

# **World Surf League**

## **2017 Anti-Doping Policy**



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## **ARTICLE 1 - ROLE OF WSL ANTI-DOPING POLICY**

This Anti-Doping Policy (the "Policy") is adopted and implemented in accordance with WSL's efforts to eradicate doping in the sport of professional surfing. WSL strives to provide a global stage for its Surfers to showcase their talent in a fair, independent and impartial environment. WSL also strives to have its Surfers serve as good role models for young people all around the world. This Policy is based in significant part on the World Anti-Doping Code, which may be considered for purposes of interpretation in circumstances where this Policy is not clear. This Policy is incorporated into the WSL Rulebook governing professional surfing worldwide.

Any conflict between any document or process referred to in this Policy will be governed first by this Policy. The WSL Commissioner will determine any remaining conflict by considering the circumstances and context of the situation. The definitions within Appendix 1 will apply to this Policy.

WSL condemns the Use of Prohibited Substances and Prohibited Methods in sport. The Use of Prohibited Substances and Prohibited Methods is contrary to the ethics and the 'spirit' of surfing as a sport and profession and endangers the health and wellbeing of the Surfers.

This Policy is designed to:

- Protect the Surfers' fundamental right to participate in doping free sport and thus promote health, fairness, and equality for Surfers worldwide;
- Ensure harmonized, coordinated and effective anti-doping programs at an international and national level with regard to detection, deterrence, and prevention of doping; and
- Ensure that all Persons associated with WSL and the sport of surfing are not involved in any way with Prohibited Substances, Prohibited Methods, or other forms of doping.

WSL aims to fulfill the aforementioned commitments by:

- Educating and informing Persons about drugs in surfing as a sport; and
- Imposing effective sanctions on Persons who commit Anti-Doping Rule Violations.



## **AUTHORITY**

The Discipline Director is authorized to enforce this Policy on behalf of WSL and to act for WSL where WSL is referred to in this Policy.

This Policy applies to all Persons who have signed a document agreeing to be bound by this Policy, including Surfers, Support Staff, and WSL staff and officials.

## **ARTICLE 2 - THE PROHIBITED LIST**

### **2.1 Prohibited List**

This Policy incorporates the Prohibited List, published and revised by the World Anti-Doping Agency ("WADA"), which can be found at the following link: [www.wada-ama.org](http://www.wada-ama.org)

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

- (a) All substances and methods identified on the Prohibited List are prohibited at all times, notwithstanding the fact that the WADA Prohibited List separately identifies those substances which are prohibited at all times and those substances which are prohibited In-Competition only.
- (b) For purposes of the application of Article 10, all Prohibited Substances shall be Specified Substances, except substances in the class of anabolic agents and hormones and those stimulants and hormone antagonists and medications so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.
- (c) The Prohibited Substances identified on Appendix 2 are considered "Illicit Substances" for the purpose of this Policy.
- (d) WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List and the classification of substances into categories on the Prohibited List is final and shall not be subject to challenge by a Person on any basis. Similarly, WSL's decision to identify or to not identify a substance as an Illicit Substance shall not be subject to challenge.
- (e) Unless provided otherwise in the Prohibited List, revisions of the Prohibited List will go into effect under this Policy three months after publication of the Prohibited List by WADA without requiring any further action by WSL. Any revisions to the list of substances identified by WSL as Illicit Substances shall go into effect three months after publication of such revision by WSL.

## **ARTICLE 3 - ANTI-DOPING VIOLATIONS**

The following constitute Anti-Doping Rule Violations under this Policy.



### **3.1 The presence of a Prohibited Substance or its Metabolites or Markers in a Person's Sample**

- (a) It is each Person's personal duty to ensure that no Prohibited Substance enters his or her body. All Persons are responsible for any Prohibited Substance found in their Samples. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Person's part be demonstrated in order to establish an Anti-Doping Rule Violation under this Article 3.1.
- (b) Sufficient proof of an Anti-Doping Rule Violation under Article 3.1 is established by any of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Person's A Sample where the Person waives analysis of the B Sample and the B Sample is not analyzed; or where the Person's B Sample is analyzed and the analysis of the Person's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Person's A Sample; or where the Person's B Sample is split into two bottles and the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first bottle.
- (c) Excepting those substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in a Person's Sample will constitute an Anti-Doping Rule Violation.
- (d) As an exception to the general rule of this Article 3.1, the Prohibited List or other WADA International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced naturally by the body.

