

2027 Code Implementation Support Program

Factsheet: Summary of Significant Changes to the Code

- The 2027 World Anti-Doping Code (Code) is the result of extensive stakeholder feedback, incorporating over 3,400 changes.

Provisional Suspensions

- The mandatory provisional suspension for cases that involve a non-specified substance needs to be imposed in the first notification.
- Reasons to lift a provisional suspension are broadened to include the likelihood that:
 - The potential anti-doping rule violation (ADRV) is caused by a contaminated source.
 - No ADRV will be established/found.
 - There is no fault or negligence.
 - The time served by the athlete for the provisional suspension will exceed the period of intelligibility.
- Athletes can challenge a provisional suspension or the failure to lift a provisional suspension by submitting an application to the Anti-Doping Organization (ADO), if the ADO's rules allow for it. If the application to lift the provisional suspension is denied, the athlete can appeal to the Court of Arbitration for Sport (CAS).
- If an ADO does not have authority to lift a provisional suspension, the ADO must provide in its anti-doping rules that an athlete must submit an application to lift the provisional suspension to the first instance hearing panel, before appealing to CAS.

Independent Review Expert

- **Independent Review Expert is a newly defined term in the Code:**

“The role of the Independent Review Expert is to review rare cases where an ADO has decided not to proceed with the normal [results management (RM)] process. Two individuals will be appointed to undertake the Independent Review Expert responsibilities – a Primary Independent Review Expert and a Backup who will serve if the Primary Independent Review Expert is not available to promptly review a case or has a conflict of interest.

The Primary and Backup Independent Review Experts must be legal experts with extensive experience with anti-doping RM and with an established reputation of integrity and fairness.

Stakeholders will be invited to submit, or encourage individuals to submit, Independent Review Expert applications to WADA's Independent Nominations Committee. That Committee will nominate at least two individuals which it believes are qualified to serve as the Primary or Backup Independent Review Experts. They will then be selected by the WADA Executive Committee (ExCo)."

- If an ADO is considering closing a case or not proceeding with normal RM after receiving an adverse analytical finding (AAF) and completing an initial review, the following process must take place:
 - 1) The athlete must be notified of the AAF, and a mandatory provisional suspension must be imposed, if applicable.
 - 2) The ADO must submit a request for an opinion from the Independent Review Expert and send a copy of the request to WADA and to the other parties entitled to appeal.
 - 3) The Independent Review Expert will give their opinion in writing. They will indicate if not proceeding with normal RM is justified. They will also share this with WADA and the other parties with a right to appeal.
 - 4) After receiving the recommendation, the ADO must issue a written decision on whether normal RM will proceed or if the AAF will be dismissed.
 - 5) The ADO will need to provide copies of the decision and the Independent Review Expert's opinion and recommendation to each of the other parties entitled to appeal the decision.

Sanctioning for Presence, Use, Attempted use, and Possession

- For violations of presence and use that involve a non-specified substance or method, the period of ineligibility is 4 years unless:
 - The athlete can establish how the prohibited substance entered their system and that the violation was not intentional. Then it will be 2 years.
 - The athlete cannot establish that the violation was not intentional but can establish how the prohibited substance entered their system and that the context of the ingestion or use was unrelated to sport performance. Then it will be 3 years.

- The athlete cannot establish how the prohibited substance entered their system but can establish that based on reliable scientific evidence, the violation was not compatible with intentional use. Then it will be 2 years.
- The substance is only prohibited in-competition and ingestion or use occurred out-of-competition in a context unrelated to sport performance. Then it will be 2 years.
- For violations of presence and use that involve a specified substance or method, the period of ineligibility is 2 years unless:
 - The ADO can establish that the violation was intentional. Then it will be 4 years.
 - The athlete can establish that despite being intentional, the ingestion or use was unrelated to sport performance. Then it will be 3 years.
 - The violation results from an AAF for a substance which is only prohibited In-competition and the athlete can establish out-of-competition use or ingestion. Then it will be 2 years.

Sanctioning for TUEs

- When an athlete had a legitimate medical condition at the time they used a prohibited substance but didn't apply for a therapeutic use exemption (TUE) and is not eligible for a retroactive TUE, the sanction is a flat 2 months if the athlete meets all the International Standard for Therapeutic Use Exemption (ISTUE) Article 4.2 criteria (except for the need to show there was no reasonable permitted therapeutic alternative).

Sanctions for Whereabouts Failures

- The sanction for a whereabouts failure violation is 2 years and can be reduced to a minimum of 1 year if the athlete can establish circumstances that lessen their degree of fault.
- Fault must be assessed equally for all 3 whereabouts failures, but athletes should be on high alert after the first and second failures and should be more vigilant with inputting their information.

Contaminated Source

- The term 'contaminated product' has been replaced with 'contaminated source'.
- A contaminated source is an unforeseeable source of a prohibited substance, such as:

- Using or taking a medication or supplement that contains a prohibited substance that is not disclosed on the product label or in information accessible by a reasonable artificial intelligence or comparable search.
- Consumption of a food or drink, such as contaminated meat or liquid, that contains a prohibited substance with no advance warning, disclosure or other basis to suspect that it may contain a prohibited substance.
- Exposure to a prohibited substance through the athlete's direct physical contact with a third person or physical contact with objects touched or handled by the third person.

