



**ATHLETICS INTEGRITY UNIT
REPORTING, INVESTIGATION AND PROSECUTION RULES
- NON-DOPING**

(Approved by Council on 14 August 2023, effective immediately)

Specific Definitions

The words and phrases used in these Rules that are defined terms (denoted by initial capital letters) shall have the meanings specified in the Constitution and the Generally Applicable Definitions, or (in respect of the following words and phrases) the following meanings:

"Applicable Persons" means the persons defined in the Integrity Code of Conduct.

"Athletics Integrity Unit Rules" means the Athletics Integrity Unit Rules.

"Business Day" means, for the purposes of Rule 6, unless otherwise stated, a business day in the jurisdiction where the recipient of any communication resides or is based.

"Demand" has the meaning given to it in Rule 4.5.

"Disciplinary and Appeals Tribunal Website" means the website of the Disciplinary and Appeals Tribunal.

"Disciplinary Officer" means the member of Staff appointed by the Chief Executive Officer from time to time to act as the disciplinary officer (or their equivalent) for World Athletics including any person deputising for that individual. **"Doping Violation"** means a violation of Rule 3.3.3 of the Integrity Code of Conduct, including an anti-doping rule violation under the Anti-Doping Rules.

"Former Integrity Rules" means the former versions of the Integrity Code of Conduct and any former code of ethics of World Athletics in force at the time.

"Integrity Standards" mean the standards described in Rule 3 of the Integrity Code of Conduct.

"Integrity Unit Website" means the website of the Integrity Unit (www.athleticsintegrity.org) which shall be separate from the World Athletics website.

"Non-Doping Violation" means a violation of the Integrity Code of Conduct (or Former Integrity Rules) other than a Doping Violation and other than any conduct which may give rise to a Safeguarding Concern..

"Notice of Charge" has the meaning given to it in Rule 5.1.

"Prima Facie case" means a case considered by the Head of the Integrity Unit to warrant investigation.

"Provisional Suspension" means temporary suspension from participating in any competition or activity (or such lesser restriction as may be specified in any Provisional Suspension order).

"Publicly Disclosed" means disclosure of the decision to the public on the Disciplinary and Appeals Tribunal Website, the World Athletics website and the Integrity Unit website and such other public notification as decided by the Integrity Unit.

"Referral" means a referral as described in Rule 7.

"Report" means a report as described in Rule 1.

“Safeguarding Concern” means any safeguarding concern as that term is defined in the Safeguarding Rules.

“World Athletics Website” means the website of World Athletics (<https://www.worldathletics.org/> or such other website as decided by World Athletics).

1. Reporting

- 1.1 Every Applicable Person has an obligation to report, as soon as practicable, any act, thing or information which they become aware of, which may constitute (on its own or with other information) a violation of the Code, including any approaches or requests to engage in conduct that may constitute a Non-Doping Violation of the Code by lodging a report with the Integrity Unit (“**Report**”).
- 1.2 All Reports should be made or confirmed in such form as may be decided by the Integrity Unit from time to time. Reports should be signed and dated by the person lodging the Report and should include all available evidence.
- 1.3 Any Safeguarding Concern must be reported to the Head of the Integrity Unit in accordance with the procedures set out in the Safeguarding Rules. Safeguarding Concerns shall be dealt with in accordance with the Safeguarding Rules and not as a Non-Doping Violation under these Athletics Integrity Unit Reporting, Investigation and Prosecution Rules – Non-Doping (save as specifically set out in the Safeguarding Rules).

