstances: Circumstances involving, or actions by, an *Athlete* 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 *Athlete* 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 *Athlete* or *Person* engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the *Athlete* 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 Organisation*, as set out in the *Code* and/or the *International Standards*.

Anti-Doping Organisation: 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 Organisations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organisations*.

Athlete: Any *Person* who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each *National Anti-Doping Organisation*). An *Anti-Doping Organisation* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of “*Athlete*”. In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organisation* may elect to: conduct limited *Testing* or no *Testing* at all; analyse *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organisation* 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 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 organisation accepting the *Code* is an *Athlete*.

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

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

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

Atypical Finding: A report from a 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*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.



Competition: A single game or singular sport contest. For example, a single game at the *FIBA* Basketball World Cup, or at a tournament of the *FIBA* 3x3 World Tour, etc.

Consequences of Anti-Doping Rule Violations (“Consequences”): An *Athlete’s* or other *Person’s* violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the *Athlete’s* individual results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes (including prize money); (b) Ineligibility means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14; (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 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 *FIBA* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organisations* that conduct *Sample* collection or other *Doping Control* services or anti-doping *Educational* programs for *FIBA*, or individuals serving as independent contractors who perform *Doping Control* services for *FIBA* (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include *CAS*.

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

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

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

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, *FIBA* U19 World Cup, etc.) including *FIBA Events*.

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*. For *FIBA Events*: considering the change to the *FIBA* Calendar as of



the 2016/2017 season, such period will be defined on an annual basis by the Secretary General of *FIBA* and published on *FIBA*'s official website www.FIBA.basketball.

Event Venues: Those venues so designated by the ruling body for the *Event*. For *FIBA Events*: the official hotels, training venues and game venues.

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

FIBA: The Fédération Internationale de Basketball, including its Regional Offices (see Article 19.1 of the *FIBA* General Statutes).

FIBA Events:

- all Official Basketball Competitions of *FIBA* as defined in the *FIBA* Internal Regulations (currently Article 2-2) applicable at the time of the relevant *Event*; and
- all international club *Competitions*, whether recognised by *FIBA* or not.

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

In-Competition: The period commencing at 11:59 p.m. on the day before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

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 Organisation* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organisation* 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 Organisation*, or another international sport organisation is the ruling body for the *Event* or appoints the technical officials for the *Event*.

International-Level Athlete: *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*. For the sport of basketball, *International-Level Athletes* are defined as set out in the Scope section of the Introduction to 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*.

Major Event Organisations: The continental associations of *National Olympic Committees* and other international multi-sport organisations 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 Organisation: 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 Athletes* that is not an *International Event*.

National Federation: A national or regional entity which is a member of or is recognised by FIBA as the entity governing the sport of basketball (in all its forms) FIBA's sport in that geographical region.

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

National Olympic Committee: The organisation recognised by the International Olympic Committee. The term *National Olympic Committee* 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 *Athlete* 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 Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

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

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organisation* 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 Organisation* 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 Organisation* 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 *Athlete* or *Athlete Support Person*.

Person: A natural *Person* or an organisation 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 Organisation*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.



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

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

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

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

Provisional Hearing: For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

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

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

Recreational Athlete: A natural *Person* who is so defined by the relevant *National Anti-Doping Organisation*; 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 an *International-Level Athlete* (as defined by each International Federation consistent with the *International Standard for Testing and Investigations*) or *National-Level Athlete* (as defined by each *National Anti-Doping Organisation* 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 Organisation*.

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

Registered Testing Pool: The pool of highest-priority *Athletes* established separately at the international level by *FIBA* and at the national level by *National Anti-Doping Organisations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of *FIBA's* or *National Anti-Doping Organisation'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).



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

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

Specified Method: See Article 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 *Athlete's* part be demonstrated by the *Anti-Doping Organisation* 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 Organisation* 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 Organisation* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organisation* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

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

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

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

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



Testing Pool: A tier below the *Registered Testing Pool* which includes *Athletes* or *Teams* from which some whereabouts information is required in order to locate and *Test* the *Athlete* or *Team Out-of-Competition*.

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

Trafficking: Selling, giving, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Person* or any other *Person* subject to the authority of an *Anti-Doping Organisation* 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.

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

WADA: The World Anti-Doping Agency.