### **3.2 Use or Attempted Use of a Prohibited Substance or Prohibited Method**

- (a) It is each Person's personal duty to ensure that no Prohibited Substance enters his or her body and that no Prohibited Method is Used. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Person's part be demonstrated in order to establish an Anti-Doping Rule Violation for Use of a Prohibited Substance or a Prohibited Method.
- (b) 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.

### **3.3 Evading, Refusing or Failing to Submit to Sample Collection**

Evading Sample collection, or without compelling justification refusing or failing to submit to Sample collection after notification as authorized in this Policy.

### **3.4 Whereabouts Failures**



Failure to provide the information required in Article 6.4 three times within any 18-month period.

### **3.5 Tampering, or Attempted Tampering, with any part of Doping Control.**

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, intentionally interfering or Attempting to interfere with a Doping Control official, providing fraudulent information in connection with Doping Control to the WSL or its agents, or intimidating or Attempting to intimidate a potential witness.

### **3.6 Possession of a Prohibited Substance or a Prohibited Method**

Possession of a Prohibited Substance or Prohibited Method by a Person is a violation of this Policy, unless the Person establishes that the Possession is pursuant to a Therapeutic Use Exemption granted to a Person in accordance with Article 5 or other justification deemed acceptable to WSL.

### **3.7 Trafficking in any Prohibited Substance or Prohibited Method**

### **3.8 Administration or Attempted Administration to any Person of any Prohibited Substance or Prohibited Method absent a Therapeutic Use Exemption**

### **3.9 Complicity**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an Anti-Doping Rule Violation, Attempted Anti-Doping Rule Violation, or violation of Article 10.11(c) by another Person.

### **3.10 Prohibited Association**

Failing to comply with a written notice by WSL to cease association with a Person or entity whose past or present association with doping or Prohibited Substances or Prohibited Methods is deemed by WSL to threaten the integrity of WSL, this Policy or professional surfing.

## **ARTICLE 4 - PROOF OF DOPING**

### **4.1 Burdens of Proof**

WSL has the burden of establishing that an Anti-Doping Rule Violation has occurred under this Policy to a Comfortable Satisfaction standard. Where this Policy places the burden of proof upon a Person alleged to have committed an Anti-Doping Rule Violation to rebut a presumption or establish specified facts or circumstances, the standard of proof will be by a balance of probabilities.

### **4.2 Methods of Establishing Facts and Presumptions**



Facts related to Anti-Doping Rule Violations may be established by any reliable means, including but not limited to admissions, third-party testimony, documents or analytical evidence. The following rules of evidence and proof will apply in enforcing this Policy:

- (a) Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid.
- (b) WADA-accredited or approved laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. If a Notified Person rebuts this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding or other analytical result relied upon, then WSL shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or other analytical result.
- (c) Departures from any other International Standard, this Policy, or other WSL policies or procedures which did not cause an Adverse Analytical Finding or other Anti-Doping Rule Violation will not invalidate such evidence or results. If the Notified Person establishes any such departure which could reasonably have caused an Anti-Doping Rule Violation based on an Adverse Analytical Finding or other Anti-Doping Rule Violation, then WSL shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the Anti-Doping Rule Violation.
- (d) 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, may be considered as conclusive evidence against a Person to whom the decision pertained.
- (e) An adverse inference may be drawn against any Notified Person who, after reasonable advance notice from WSL, refuses to appear at the hearing and to answer questions from WSL or the hearing panel.

## **ARTICLE 5 - THERAPEUTIC USE EXEMPTIONS**

- (a) Any Person with a documented medical condition requiring the Use of a Prohibited Substance or Prohibited Method must obtain a Therapeutic Use Exemption ("TUE") from WSL. The detected presence in a Sample, Use or Possession of a Prohibited Substance or Prohibited Method consistent with a TUE approved or recognized by WSL shall not be an Anti-Doping Rule Violation.
- (b) WSL may also elect to recognize TUEs granted by other anti-doping organizations which comply with the International Standard for Therapeutic Use Exemptions.



- (c) Except in emergency situations, a Person must apply to WSL for a TUE as soon as possible after he or she learns that a Prohibited Substance or Prohibited Method is medically required.
- (d) A Person may also apply for a Retroactive TUE to apply in the case of emergency or acute treatment, exceptional circumstances, or other circumstances where the Person is able to establish entitlement to a TUE under the criteria set forth in the International Standard for Therapeutic Use Exemptions to a Comfortable Satisfaction standard of proof. Any application for a Retroactive TUE shall include payment of a \$500 processing fee.
- (e) Should a Person wish to appeal WSL's decision relating to a TUE, he or she must follow the appeals procedure prescribed in Article 185 of the WSL Rulebook.

