

**The British Wrestling Association
Limited**

**ANTI-DOPING RULES
July 2005**

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Anti-Doping Rules of the British Wrestling Association Ltd

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Anti-Doping Rules of the British Wrestling Association Ltd

Article 1: Scope and Application

1.1 Introduction

- 1.1.1 The British Wrestling Association Ltd (BWA) has adopted these Anti-Doping Rules (the "**Rules**") to impose clear prohibitions and controls on doping in the sport of wrestling in accordance with the mandatory provisions of the World Anti-Doping Code (the "**Code**"), in order to preserve the integrity of and values of fair play in the sport of wrestling, and to protect the rights and health of participants in the sport.
- 1.1.2 The BWA is a member of and subject to the jurisdiction of the International Federation of Associated Wrestling Styles (FILA). In the event of a conflict or inconsistency between these Rules and the anti-doping rules of FILA, the anti-doping rules of FILA shall prevail.

1.2 Application

- 1.2.1 These Rules shall apply to:
- a. all individual members of the BWA or of member or affiliate organisations or licensees of the BWA; and
 - b. all Persons participating in any capacity in Events, Competitions and other activities organised, convened or authorised by the BWA or any of its member or affiliate organisations or licensees, wherever held;

whether or not such member or other Person is a citizen of or resident in the United Kingdom.

- 1.2.2 To be a member of the BWA or to be eligible to participate (in the case of an Athlete) or assist any Participant (in the case of Athlete Support Personnel) in any Event, Competition or other activity organised, convened or authorised by the BWA or any of its member or affiliate organisations or licensees, a Participant must agree to be bound by and to comply with these Rules. By becoming a member or by so participating or assisting, a Participant shall be deemed to have agreed:
- a. to be bound by and to abide strictly by these Rules and all other anti-doping rules applicable to him/her;
 - b. to submit to the authority of the BWA and any designee(s) of the BWA, including UK Sport, to apply, police and enforce these Rules;
 - c. to provide all requested assistance to the BWA and its designee(s), including UK Sport, in the application, policing and enforcement of these Rules, including (without limitation) cooperating fully with any investigation or proceedings being conducted pursuant to these Rules in relation to any suspected Doping Offence(s);
 - d. in the case of an Athlete, to make him/herself available for and to submit to Sample collection both In-Competition and Out-of-Competition;
 - e. to submit to the jurisdiction of any Anti-Doping Tribunal convened under these Rules to hear and determine charges brought by the BWA pursuant to these Rules;

- f. to submit to the jurisdiction of any Appeal Panel convened to hear and determine appeals made pursuant to these Rules;
 - g. to submit to the jurisdiction of CAS to hear further appeals made pursuant to these Rules; and
 - h. further to Article 15.2 of these Rules, not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the Anti-Doping Tribunal, the Appeal Tribunal and CAS.
- 1.2.3 It is acknowledged that certain of the Persons that are subject to these Rules may also be subject to the anti-doping rules of other Anti-Doping Organisations, including (in the case of International-Level Athletes) the anti-doping rules of FILA, and that the same conduct of such Persons may implicate not only these Rules but also the rules of such other Anti-Doping Organisations. The jurisdictional and other issues arising in such event shall be resolved in accordance with the rules of FILA and the Code.

1.3 Core Responsibilities

- 1.3.1 Further to each Athlete's obligation to comply with these Rules, it is the responsibility of each Athlete:
- a. to acquaint him/herself, and to ensure that each Person from whom he/she takes advice (including medical personnel) is acquainted, with all of the provisions of these Rules (including any amendments thereto); and
 - b. to take responsibility for what he/she ingests and uses; and
 - c. to ensure that any medical treatment he/she receives does not infringe these Rules.
- 1.3.2 Further to the obligation of each Athlete Support Personnel to comply with these Rules, it is the responsibility of each Athlete Support Personnel:
- a. to acquaint him/herself with all of the provisions of these Rules (including any amendments thereto);
 - b. to cooperate with the Testing of Athletes; and
 - c. to use his/her influence on Athlete values and behaviour to foster anti-doping attitudes.
- 1.3.3 Each Participant shall continue to be bound by and required to comply with these Rules (including any amended or successor versions thereto) unless and until he/she is deemed by the BWA to have retired from the sport of wrestling.