Without Prejudice Agreement: For purposes of Articles 10.7.1.1 and 10.8.2, a written agreement between an *Anti-Doping Organisation* and an *Athlete* or other *Person* that allows the *Athlete* or other *Person* to provide information to the *Anti-Doping Organisation* 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 *Athlete* or other *Person* in this particular setting may not be used by the *Anti-Doping Organisation* against the *Athlete* or other *Person* in any *Results Management* proceeding under the *Code*, and that the information provided by the *Anti-Doping Organisation* in this particular setting may not be used by the *Athlete* or other *Person* against the *Anti-Doping Organisation* in any *Results Management* proceeding under the *Code*. Such an agreement shall not preclude the *Anti-Doping Organisation*, *Athlete* 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.



APPENDIX 2: TESTING GUIDELINES

1. Procedure for Doping Controls

Testing shall be conducted in accordance with the procedure set out in this Appendix. In the event of discrepancy or conflict between this document and the International Standard for Testing and Investigations, the latter shall apply. *FIBA* may also conduct targeted or random controls as soon as the teams arrive at the site of the *Events*. *FIBA* has full discretion to modify the procedure set out below in accordance with the circumstances and/or create special procedures for certain *Events*, so long as the procedure as modified complies with the International Standard for Testing and Investigations.

1.1 Selection of *Athletes*

- 1.1.1 During *Events*, each team shall be included in the *Doping Control* program.
- 1.1.2 The *Athletes* shall be selected either as a target for testing or by draw (in compliance with the International Standard for Testing and Investigations). The number of *Athletes* to be tested is generally two (2) from each team, but may be increased or decreased. During *Events*, an *Athlete* may be selected for several *Doping Control* tests. For 3x3 competitions, the procedure described herein, to the extent applicable, will be implemented after the end of the game.
- 1.1.3 If needed, the draw shall be carried out at the site of the *Event*. The team doctors will be advised that a *Doping Control* is to take place by the *FIBA* supervisory doctor and/or *Doping Control* officer before the beginning of the game or, at the latest, at half-time. During the half-time period, the *FIBA* supervisory doctor or the *Doping Control* officer will present the team doctors of the respective teams (or team officials) with two sets of detachable tokens, each corresponding to an *Athlete* number, at the *Doping Control* station. The team doctors (or team officials) will draw a number of tokens (face down) equal to the number of *Athletes* to be tested from their respective teams, plus one additional reserve *Athlete* per team to replace each *Athlete* drawn in case of injury (see 1.1.4 of Appendix 2). The *FIBA* supervisory doctor or the *Doping Control* officer will then put the drawn tokens (face down) in two envelopes for each team and seal them. Only *Athletes* who appear on the official score sheet may be selected for *Sample* collection, except for those *Athletes* who were not in uniform at the beginning of the game.
- 1.1.4 If, during the game, an *Athlete* sustains a serious injury necessitating immediate hospitalization, his or her number shall not be taken into consideration in the draw. If such a situation occurs the reserve *Athlete* drawn according to 1.1.3 of Appendix 2 above shall replace the *Athlete* in question. If there are any doubts regarding the seriousness of the injury, the *FIBA* supervisory doctor shall rule on the matter.
- 1.1.5 At the end of the game, the *Doping Control* officer (or a person delegated by him) shall notify the selected *Athlete(s)*, in accordance with the International



Standard for Testing and Investigations, that they have been selected for *Sample Collection*.