## **ARTICLE 6 - TESTING**

### **6.1 Authority to Test**

All Persons are subject to Testing by WSL at any time or place in or out of competition, with or without advance notice.

### **6.2 Testing Standards and Procedures**

- (a) WSL may employ third party testing agencies to fulfill Testing responsibilities on its behalf. Testing will be in substantial conformity with the International Standard for Testing.
- (b) Testing shall be undertaken to obtain analytical evidence as to a Person's compliance (or non-compliance) with this Policy or for any other legitimate anti-doping purpose. This shall include, but not be limited to, the collection of urine, blood or other biological Samples for purposes of screening for or detecting Prohibited Substances or Prohibited Methods or establishing longitudinal profiles. Samples may also be collected and stored for future or additional analysis.

### **6.3 Test Distribution Plan**

WSL will determine the number of finishing placement tests, random tests, and Target Testing to be performed and on which Surfers and non-Surfer Persons to perform Testing. WSL will plan Testing to:

- (a) conduct an effective number of tests on Persons both in and out of competition during each Surfing Season;
- (b) implement Target Testing when appropriate;
- (c) Test Surfers returning to competition as described in Article 6.5.

### **6.4 Whereabouts Requirements**



Upon WSL request and as soon as is practicably possible, a Person must provide his or her residential, work and training location addresses, telephone numbers, and any other details of his or her whereabouts requested by WSL to facilitate Testing. By providing such information to WSL, a Person represents that the information is, and will be, accurate to the best of his or her knowledge.

## **6.5 Retirement and Return to Competition**

Surfers will continue to be subject to this Policy until a Surfer provides written notice to WSL in the form required by WSL that he or she has retired from WSL competition. A Surfer who has given notice of retirement to WSL may not resume competing unless he or she notifies WSL in writing at least three months before he or she expects to return to competition. The Surfer must be available for unannounced out-of-competition Testing at any time during that period, and will only be able to return to competition once WSL has given approval to do so.

## **ARTICLE 7 - SAMPLE ANALYSIS**

### **7.1 Testing Laboratory**

WSL will send Samples for analysis only to WADA-accredited or approved laboratories. The choice of the WADA-accredited or approved laboratory used for the Sample analysis will be determined exclusively by WSL. The analysis of results will be in conformity with the International Standard for Testing.

### **7.2 Purpose of Sample Analysis**

- (a) Samples shall be analysed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List or to assist WSL in profiling relevant parameters in a Person's urine, blood or other matrix, including DNA or genomic profiling, or for any other legitimate anti-doping purpose.
- (b) Any Sample may be subject to further analysis at the direction of WSL at any time before both the A and B Sample analytical results have been communicated by WSL to a Notified Person.
- (c) No Sample may be used for research without the Person's written consent. Samples used for research shall have any means of identification removed such that they cannot be traced back to a particular Person.
- (d) Samples may be stored and subjected to further analysis for the purpose of Article 6.2 at any time exclusively at the direction of WSL.

## **ARTICLE 8 - RESULTS MANAGEMENT**

Results Management for Tests initiated by WSL (including tests performed by other bodies under the direction of WSL) will proceed as set forth in the WSL Rulebook (see Chapter 13).



The Discipline Director may provisionally suspend a Person prior to the opportunity for a full hearing based on an Adverse Analytical Finding from the Person's A Sample or A and B Samples.

## **ARTICLE 9 – AUTOMATIC DISQUALIFICATION OF RESULTS**

An Anti-Doping Rule Violation in connection with an Event automatically leads to disqualification of the result obtained in that Event, with all resulting consequences, including forfeiture and return to WSL of any prize money, points and other prizes and awards.

## **ARTICLE 10 – SANCTIONS**

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

The period of Ineligibility imposed for a first violation of Articles 3.1, 3.2 or 3.6 shall be as follows, subject to potential reduction or suspension of sanction pursuant to Articles 10.4, 10.5, 10.6, 10.7 or 10.8 or increase of sanction pursuant to Article 10.9.