1.4 Interpretation

- 1.4.1 Save where otherwise indicated, capitalised terms used in these Rules shall have the meaning ascribed to them in the **Appendix** to these Rules, which shall be considered an integral part of these Rules.
- 1.4.2 The headings used in these Rules are for convenience only and shall not be deemed part of the substance of these Rules or to affect in any way the language of the provisions to which they refer.
- 1.4.3 These Rules recognise and have been adopted in accordance with the mandatory provisions of the Code and shall be interpreted in a manner that is consistent with those provisions. The comments sections annotating various provisions of the

Code shall be used, where applicable, to assist in the understanding and interpretation of these Rules.

1.5 Commencement, Validity and Amendment

- 1.5.1 These Rules shall come into full force and effect on 9th July 2005. They shall not apply retrospectively to matters arising prior to that date; provided, however, for the avoidance of doubt, that any offence found to have been committed under rules in force prior to that date shall be taken into account as a prior doping offence when applying the sanctioning provisions set out at Article 10 of these Rules.
- 1.5.2 The BWA shall be responsible for overseeing the evolution and improvement of these Rules. Amendments to these Rules shall be approved and shall come into effect in accordance with the Articles of Association of the BWA, save that amendments by WADA to the Code, the Prohibited List and any International Standards shall come into effect as set out in the Code.
- 1.5.3 Amendments to these Rules made pursuant to Article 1.5.2 shall be binding upon all Persons to whom these Rules apply. In particular, Athletes and Athlete Support Personnel shall be deemed to accept such amendments as binding upon them without further formality.

Article 2: Doping Offences

Each of the acts or omissions set out in Articles 2.1 to 2.8 below shall constitute a Doping Offence under these Rules:

2.1 The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's bodily Specimen, unless the Athlete establishes that the presence is pursuant to a Therapeutic Use Exemption granted in accordance with Article 4 of these Rules.

- 2.1.1 It is each Athlete's personal duty to ensure that no Prohibited Substance enters his/her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their bodily Specimens. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish a Doping Offence under Article 2.1; nor is the Athlete's lack of intent, fault, negligence or knowledge a valid defence to a charge that a Doping Offence has been committed under Article 2.1.
- 2.1.2 Except for those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample shall constitute a Doping Offence, unless the Athlete establishes that such presence is pursuant to a Therapeutic Use Exemption granted in accordance with Article 4 of these Rules.
- 2.1.3 As an exception to the general rule of Article 2.1, the Prohibited List may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.
- 2.1.4 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.1 is set out at Article 10.2 of these Rules.

2.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method, unless the Athlete establishes that the Use or Attempted Use is pursuant to a Therapeutic Use Exemption granted in accordance with Article 4 of these Rules.

2.2.1 The success or failure of the Use of a Prohibited Substance or Prohibited Method is not material. For a Doping Offence to be committed, it is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used.

2.2.2 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.2 is set out at Article 10.2 of these Rules.

2.3 Refusing or failing, without compelling justification, to submit to Sample collection after notification, as authorised in these Rules or other applicable anti-doping rules, or otherwise evading Sample collection.

2.3.1 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.3 is set out at Article 10.4 of these Rules.

2.4 Failure to comply with applicable requirements regarding Athlete availability for Out-Of-Competition Testing, including (without limitation) failure to provide required whereabouts information (as set out in Article 5.5 of these Rules or in analogous provisions of other applicable rules) and missed tests which are declared based on the provisions of Article 5.5 of these Rules or in analogous provisions of other applicable rules.

2.4.1 Article 5.5.2 of these Rules sets out the circumstances in which a failure by an Athlete to provide whereabouts information shall constitute a Doping Offence pursuant to this Article 2.4.