- 1.1.6 The team doctors will be shown the way to the *Doping Control* station. The selected *Athletes* shall be accompanied by an escort directly to the *Doping Control* station.
- 1.1.7 The *FIBA* supervisory doctor or the *Doping Control* officer shall make a note of the names and numbers of the selected *Athletes* and inform the persons responsible for escorting them to the *Doping Control* station.
- 1.1.8 The *Athlete's* notification shall be recorded on the relevant form, and shall at a minimum include:
- a. The *Athlete's* name, the date and time of the notification;
 - b. The *Athlete's* acknowledgement of notification; and
 - c. The consequences of refusing to submit to the *Doping Control* test in a timely manner
- 1.1.9 The "Notification of a *Doping Control*" Form shall be signed at the time of the notification by:
- a. The *FIBA* supervisory doctor (if present);
 - b. The *Doping Control* officer (or the person delegated by him to perform the notification); and
 - c. The *Athlete* confirming agreement with the test and to submit any appeal exclusively and to the exclusion of any state court to the Court of Arbitration for Sport in Lausanne, Switzerland, which rules in the last instance after *FIBA* internal remedies have been exhausted.
- 1.1.10 As of the moment of notification and until arrival at the *Doping Control* station, the *Athlete* shall remain under the direct supervision of at least one chaperone (e.g. in the locker room, shower area, etc.). In principle, the *Athlete* shall arrive immediately at the *Doping Control* station. Exceptions to this rule (e.g. to attend an Awards ceremony, attend a coach post-game debriefing, shower or change) may be made with the approval of the *FIBA* supervisory doctor or *Doping Control* officer.
- 1.1.11 *FIBA* may instruct the *Doping Control* officer to perform an additional *Doping Control* test or tests based on its risk assessment, intelligence received or direct observation of *Athletes* or *Athlete Support Personnel*. *FIBA* shall announce this decision to the *Doping Control* officer and to the *FIBA* supervisory doctor. *FIBA* shall decide upon the criteria for the selection of *Athletes* (in the event of suspected doping in *Olympic Competitions*, the International Olympic Committee equally reserves the right to select other *Athletes* for *Testing*).
- 1.1.12 Each *Athlete* summoned for a *Doping Control* test shall undergo any medical examination deemed to be necessary by the *FIBA* supervisory doctor, which shall be conducted by the *FIBA* supervisory doctor.



- 1.1.13 At the *Doping Control* station, the *Athlete* shall declare on the *Doping Control* form all medications and supplements taken within the past seven (7) days and where the sample collected is a blood sample, all blood transfusions performed within the past three (3) months. Any medication administered by injection (e.g. corticosteroids and local anaesthetics) shall also be declared. Doctors prescribing medications shall be familiar with the list of *Prohibited Substances*.
- 1.1.14 The collection of urine *Samples* (or any other bodily fluids, e.g. blood, saliva, sweat) shall be obligatory in all cases and shall be fully completed.
- 1.1.15 If the *Athlete* does not appear at the *Doping Control* station immediately and directly after the end of the game (save for the exception under 1.1.10 of Appendix 2 above) or is not chaperoned at all times (see 1.1.10 above), the *FIBA* supervisory doctor or *Doping Control* officer shall record this and the relevant circumstances and append this report to the *Doping Control* form. Depending on the circumstances, the *Athlete* may be subject to sanctions by *FIBA* (see 2.3, above). If this occurs, so long as it is reasonably practicable, the reserve *Athlete* drawn according to 1.1.3 of Appendix 2 shall replace the *Athlete* in question.
- 1.2 Collection of urine *Samples*
- 1.2.1 The *Doping Control* officer takes full responsibility for carrying out the test, including by verifying the identity of the *Athlete*.
- 1.2.2 The selected *Athletes* shall remain in the waiting room of the *Doping Control* station until the *Samples* are taken, unless (i) permission is given by the *Doping Control* officer, and (ii) the selected *Athlete* remains under direct supervision of at least one chaperone at all times. The organisers shall provide a comfortable, well lit room with a table, chairs and armchairs for relaxation, cool drinks, a shower and closed toilets.
- 1.2.3 In addition to the *Athletes* and the accompanying team doctor (or team official), the following persons shall be admitted to the *Doping Control* station:
- a. The *FIBA* supervisory doctor;
 - b. The *Doping Control* officer, if possible a doctor;
 - c. The chaperones;
 - d. One or two assistants to fill in the forms;
 - e. An interpreter (if necessary);
 - f. An independent Observer, accredited by *FIBA*; and/or
 - g. Authorised personnel of *FIBA* in the role of observer.
- The *Doping Control* officer is in charge of taking the urine *Samples*. Taking photographs or collecting *Athlete* autographs for personal purposes inside the *Doping Control* station is strictly prohibited.
- 1.2.4 The containers used for collecting the *Samples* and the two bottles facilitating their transport shall be in sealed packages, in compliance with the *WADA* International Standard for Testing and Investigations.