2. Prima Facie Case

- 2.1 The Head of the Integrity Unit shall first assess whether the Report relates to an alleged Non-Doping Violation.
- 2.2 If, upon review, the Head of the Integrity Unit considers the Report to be frivolous or malicious, they may decide to take no further action. If, upon review, the Head of the Integrity Unit considers the Report or a particular violation to be a minor violation, they may make a Referral pursuant to Rule 7. All Reports that are not pursued or are subject to a Referral pursuant to Rule 7 will be reported to the Integrity Unit Board at its next meeting. If the Head of the Integrity Unit considers it appropriate to do so, they may ask any person filing a Report to provide further information or may make other enquiries before a decision is taken under Rule 2.3 as to whether a Prima Facie case is made out.
- 2.3 If the evidence submitted with, or subsequent to, any Report is considered by the Head of the Integrity Unit to establish a Prima Facie case of a Non-Doping Violation, the Head of the Integrity Unit will cause an investigation to be commenced, unless in the view of the Head of the Integrity Unit, in consultation with the Integrity Unit Board, there is a good reason not to cause an investigation to be commenced either immediately or at all.
- 2.4 In addition to information provided in a Report, the Head of the Integrity Unit may consider information that has come to their attention by whatever means to establish whether there is a Prima Facie case of a Non-Doping Violation, and in such circumstances, they will initiate an investigation for an alleged Non-Doping Violation in accordance with these Rules.
- 2.5 Grounds do not need to be given for the initiation of an investigation for an alleged Non-Doping Violation and the decision may not be contested. The Applicable Person will be notified of the commencement of such an investigation and of the possible Non-Doping Violation(s) to which the investigation relates, and will be afforded the right to make a written submission as part of the investigation.
- 2.6 The Head of the Integrity Unit may write to any Applicable Person against whom a Prima Facie case has been found to exist, to ask whether or not they wish to admit any

Non-Doping Violation(s) suggested by the Prima Facie case. If the Applicable Person wishes to admit any Non-Doping Violation(s), the Head of the Integrity Unit will have the power to direct that the matter proceed directly to a decision by the Disciplinary and Appeals Tribunal on the consequences and sanction.

- 2.7 At any time, whether or not the Head of the Integrity Unit considers there is a Prima Facie case, they may refer any information they receive from a Report or otherwise to the appropriate criminal or other authorities or bodies, if they consider it appropriate to do so or it is required by law.

3. Provisional Suspension

- 3.1 At any time after a Prima Facie case of a Non-Doping Violation has been determined by the Head of the Integrity Unit to exist pursuant to Rule 2 of these Rules, the Head of the Integrity Unit may make an ex parte application to the Chairperson of the Disciplinary and Appeals Tribunal to impose a Provisional Suspension on the Applicable Person pending completion of the investigation and a decision whether the Applicable Person has a case to answer.

- 3.2 Upon an application made under Rule 3.1, the Chairperson of the Disciplinary and Appeals Tribunal may impose a Provisional Suspension if they consider that the integrity of the sport could otherwise be seriously undermined. Any Provisional Suspension imposed under Rule 3.1 will take effect from the date specified in the Chairperson's decision. At the same time as such notification, a copy of the decision to impose a Provisional Suspension on the Applicable Person shall be:

3.2.1 notified to the Integrity Unit, the Applicable Person's Member Federation and Area Association (if applicable), unless the Chairperson of the Disciplinary and Appeals Tribunal decides for good reason otherwise; and

3.2.2 Publicly Disclosed, unless the Chairperson of the Disciplinary and Appeals Tribunal decides for good reason otherwise.

- 3.3 Where a Provisional Suspension under Rule 3.1 is imposed, the Applicable Person will have the right within 7 days of notification of the decision to make an application to contest such Provisional Suspension in a hearing before a Panel of the Disciplinary and Appeals Tribunal convened to hear their case. This Panel may include the Chairperson of the Disciplinary and Appeals Tribunal provided that in this situation, the Panel comprises of three (3) members.

- 3.4 At any hearing under Rule 3.3, the Provisional Suspension may only be lifted if the Applicable Person establishes:

3.4.1 that the facts do not give rise to a Prima Facie case;

3.4.2 that the charge(s) has/have no reasonable prospect of being upheld, e.g. because of a patent flaw in the case; or

3.4.3 some other facts exist that make it clearly unfair, in all of the circumstances, to impose a Provisional Suspension prior to a full hearing on the merits of the charge(s). This ground is to be construed narrowly, and applied only in exceptional circumstances (e.g. the fact that the Provisional Suspension would prevent the person from participating in a particular event will not qualify as exceptional circumstances for these purposes).