- (a) The period of Ineligibility shall be four years where the Anti-Doping Rule Violation does not involve an Illicit Substance or a Specified Substance, unless the Person can establish that the Anti-Doping Rule Violation was not intentional.
- (b) As used in Articles 10.1(a), the term "intentional" is meant to identify those Persons who cheat. The term, therefore, requires that the Person engaged in conduct which he or she 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.
- (c) If Article 10.1(a) does not apply, the period of Ineligibility shall be at a minimum one year and at a maximum two years, depending on the Person's degree of fault and the seriousness of the violation.

### **10.2 Ineligibility for other Anti-Doping Rule Violations**

The period of Ineligibility for Anti-Doping Rule Violations other than as provided in Article 10.1 shall be as follows, subject to potential reduction or suspension of sanctions pursuant to Articles 10.4, 10.5, 10.6, 10.7 or 10.8 or increase in sanction pursuant to Article 10.9:



- (a) For violations of Article 3.3 or Article 3.5, the Ineligibility period shall be four years unless, in the case of failing to submit to Sample collection, the Person can establish that the commission of the Anti-Doping Rule Violation was not intentional (as defined in Article 10.1(b)), in which case the period of Ineligibility shall be at a minimum one year and at a maximum two years.
- (b) For violations of Articles 3.9, 3.10 and 3.4, the period of Ineligibility shall be at a minimum one year and at a maximum two years, depending on the Person's degree of fault and the seriousness of the violation.
- (c) For violations of Articles 3.7 or 3.8, the period of Ineligibility imposed shall be four years. An Article 3.7 or 3.8 violation involving a Minor shall be considered a particularly serious violation and, if committed by a Support Person for violations other than for Illicit Substances or Specified Substances, shall result in lifetime Ineligibility for the Support Person.

### **10.3 Multiple Violations other than Violations involving Illicit Substances**

- (a) For a Person's second Anti-Doping Rule Violation, the period of Ineligibility shall be the greater of: (i) six months; (ii) one-half of the period of Ineligibility imposed for the first Anti-Doping Rule Violation; or (iii) two times the period of Ineligibility otherwise applicable to the second Anti-Doping Rule Violation treated as if it were a first violation.
- (b) A third anti-doping rule violation may result in a lifetime period of Ineligibility, unless the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Articles 10.5, 10.6 or 10.8 or involves a violation of Article 3.4.
- (c) An Anti-Doping Rule Violation for which a Person has established No Fault or Negligence shall not be considered a violation for purposes of this Article.

### **10.4 Elimination of the period of Ineligibility where there is No Fault or Negligence**

If a 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.

### **10.5 Reduction of Ineligibility for Violations of Articles 3.1, 3.2 or 3.6 involving Specified Substances**

Where the Anti-Doping Rule Violation involves a Specified Substance, and the 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 years of Ineligibility, depending on the Person's degree of fault and the seriousness of the violation.

#### **10.6 Reduction of Sanctions for Violations of Articles 3.1, 3.2 or 3.6 involving Contaminated Products**

In cases the Person can establish No Significant Fault or Negligence and that the detected Prohibited Substance 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 years Ineligibility, depending on the Person's degree of fault and the seriousness of the violation.

#### **10.7 Reduction of Ineligibility for Violations of Articles 3.1, 3.2 or 3.6 involving Illicit Substances**

Where a Person can establish to a Comfortable Satisfaction standard, including corroborating evidence, how an Illicit Substance entered his or her body or came into his or her Possession and that such Illicit Substance was not intended to enhance the Person's sport performance or mask the Use of another Prohibited Substance or Prohibited Method, then the period of Ineligibility shall be:

Each of the first two (2) violations: A reprimand and no period of Ineligibility, subject to satisfactory completion of any education or rehabilitation program (at the Person's expense) required by the WSL in its sole discretion.

Third violation: At a minimum, a six month period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Person's degree of fault and the seriousness of the violation and subject to satisfactory completion of an education or rehabilitation program (at the Person's expense) required by the WSL in its sole discretion.

#### **10.8 Substantial Assistance**

WSL may, at its discretion, also suspend the period of Ineligibility in an individual case where the Person has provided Substantial Assistance to WSL which results in WSL discovering or establishing an Anti-Doping Rule Violation by another Person. If the Person fails to continue to cooperate with the WSL and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility was based, WSL may reinstate the original period of Ineligibility.