- 1.2.5 Each *Athlete* shall choose a container for the collection of the urine and two (2) bottles bearing a code number which shall be used to identify the *Samples*. This code number shall be noted on the *Doping Control* form.
- 1.2.6 Each *Athlete* shall urinate into the container in a private room, under the supervision of the *Doping Control* officer or a properly accredited person delegated by him or her. The amount of urine to be collected will be 90 ml minimum.
- 1.2.7 During each attempt, the *Athlete* shall remain under the strict supervision of the *Doping Control* officer (or the person delegated by him) until the total amount of urine required has been collected. The *Athlete* shall be allowed to have cool, non-alcoholic drinks, carbonated or non-carbonated, that contain no *Prohibited Substances*. These drinks shall be available to the *Athletes* in unlimited amounts in the waiting room of the *Doping Control* station. They should be provided in sealed cans or glass bottles. The *Athlete* should not accept any drinks presented in open containers.
- 1.2.8 In front of the *Doping Control* officer, the *Athlete* shall pour the collected urine from the container into two (2) bottles chosen by the *Athlete*, 60 ml into the bottle A and 30 ml into the bottle B,
- 1.2.9 The *Doping Control* form shall include the minimum information provided for in Article 7.4.5 of the International Standard for Testing and Investigations.
- 1.2.10 Once the collected *Sample* has been divided between the two bottles, the *Athlete* shall close the bottles and seal them in a tamperproof and tamper-evident manner. The *Athlete* and the *Doping Control* officer shall then ensure that the code number on the bottles and the code number noted on the *Doping Control* form are identical.
- 1.2.11 The *Athlete* (who, upon request, may seek the opinion of the team doctor or team official) and the DCO shall verify that the bottles are properly sealed and that the code number on the two bottles corresponds with the number noted on the *Doping Control* form. The *Athlete* shall confirm on the *Doping Control* form that the *Doping Control* has been properly carried out and shall be invited to note any comments.
- 1.2.12 The bottles shall be marked to distinguish between the *Samples* for analysis (A) and (B).
- 1.2.13 The *Doping Control* officer shall put all relevant forms and reports (in accordance with 1.2.16 below), in an envelope, which shall be sent to the *FIBA* Secretariat within seven (7) days of the *Doping Control* or handed directly to the *FIBA* supervisory doctor. The *Doping Control* officer shall keep a duplicate in a sealed envelope.
- 1.2.14 The *Samples* A and B taken from each *Athlete* shall be duly kept until transportation to the laboratory.



1.2.15 In order to ensure the chain of custody of the transportation of the *Samples*, the *Doping Control* officer shall verify that the shipment packaging (e.g. box, bag, and case) to be sent to the laboratory has seals, codes or adhesive tapes for security purposes. The *Doping Control* officer shall complete the “Chain of Custody Form”, indicating the security method used on the packaging (code number of the seals or adhesive security tapes used). The *Doping Control* officer shall hand the shipment packaging to the person authorised to transport the *Sample* to the laboratory, or send it to the laboratory by transportation company, or take it to the laboratory personally. The shipment packaging shall include a copy of the “Chain of Custody Form” and the copy of the *Doping Control* form for the laboratory with all details concerning the *Samples* to be analysed. The *Samples* shall be identified by their code number only. The laboratory must confirm that the shipment packaging has not been opened upon receipt of the *Samples*. They must return the “Chain of Custody Form” to the *FIBA* Secretariat, stamped, dated and duly signed acknowledging receipt of the sample undamaged and intact, and noting if the packaging has been tampered with, should the case arise.

2. Supervisory Doctor for Doping Control

2.1 General

2.1.1. For the *Doping Control* tests foreseen in the present Regulations (*In-Competition Testing* and *Out-of-Competition Testing*), *FIBA* shall appoint a supervisory doctor, if reasonably possible. The *FIBA* supervisory doctor shall supervise the work of the *Doping Control* officer and assist him/her as necessary.

2.1.2. Doctors nominated by *FIBA* who will be delegated supervisory doctors for *Doping Controls* will receive an official assignment from *FIBA* for a given *Competition*.

2.1.3. Travel and staying expenses, as well as allowances due to the supervisory doctor, will be paid as provided in Appendices 2 and 4.

2.1.4 The role of the *FIBA* supervisory doctor is as follows:

- a. observe the *FIBA* competition games to ensure player safety and optimal medical management is maintained;
- b. oversee all anti-doping operations and ensure that *FIBA* Anti-Doping Regulations are followed, as set forth above; and
- c. liaise with and support Team Doctors in their role to ensure player safety, health and welfare.