4. Investigating Potential Violations

- 4.1 The Integrity Unit will have the power to conduct investigations where a Prima Facie case of a Non-Doping Violation has been determined to exist pursuant to Rule 2 of these Rules.
- 4.2 Investigations under these Rules may be undertaken in whole or in part by Integrity Unit Staff or persons acting under delegated authority from the Integrity Unit.
- 4.3 Investigations for Non-Doping Violations by or on behalf of the Integrity Unit may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other relevant authorities or bodies. The Integrity Unit will have discretion, where it deems it appropriate, to stay its own investigation pending the outcome of investigations being conducted by other relevant authorities or bodies. However, the mere existence of another investigation does not entitle the subject of an investigation to seek a stay of the investigation being carried out by the Integrity Unit.
- 4.4 All Applicable Persons must cooperate fully with investigations conducted by the Integrity Unit and a refusal or failure to do so without compelling justification shall constitute a violation of Rule 4.5.1 of the Integrity Code of Conduct.
- 4.5 The Integrity Unit may at any stage after the Head of the Integrity Unit considers there to be a Prima Facie case (including after the Notice of Charge) make a written demand (Demand) to an Applicable Person to provide the Integrity Unit with any information, record, article or thing in their possession or control that the Head of the Integrity Unit reasonably believes may evidence or lead to the discovery of evidence of a Non-Doping Violation.
- 4.6 Without limiting the foregoing, pursuant to Rule 4.5, the Integrity Unit may require an Applicable Person to:
 - 4.6.1 attend before the Integrity Unit for an interview, or to answer any question, or to provide a written statement setting out their knowledge of any relevant facts and circumstances;
 - 4.6.2 provide (or procure to the best of their ability the provision by any third party) for inspection, copying and/or downloading any records or files in hardcopy or electronic format, that the Head of the Integrity Unit reasonably believes may contain relevant information (such as itemised telephone bills, bank statements, ledgers, notes, files, correspondence, emails, messages, servers);
 - 4.6.3 provide (or procure to the best of their ability the provision by any third party) for inspection, copying and/or downloading any electronic storage device in which the Head of the Integrity Unit reasonably believes relevant information may be stored (such as cloud based servers, computers, hard drives, tapes, disks, mobile telephones, laptop computers, tablets and other mobile storage devices);
 - 4.6.4 provide full and unlimited access to their premises for the purpose of securing information, records, articles or things the subject of a Demand; and

- 4.6.5 provide passwords, login credentials and other identifying information required to access electronically stored records that are the subject of a Demand.
- 4.7 Subject to Rule 4.8, an Applicable Person must comply with a Demand in such reasonable period of time as determined by the Integrity Unit and set out in the Demand. Each Applicable Person waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold any information, record, article or thing requested in a Demand.
- 4.8 Where a Demand relates to any information, record, article or thing that the Head of the Integrity Unit reasonably believes is capable of being damaged, altered, destroyed or hidden (any electronic storage device, or electronically stored information shall be deemed to meet this criterion), then for the purposes of evidence preservation, the Integrity Unit may require an Applicable Person to comply immediately with the Demand. In such a case:
- 4.8.1 the Applicable Person must immediately comply with the Demand and permit the Integrity Unit to take immediate possession of, copy and/or download the information, record, article or thing. However, the Integrity Unit may take no steps to inspect or use the same other than as provided in Rule 4.8.4 below;
- 4.8.2 a refusal or failure by an Applicable Person to comply immediately with the Demand shall constitute an independent violation of Rule 4.5.1 of the Integrity Code of Conduct and any attempted or actual damage, alteration, destruction or hiding of such information, record, article or thing upon receipt of or after the Demand shall constitute an independent violation of Rule 4.5.2 of the Integrity Code of Conduct;
- 4.8.3 the Applicable Person has 7 days from receipt of the Demand to file an objection to the Demand by requesting a review by the Chairperson of the Disciplinary and Appeals Tribunal or their delegate in accordance with Rule 4.9; and
- 4.8.4 if the Applicable Person does not file an objection within 7 days of receipt of the Demand (or files an objection and the Chairperson of the Disciplinary and Appeals Tribunal or their delegate subsequently finds there is a reasonable belief basis to the Demand), or notifies the Integrity Unit that they do not object to the Demand, the Integrity Unit may forthwith inspect the information, record, article or thing and otherwise make use of it in accordance with these Rules.
- 4.9 An Applicable Person may object to a Demand made under Rule 4.5 by filing an application with the Chairperson of the Disciplinary and Appeals Tribunal within 7 days of receipt of the Demand specifying the grounds for such objection. Where such an application is made, subject always to Rule 4.8, the time for complying with a Demand shall be stayed pending the outcome of the objection.
- 4.10 The Chairperson of the Disciplinary and Appeals Tribunal or their delegate (who shall in all cases either be the deputy chairperson or another member of the Disciplinary and Appeals Tribunal) shall consider the objection to the Demand with as much expediency as the justice of the matter permits and, unless exceptional circumstances apply, such review shall be conducted by way of written evidence and submissions only. In considering the Demand, the Chairperson of the Disciplinary and Appeals