2.4.2 Article 5.5.3 of these Rules sets out the circumstances in which an Athlete's failure to be available for an Out-of-Competition Test shall constitute a Doping Offence pursuant to this Article 2.4.

2.4.3 Where an Athlete who is subject to these Rules is also subject to the specific requirements of FILA or any other Anti-Doping Organisation regarding Athlete availability for Out-of-Competition Testing, a failure to satisfy such requirements may be relied upon (including in combination with any analogous failure under these Rules) as the basis for bringing proceedings against the Athlete under these Rules for breach of this Article 2.4.

2.4.4 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.4 is set out at Article 10.4.3 of these Rules.

2.5 Tampering, or Attempting to Tamper, with any part of Doping Control.

2.5.1 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.5 is set out at Article 10.4 of these Rules.

2.6 Possession of Prohibited Substances and Methods.

2.6.1 Possession by an Athlete at any time or place of a substance that is prohibited in Out-of-Competition Testing or a Prohibited Method is a Doping Offence under Article 2.6 unless the Athlete establishes that the Possession is pursuant to a Therapeutic Use Exemption granted in accordance with Article 4 of these Rules or other acceptable justification.

2.6.2 Possession of a substance that is prohibited in Out-of-Competition Testing or a Prohibited Method by Athlete Support Personnel in connection with an Athlete, Competition or training is a Doping Offence under Article 2.6, unless the Athlete Support Personnel establishes that the Possession is pursuant to a Therapeutic Use Exemption granted to an Athlete in accordance with Article 4 or other acceptable justification.

2.6.3 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.6 is set out at Article 10.2 of these Rules.

2.7 Trafficking in any Prohibited Substance or Prohibited Method.

2.7.1 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.7 is set out at Article 10.4.2 of these Rules.

2.8 Administration or Attempted administration of a Prohibited Substance or Prohibited Method to any Athlete (unless the Athlete establishes that the administration or Attempted administration was pursuant to a Therapeutic Use Exemption granted in accordance with Article 4 of these Rules), or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving a Doping Offence or any Attempted Doping Offence.

2.8.1 The period of Ineligibility imposed for a Doping Offence as defined in Article 2.8 is set out at Article 10.4.2 of these Rules.

Article 3: The Prohibited List

3.1 Incorporation of the Prohibited List and the International Standard for the Prohibited List

3.1.1 These Rules adopt and incorporate the Prohibited List and the WADA International Standard for the Prohibited List, as amended from time to time. It shall be the responsibility of Participants to familiarise themselves with the Prohibited List and related Standard and all amendments thereto.

3.1.2 The current Prohibited List is available on the websites of WADA (www.wada-ama.org) and UK Sport (www.uk sport.gov.uk) and is reproduced in full in the UK Sport Anti-Doping Procedures Guide for Sport.

3.1.3 The Prohibited List may be amended by WADA from time to time. Unless provided otherwise by WADA, such amendments shall come into effect under these Rules three (3) months after publication of the amendments by WADA without requiring any further action by the BWA.

3.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

3.2.1 The Prohibited List identifies those Prohibited Substances and Prohibited Methods which are prohibited at all times (both In-Competition and Out-of-Competition) and those additional substances and methods which are prohibited In-Competition only.

3.2.2 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 or sport.

3.2.3 Upon the recommendation of FILA, the Prohibited List may be expanded by WADA for the sport of, wrestling, in which case such special provision shall be expressly identified in the Prohibited List.

3.2.4 WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List shall be final and shall not be subject to challenge by an Athlete or other Person on any grounds.

Article 4: Therapeutic Use Exemptions

4.1 Incorporation of the International Standard for TUEs

- 4.1.1 The Code permits Athletes and their physicians to apply for permission to Use, for therapeutic purposes, substances or methods on the Prohibited List whose Use is otherwise prohibited.
- 4.1.2 The International Standard for TUEs sets out the circumstances in which Athletes may claim such a therapeutic use exemption (or "**TUE**"). These Rules adopt and incorporate that Standard, as amended from time to time. All Persons shall be deemed to accept the Standard and any amendments thereto as binding upon them without further formality.