#### **10.9 Aggravating Circumstances, which May Increase the Period of Ineligibility**



If WSL establishes in an individual case involving an Anti-Doping Rule Violation other than a violation under Article 10.1(a), that aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the otherwise-applicable sanction, then the period of Ineligibility will be increased up to a period deemed appropriate by the WSL unless the Person can establish to the Comfortable Satisfaction standard that he or she did not knowingly commit the Anti-Doping Rule Violation.

A Notified Person can avoid the application of this Article by admitting the Anti-Doping Rule Violation as asserted promptly after being confronted with the Anti-Doping Rule Violation by WSL.

#### **10.10 Commencement of Ineligibility Period**

The period of Ineligibility will start on the date of the hearing decision providing for Ineligibility or, if the hearing is waived, on the date the sanction is accepted or otherwise imposed.

Any period of Provisional Suspension (whether imposed or voluntarily accepted) will be credited against the period of Ineligibility.

#### **10.11 Prohibition Against Participation During Ineligibility**

- (a) No Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in any competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by WSL. A Person subject to a period of Ineligibility shall remain subject to Testing.
- (b) Where a Person who has been declared Ineligible violates the prohibition against participation during Ineligibility, the results of such participation shall be disqualified and a new period of Ineligibility equal in length up to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility may be adjusted based on the Person's degree of fault and other circumstances of the case.
- (c) Where a Person assists another Person in violating the prohibition against participation during Ineligibility, WSL may impose sanctions for a violation of Article 3.9 for such assistance.
- (d) For WSL staff, the consequence of Ineligibility shall be whatever discipline the WSL Chief Executive Officer determines to be appropriate or as may be specified in a policy adopted by the WSL Board of Directors.

#### **10.12 Disqualification of Results**



All competitive results from the date of an Anti-Doping Rule Violation through the decision finding an Anti-Doping Rule Violation shall be disqualified and any prize money, points, and other prizes and awards shall be forfeited and returned to WSL.

## **ARTICLE 11 – MUTUAL RECOGNITION OF DECISIONS**

WSL may recognise the anti-doping decisions of other organizations (for example, the ISA) to the extent that those decisions are consistent with the principles set forth in this Policy.

## **ARTICLE 12 – CONFIDENTIALITY AND PUBLIC DISCLOSURE**

- (a) WSL will not publicly disclose the identity of a Notified Person whose Sample has resulted in Adverse Analytical Findings, or who is alleged to have violated other Articles of this Policy until it has been determined in a hearing (as provided in Chapter 13 of the WSL Rulebook) that an Anti-Doping Rule Violation has occurred, or such hearing has been waived, or the assertion of an Anti-Doping Rule Violation has not been timely challenged. As an exception to the above, WSL shall have no confidentiality obligation when the Notified Person or his or her representative has publicly commented on the case.
- (b) Except for decisions regarding WSL staff and officials, once it has been finally determined under this Policy that an Anti-Doping Rule Violation has been committed (either because the assertion of an Anti-Doping Rule Violation has not otherwise been timely challenged or a final decision has been rendered which is no longer subject to appeal as provided in Article 186 of the WSL Rulebook), WSL will publicly report the disposition of the anti-doping matter, including the name of the Person committing the violation, the Prohibited Substance or Prohibited Method involved, and the sanctions imposed.
- (c) A violation in relation to an Illicit Substance will be made public only at the discretion of WSL.

## **ARTICLE 13 - APPEAL PROCEDURES**

Decisions made under this Policy may be appealed in accordance with the WSL Rulebook (Article 185). Such decisions will remain in effect while under appeal unless the relevant appellate body orders otherwise.

## **ARTICLE 14 - STATUTE OF LIMITATIONS**

No action may be commenced under this Policy against a Person for a violation of an anti-doping rule contained in this Policy unless such action is commenced within ten years from the date the violation occurred.



## APPENDIX 1 – DEFINITIONS

**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.

**Adverse Analytical Finding:** A report from a WADA-accredited or approved laboratory or other approved Testing entity that identifies the presence of a Prohibited Substance or its Metabolites or Markers in a Sample (including elevated quantities of endogenous substances).

**Anti-Doping Rule Violation:** A breach of this Policy as described in Article 3.

**Discipline Director:** Person or persons with delegated authority to act on behalf of WSL as described within this Policy and the WSL Rulebook.

**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 will 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.

**Comfortable Satisfaction:** A level of proof greater than a mere balance of probabilities, but less than proof beyond a reasonable doubt.

**Doping Control:** The process including Testing, laboratory analysis, Results Management, hearings and appeals.

**Event:** A surfing Event licensed to be conducted under the terms of an WSL licence agreement as a World Championship Tour Event.