Tribunal shall have the discretion but not the obligation to invite submissions from the Integrity Unit and the Applicable Person, as they see fit.

- 4.11 Where the Chairperson of the Disciplinary and Appeals Tribunal or their delegate determines that there is no reasonable belief basis to the Demand, then the Integrity Unit shall not pursue the Demand with the Applicable Person and the information, record, article or thing and any copy or download of the same shall either be immediately returned to the Applicable Person or destroyed, as the case requires.
- 4.12 Where the Chairperson of the Disciplinary and Appeals Tribunal or their delegate determines that there is a reasonable belief basis to the Demand, then if the Applicable Person fails to produce the information, record, article or thing and any copy or download of the same, then it shall constitute an independent violation of Rule 4.5.1 of the Integrity Code of Conduct.
- 4.13 The ruling of the Chairperson of the Disciplinary and Appeals Tribunal or their delegate as to whether there is a reasonable belief basis to a Demand shall not be subject to appeal.
- 4.14 If a Demand is set aside, it shall not preclude the Integrity Unit from making any other Demand in relation to the same or another investigation.
- 4.15 Any information, record, article or thing provided to the Integrity Unit under this Rule will be kept confidential except when it becomes necessary to disclose such information, record, article or thing to further the investigation of and/or to bring or as part of proceedings relating to a Non-Doping Violation, or when such information, record, article or thing is reported to administrative, professional or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations, or is otherwise required by law.
- 4.16 If an Applicable Person obstructs or delays an investigation (e.g. by providing false, misleading or incomplete information or documentation and/or by tampering or destroying any documentation or other information that may be relevant to the investigation), this may itself constitute an independent violation of Rule 4.5.2 of the Integrity Code of Conduct.
- 4.17 The Integrity Unit may at any time require a Member Federation or Area Association:
 - 4.17.1 to assist in an investigation into a potential Non-Doping Violation by one or more persons under its jurisdiction (where appropriate, acting in conjunction with any other relevant national authority or body); and
 - 4.17.2 to provide a written report on such assistance within a reasonable time period as stipulated by the Integrity Unit.
- 4.18 If a Member Federation or Area Association refuses or fails to comply with Rule 4.17 without compelling justification or obstructs or delays an investigation (e.g. by providing false, misleading or incomplete information or documentation and/or by tampering or destroying any documentation or other information that may be relevant to the investigation), it shall constitute a serious breach of the Rules which shall be reported to Council or Congress and for which Council or Congress may exercise their respective suspensive and other powers to sanction against the Member Federation or Area Association in accordance with Parts II and III of the Constitution.

- 4.19 Where during the course of, or pursuant to, any investigation the Integrity Unit identifies any additional Applicable Persons against whom it considers there exists a Prima Facie case of a Non-Doping Violation, the investigation may be expanded to deal with their involvement in the events in question.
- 4.20 In each case following completion of the investigation, subject to the prior approval of the Integrity Unit Board, the Head of the Integrity Unit shall decide whether there is a case to answer for the commission of a Non-Doping Violation and, if so, whether the Athlete or other Person should be Provisionally Suspended, or should continue to be Provisionally Suspended, pending resolution of the case.
- 4.21 Where the decision is that an Applicable Person has a case to answer for commission of a violation of the Integrity Code of Conduct, the Head of the Integrity Unit will send a Notice of Charge in accordance with Rule 5.
- 4.22 Where the decision is that there is no case to answer, the matter shall not proceed further and any Provisional Suspension previously imposed shall be lifted.