4.2 Scope and Effect of TUEs

- 4.2.1 In order to excuse the presence or Use or Possession of a Prohibited Substance or Prohibited Method that would otherwise amount to a Doping Offence under Article 2 of these Rules, a TUE must be obtained that covers such presence or Use or Possession, in accordance with this Article 4.2.
- 4.2.2 Athletes in the International Registered Testing Pool should apply to FILA for a TUE in accordance with the rules of FILA, unless FILA has agreed that UK Sport may process TUE applications for such Athletes in accordance with these Rules, in which case such applications may be made in accordance with Article 4.2.3.
- 4.2.3 Subject only to Article 4.7 (which identifies limited circumstances in which a TUE may be granted retrospectively):
 - a. an Athlete in the National Registered Testing Pool must obtain a Therapeutic Use Exemption in accordance with Article [4.3] prior to Using or Possessing the Prohibited Substance or Prohibited Method in question; and
 - b. the BWA may also establish a further pool of Athletes not in the International or National Registered Testing Pools (the **Domestic Pool**) who are required to obtain a Therapeutic Use Exemption in accordance with Article 4.3 prior to Using or Possessing the Prohibited Substance or Prohibited Method in question.
- 4.2.4 If an Athlete outside of the International Testing Pool, the National Registered Testing Pool and the Domestic Pool is tested pursuant to these Rules, and that Athlete has been Using a Prohibited Substance or Prohibited Method to treat a documented medical condition, then he/she may make a retrospective TUE application to UK Sport either:
 - a. at the time of testing (for inclusion with Sample collection documentation); or
 - b. so that it is received by UK Sport no later than five (5) working days after the test is completed.
- 4.2.5 For Events held in the UK under the jurisdiction of FILA, the TUE rules of FILA will apply.
- 4.2.6 An Athlete may not apply to more than one Anti-Doping Organisation for a TUE. An Athlete subject to these Rules who applies for a TUE pursuant to the rules of FILA or another Anti-Doping Organisation shall report the grant or denial of the application immediately to both the BWA and UK Sport, by sending them copies of the application and the decision.

- 4.2.7 In accordance with Article 15.4 (Mutual Recognition) of the Code, the BWA will recognise and respect any TUE granted to an Athlete by or on behalf of a Signatory, provided that the grant is consistent with the Code and is within that Signatory's authority. Otherwise, however, an Athlete subject to these Rules who requires a TUE must obtain one from UK Sport in accordance with this Article 4.2.

4.3 TUE Application Process

- 4.3.1 Save where Article 4.3.2 applies, an Athlete requiring a TUE must follow the process for standard TUE applications detailed in the UK Sport Anti-Doping Procedures Guide for Sport.
- 4.3.2 Where the International Standard for TUEs allows an abbreviated procedure to be used (generally in cases where the Prohibited Substance or Prohibited Method in question is recognised as appropriate for use to treat medical conditions frequently encountered in the Athlete population: see paragraph 8.2 of the International Standard for TUEs), the Athlete may follow the process for abbreviated TUE applications detailed in the UK Sport Anti-Doping Procedures Guide for Sport.