Early Admission and Acceptance of Sanction

- When an athlete or other person accepts an ADRV charge and its consequences within 20 days of receiving the notice of charge, the period of ineligibility can be reduced as follows:
 - Periods of ineligibility of 4 years or less can be reduced by 25%.
 - Periods of ineligibility of more than 4 years but less than lifetime can be reduced by 1 year.
 - Lifetime bans cannot be reduced.

Substantial Assistance

- A results management authority (RMA) can suspend part of the consequences imposed in a case where an athlete or other person has provided substantial assistance which results in the discovering of facts constituting or bringing forward a case involving an ADRV or violation of Article 10.14.1 of another person.
- An RMA can decide to initially suspend only part of the period of ineligibility and later increase the amount suspended based on the value of the information provided.

Other Valuable Information and Assistance

- A period of ineligibility can be suspended by 15% if an athlete or other person gives valuable information that doesn't meet the criteria for substantial assistance.

Status During Ineligibility or Provisional Suspension

- Athletes or other persons serving a period of ineligibility or provisional suspension cannot be involved with or employed by a Signatory or its member organizations. This includes:
 - Serving as a board member, officer, director or official or senior executive.
 - Serving in any position involving doping control.
 - Serving in any position that involves direct contact with athletes or athlete support personnel (ASP).
 - When an athlete serving a period of ineligibility or provisional suspension is employed for athletic services, they can continue to be paid but only for services that are not prohibited.

Appeals

- International-level athletes retain the right to appeal final hearing panel decisions directly to CAS. WADA and other international Signatories retain the same right.
- Athletes that are not international-level athletes and other persons retain the right to appeal final hearing panel decisions to the national level appellate body. They also have a new right to appeal that body's decision to CAS.
- If an ADO wants to appeal a decision made by WADA, they will appeal exclusively to CAS.
- CAS proceedings where WADA, an International Federation (IF) or a Major Event Organization (MEO) is involved will only be conducted in French or English unless the parties agree otherwise.
- The deadline to appeal is now harmonized for all parties (other than WADA). The deadline to file an appeal is the later of:
 - 21 days after receipt of the decision or
 - 21 days after receipt of the case file (when the appealing party makes a request for the complete case file).
- Case files must be produced in machine-readable form and, to the greatest extent practicable, in electronic, digital, and word searchable format. If the case file contains documents in a language other than English or French, an index must be provided with a short description of each document in English or French.

Mandatory public Disclosure

- ADOs must publish an annual statistical report that keeps the identity of athletes and other persons anonymous, listing all no fault or negligence decisions. Include:
 - The year of decision
 - The sport involved
 - The Code Article violated
 - The prohibited substance/method involved
 - Whether the decision was appealed

Monitoring and Enforcing Compliance

- If non-conformities are not resolved in time, WADA must issue a formal notice to a Signatory alleging:
 - The non-compliance.
 - The proposed consequences.
 - A timeline for the Signatory to respond.
 - The Signatory's response to WADA's formal notice may include a dispute of the alleged non-compliance and proposed consequences, as well as WADA's characterization of a requirement as Critical or High Priority. In this case CAS shall resolve the dispute.
 - Signatories who wish to dispute any part of WADA's formal notice alleging non-compliance must deposit CHF 5'000. The deposit will be returned in full by WADA if the dispute is resolved before the costs are incurred or if directed by CAS
 - Signatories may resolve the dispute by correcting the non-compliance at any point prior to the final decision by CAS.
 - Signatories have the right to dispute WADA's contention that the imposed reinstatement conditions have not yet been met.
 - Withdrawal of WADA privileges for non-compliance will not necessarily include access to WADA's educational resources.

Protected Persons, Minors and Recreational Athletes

- There is now more special treatment for protected persons and/or recreational athletes and some of the special treatment has now been extended to minors who are not protected persons (elite 16 and 17-year-olds). For example:

- Violations of Articles 2.7 (Trafficking), 2.8 (Administration) or 2.9 (Complicity) involving protected persons or minors are particularly serious and may lead to longer periods of Ineligibility. (Articles 13.3.3 and 13.3.4).
- Substantial assistance: information and assistance related to doping of protected persons and minors is particularly valuable. (Articles 10.7.1(iv) and 10.7.2.)
- Mandatory public disclosure of ADRVs is not required in cases where the violator is a protected person, minor or recreational athlete, and any optional public disclosure must take into consideration the best interests of the individual (Article 14.3.6).
- Required investigation of ASP where a protected person or minor who they support has committed an anti-doping rule violation (e.g., 20.1.10). Requirement that ASP attend anti-doping education presentations and provide accurate information to athletes who they support, particularly protected persons and minors (Article 21.2.2).
- Government commitment to support anti-doping education and training programs focused on protected persons and minors (Article 22.11).

Definitions

- **Aggravating Circumstances:** The definition now includes, as part of the list of circumstances that may trigger the imposition of an increased period of ineligibility, doping violations committed as part of a sophisticated anti-doping scheme or plan.
- **Athlete:**
 - A comment has been added that explains that an ADO may not adopt different rules for lower-level athletes with respect to TUEs (unless the Code or International Standards indicate otherwise).
 - International Federations must publish their criteria for defining 'international athletes'.
- **Recreational athlete:** National Anti-Doping Organizations (NADOs) define which participants are recreational athletes. Additional restrictive criteria have been added to this definition including whether in the proceeding 5 years the athlete has participated in the sport in a professional capacity or has competed in an international event or national event.