2.2 *In-Competition Doping Controls*

2.2.1 Allowances

Allowances payable are stipulated in Appendix 4 and covered by:

- a. For main official *Competitions* - Organisers



- b. For other official *Competitions* - As per the regulations for the *Competition* in question
- 2.2.2 Travel expenses covered by:
 - a. For main official *Competitions* - Organisers
 - b. For other official *Competitions* - As per the regulations for the *Competition* in question
- 2.2.3 Accommodation (full board and lodging) expenses covered by:
 - a. For main official *Competitions* - Organisers
 - b. For other official *Competitions* - As per the regulations for the *Competition* in question
- 2.2.4 Medical Equipment, Shipment and Laboratory Costs
All costs covered by the organisers.
- 2.3 *Out-of-Competition Doping Controls* (initiated by *FIBA*)
 - 2.3.1 Allowances:
See Appendix 4.
 - 2.3.2 Travel and accommodation (full board and lodging) expenses are covered:
On presentation of receipts - Reimbursed
Meals and other per diem expenses - See Appendix 4.
Allowance, travel and staying expenses covered by: *FIBA*.
 - 2.3.3 Medical Equipment, Shipment and Laboratory Costs are covered:
All costs covered by *FIBA*.



APPENDIX 3: OBLIGATIONS FOR ORGANISERS IN DOPING CONTROL MATTERS

At *FIBA Events* during which *Doping Controls* are carried out, the following are necessary:

- Special “*Doping Control / contrôle de dopage*” badges for general distribution to *Athletes*, doctors, staff and accompanying persons;
- Accreditation with access to the field of play for the *FIBA* supervisory doctor and the *Doping Control* officer;
- Details of the procedure to follow for taking *Samples* which can be found in Appendix 2 of these Regulations. Should local *Doping Control* officers insist on using their own forms, they should be asked to complete both sets of forms;
- Transport to the hotel/guesthouse for the *Athletes* and doctors (team doctor and *FIBA* supervisory doctor) after the *Samples* have been taken. It can sometimes take hours to obtain the amount of urine necessary under the present Regulations;
- Transport of the *Samples* to the laboratory, in accordance with the statutory conditions (chain of custody);

The following staff must be available:

- A *Doping Control* officer (if possible, a doctor from the organisation or agency conducting the *Doping Control* in the host country) of the same sex as the *Athletes* selected for the *Testing*. The *FIBA* supervisory doctor (if present) will monitor the correct procedure;
- An assistant for administrative work (completing the forms), although the *Doping Control* officer can also do this;
- A sufficient number of chaperones, preferably of the same gender as the *Athletes*, to escort the *Athletes* to the *Doping Control* station;
- A security officer to screen the entrance to the *Doping Control* station.

THE DOPING CONTROL STATION

The *Doping Control* station must be in the hall where the *Competition* is being held and should not be used for any other purpose (storage, sick room, office, toilets, etc.).

A “*Doping Control / contrôle de dopage*” sign must be hung on the door.

“*Doping Control / contrôle de dopage*” signs must be posted in the corridors leading to the *Doping Control* station.

The room must be able to accommodate at least ten (10) people (*Athletes*, team doctor, *FIBA* supervisory doctor, *Doping Control* staff, and, occasionally, an interpreter).

The *Doping Control* station must have:

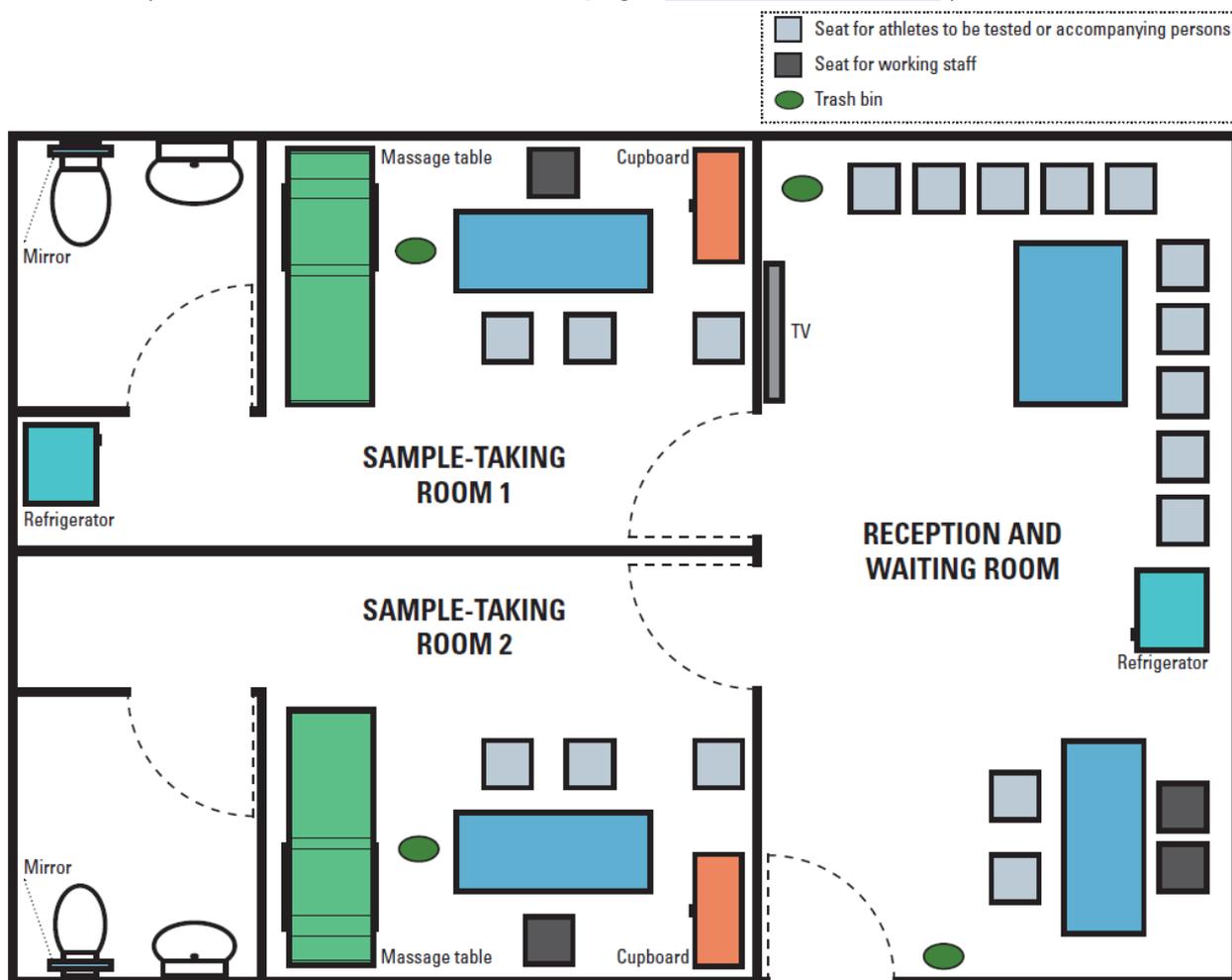
- A waiting area with comfortable chairs, a refrigerator containing drinks in cans or sealed glass bottles (mineral water, fizzy drinks, fruit juice);
- One (or two) *Sample*-taking area(s) with a writing desk and seats for the *Doping Control* officer, the assistant, the selected *Athletes*, and their escorts;



- A cupboard and/or a refrigerator for the *Samples*, both preferably lockable;
- A table upon which to place the *Sample* containers and the bottles marked A and B;
- A large garbage bin;
- A sanitary area with a shower with hot and cold running water;
- Toilets with a front-facing mirror or a 3/4 reflection at seat-level; and
- Toilet paper and soap.

Standard Doping Control Station

(More detailed information regarding the requirements for the *Doping Control* station (and first-aid facilities) is to be found on the *FIBA* homepage: www.FIBA.basketball.)





APPENDIX 4: ALLOWANCES / FEES PAYABLE

Article number	Item		Amount
Article 8	Non-reimbursable fee payable by the <i>Athlete</i> or other <i>Person</i> for a proceeding conducted by the Anti-Doping Division of the Disciplinary Panel as per the FIBA Internal Regulations governing Anti-Doping		CHF 500
Appendix 2	Allowances payable to <i>FIBA</i> Supervisory Doctor for doping controls	Single game	CHF 150
		Competition with controls over more than three days	CHF 375
		Per diem for each additional day (for controls and travel)	CHF 100
Appendix 2	Allowances payable to Supervisory Doctor for out-of-competition testing		CHF 150 (considered same as for single game)
Appendix 2	Allowances payable to Supervisory Doctor for meals and other per diem expenses		CHF 100