4.4 Grant of a Therapeutic Use Exemption

- 4.4.1 An application for a standard TUE will go before the UK Sport TUE Committee for prompt consideration in accordance with the UK Sport Anti-Doping Procedures Guide for Sport. The UK Sport TUE Committee will only grant the TUE in strict accordance with the following criteria, which it is the Athlete's burden to satisfy:
- a. Subject to Articles 4.2.4 and 4.7, the TUE application must be submitted to UK Sport as soon as the requirement for the TUE arises and (save in exceptional circumstances: see Article 4.7) no less than 21 days before participating in an Event or Competition.
 - b. The application must be completed in full, signed by the Athlete and the prescribing physician(s), and accompanied by all relevant medical information as specified in the UK Sport Anti-Doping Procedures Guide for Sport.
 - c. The Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method in question were to be withheld in the course of treating an acute or chronic medical condition.
 - d. The Therapeutic Use of the Prohibited Substance or Prohibited Method in question would produce no additional enhancement to performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The Use of any Prohibited Substance or Prohibited Method to increase "low-normal" levels of any endogenous hormone is not considered an acceptable Therapeutic intervention.
 - e. There is no reasonable Therapeutic alternative to the Use of the otherwise Prohibited Substance or Prohibited Method.
 - f. The necessity for the Use of the otherwise Prohibited Substance or Prohibited Method cannot be a consequence, wholly or in part, of the Athlete's prior non-Therapeutic Use of any substance from the Prohibited List.
- 4.4.2 An abbreviated TUE will be deemed to have been granted on the date that UK Sport acknowledges receipt of a properly completed abbreviated TUE application; provided that the abbreviated TUE may be revoked at any time thereafter, in accordance with the provisions of the UK Sport Anti-Doping Procedures Guide for Sport, if it is subsequently determined that the criteria for its grant are not satisfied.

- 4.4.3 A TUE (abbreviated or standard) will have a specified duration as decided on a case by case basis by UK Sport or the UK Sport TUE Committee (as applicable). It may also be granted subject to such conditions or restrictions as UK Sport or the UK Sport TUE Committee (as applicable) may see fit. On expiry of the term of the TUE, an Athlete who wishes to continue to Use the Prohibited Substance or Prohibited Method in question must again apply for a TUE in accordance with this Article 4.4.
- 4.4.4 An Athlete may not assume that his/her application for a TUE (or for renewal of a TUE) will be granted. Any Use or Possession of a Prohibited Substance or Prohibited Method before an application has been granted shall be entirely at the Athlete's own risk.
- 4.4.5 The submission of false or misleadingly incomplete information in support of a TUE application (including but not limited to the failure to advise of the unsuccessful outcome of a prior application to another Anti-Doping Organisation for such a TUE) may result in the bringing of disciplinary charges for misconduct against those involved pursuant to the disciplinary rules of the BWA or other applicable rules.

4.5 Expiration or Cancellation of a TUE

- 4.5.1 A TUE granted pursuant to these Rules:
- a. shall expire in accordance with Article 4.4.3 at the end of any term for which the TUE was granted;
 - b. may be cancelled by UK Sport if the Athlete does not promptly comply with any requirements or conditions imposed by UK Sport or the UK Sport TUE Committee (as applicable) upon grant of the TUE; or
 - c. may be withdrawn by UK Sport or the UK Sport TUE Committee (as applicable) in accordance with Article 4.4.2 if it is subsequently determined that the criteria for grant of a TUE are not in fact met.
- 4.5.2 Expiration of a TUE pursuant to Article 4.5.1(a) shall take effect automatically at the end of the term for which the TUE was granted without the need for any further notice or other formality.
- 4.5.3 Cancellation of a TUE pursuant to Article 4.5.1(b) or withdrawal of a TUE pursuant to Article 4.5.1(c) shall be notified by UK Sport to the Athlete in accordance with Article 16.2 of these Rules, with copies to the BWA, FILA and all other relevant Anti-Doping Organisations. Such notice shall take effect upon receipt, as specified in Article 16.2.
- 4.5.4 In the event of an expiration, cancellation or withdrawal of the TUE pursuant to Article 4.5.1, the Athlete shall not be subject to any Consequences based on his/her Use or Possession of the Prohibited Substance or Prohibited Method in question in accordance with the TUE at any time prior to the effective date of expiry, cancellation or withdrawal of the TUE. The review pursuant to Article 7.2.1 of any subsequent Adverse Analytical Finding shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Method prior to that date, in which event there shall be no case to answer.

4.6 Review of Decision Granting or Denying TUE Application or Revoking or Withdrawing TUE

- 4.6.1 In accordance with Article 4.4 of the Code:
- a. upon the request of an Athlete whose application for a TUE has been denied by UK Sport or the UK Sport TUE Committee, WADA may reverse such denial if it determines that such denial did not comply with the applicable International Standard for Therapeutic Use Exemptions; and