**Illicit Substances:** Those substances listed in Appendix 2 or as otherwise identified on a list of Illicit Substances published by WSL.

**In-Competition:** Any Testing performed between the relevant Event's Start and Finish Date.

**Ineligibility:** The period of time where a Person is barred on account of an Anti-Doping Rule Violation from participating in any Event or other WSL activity as provided in Article 10.11.

**International Standards:** Standards adopted by WADA in support of the World Anti-Doping 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, but not be limited to, the International Standard for Laboratories, the International Standard for Testing, the International Standard for Therapeutic Use Exemptions, and any Technical Documents issued pursuant to an International Standard. Testing of employees

**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.

**Minor:** A Person who has not reached the age of 18 years.

**No Fault or Negligence:** The 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 Minor, for any violation of Article 3.1, the Person must also establish how the Prohibited Substance entered his or her system.

**No Significant Fault or Negligence:** The Person establishing that his or her 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 Minor, for any violation of Article 3.1, the Person must also establish how the Prohibited Substance entered his or her system.

**Notified Person:** A Person who has been notified by WSL that WSL has asserted an Anti-Doping Rule violation against him or her.

**Person:** Surfers, Support Staff and WSL staff and officials who have signed a document agreeing to be bound by this Policy.

**Policy:** The WSL Anti-Doping Policy.

**Possession:** The actual, physical Possession, or the constructive Possession (if the Person knew about the presence of the Prohibited Substance and intended to exercise control over it).

**Prohibited List:** The World Anti-Doping Agency List identifying Prohibited Substances and Prohibited Methods.

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

**Prohibited Substance:** Any substance so described on the Prohibited List.



**Provisional Suspension:** A provisional decision where a Person is barred temporarily from participating in any Event or WSL activity prior to a final decision at a hearing.

**Retroactive TUE:** A TUE that will apply for a Person's benefit prior to the time the application to WSL was made.

**Results Management:** The process used by WSL while implementing this Policy once a potential Anti-Doping Rule Violation is discovered.

**Rulebook:** The WSL Rulebook as published and amended from time to time on the WSL website: [www.worldsurfleague.com](http://www.worldsurfleague.com).

**Sample:** Any biological material collected under the authority of this Policy.

**Specified Substance:** All Prohibited Substances except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.

**Substantial Assistance:** For purposes of Article 10.8, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to Anti-Doping Rule Violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by WSL. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

**Support Staff:** Without limitation, any coach, trainer, manager, agent, team staff, official, medical or paramedical personnel or other Person working with or treating a Surfer preparing him or her for competing in an Event.

**Surfer:** An individual that satisfies the requirements of WSL to compete in Events.

**Tampering:** Altering for an improper purpose or in an improper way or preventing normal procedures from occurring.

**Target Testing:** A selection for Testing of specific Persons or groups of Persons on a non-random basis for Testing at a specified time.

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

**Trafficking:** Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a prohibited Substance or Prohibited Method



(either physically or by any electronic or other means) by a Person subject to the jurisdiction of WSL 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.

**TUE**: A Therapeutic Use Exemption granted or recognized by WSL as provided in Article 5.

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

**WADA**: The World Anti-Doping Agency.

**WSL or World Surf League**: The Association of Surfing Professionals LLC d/b/a World Surf League, a company registered in Delaware, USA.



## **APPENDIX 2 – ILLICIT SUBSTANCES**

1. Amphetamine
2. Cannabis (in any form, including flowering or fruiting tops, leaves, seeds or stalks, but not including Cannabis resin or Cannabis fiber)
3. Cannabis resin
4. Cocaine
5. Gammabutyrolactone (GBL)
6. Gamma-Hydroxybutanoic acid (GHB)
7. Heroin (diacetylmorphine)
8. Lysergide (LSD)
9. Methamphetamine
10. 3,4-Methylenedioxyamphetamine (MDA)
11. 3,4-Methylenedioxymethamphetamine (MDMA)
12. Opium
13. Psilocine
14. Psilocybine
15. Tetrahydrocannabinol (THC)
16. Methadone
17. Morphine
18. Oxycodone
19. Fentanyl
20. Pethidine
21. Dimethylamphetamine
22. Benzphetamine
23. Ephedrine
24. Methylephedrine
25. Cathine (D-norpseudoephedrine)
26. Benzylpiperazine (BZP)