5. Notice of Charge

- 5.1 When the Head of the Integrity Unit decides pursuant to Rule 4 that there is a case to answer, the Head of the Integrity Unit will send a written notice (“**Notice of Charge**”) to the Applicable Person subject to the charge with a copy to their Member Federation and Area Association (if applicable).
- 5.2 The Notice of Charge shall set out:
- 5.2.1 the Non-Doping Violation(s) alleged to have been committed (including the specific Rule(s) alleged to have been infringed), a summary of the facts upon which such allegations are based, and any other relevant information;
 - 5.2.2 a summary of the potential consequences and sanctions if it is determined that the alleged Non-Doping Violation(s) have been committed; and
 - 5.2.3 the Applicable Person’s entitlement to respond to the Notice of Charge in accordance with Rule 5.3.
- 5.3 The Applicable Person may respond to the Notice of Charge in one of the following ways:
- 5.3.1 admit the Non-Doping Violation(s) charged and accept all or any of the potential consequences and sanctions specified in the Notice of Charge;
 - 5.3.2 admit the Non-Doping violation(s) charged, but dispute and/or seek to mitigate all or any of the potential consequences and sanctions specified in the Notice of Charge and have the Disciplinary and Appeals Tribunal determine the consequences and sanctions at a hearing conducted in accordance with Rule 5.6; or
 - 5.3.3 deny the Non-Doping Violation(s) charged, and have the Disciplinary and Appeals Tribunal determine the charge and (if the charge is upheld) any consequences and sanctions, at a hearing conducted in accordance with Rule 5.6.

- 5.4 If the Applicable Person wishes to exercise their right to a hearing before the Disciplinary and Appeals Tribunal, they must submit a written request for such a hearing so that it is received by the Integrity Unit as soon as possible, and in any event within ten (10) days of their receipt of the Notice of Charge or such other deadline specified in the Notice of Charge. The request must also state how the Applicable Person responds to the charge and must explain (in summary form) the basis for such response. A copy of the written request for a hearing shall be sent to the Chairperson of Disciplinary and Appeals Tribunal together with a copy of the Notice of Charge.
- 5.5 In the event the Applicable Person does not respond to the Notice of Charge in the manner set out in Rule 5.3 by the specified deadline, the Applicable Person will be deemed to have admitted the violation(s) charged, and the consequences and sanctions specified in the Notice of Charge will apply, provided that the Notice of Charge has been given to the Applicable Person in accordance with Rule 6.
- 5.6 On receipt of a written request for a hearing from an Applicable Person and the corresponding Notice of Charge, the Chairperson of the Disciplinary and Appeals Tribunal (or by agreement with them, the vice chairperson) will appoint a panel of the Disciplinary and Appeals Tribunal to hear and decide the matter as set out in the Disciplinary and Appeals Tribunal Rules.
- 5.7 In the Notice of Charge, or at any other time prior to the determination of the charge by the Disciplinary and Appeals Tribunal, the Integrity Unit may invite the Applicable Person to admit the Non-Doping Violation(s) charged.
- 5.8 In the event that the Integrity Unit withdraws the Notice of Charge, or the Applicable Person admits the Non-Doping Violation(s) charged and accepts the consequences and sanctions specified (or is deemed to have done so in accordance with Rule 5.5), a hearing before the Disciplinary and Appeals Tribunal will not be required. If this occurs, the Integrity Unit:
- 5.8.1 will promptly issue a decision confirming (as applicable) its withdrawal of the Notice of Charge or the admission of the Non-Doping Violation(s) and the imposition of the specified consequences and sanctions;
 - 5.8.2 will Publicly Disclose any decision confirming the admission of the Non-Doping Violation(s) and the imposition of the specified consequences and sanctions in accordance with the Disciplinary and Appeals Tribunal Rules (but shall not disclose a decision to withdraw a Notice of Charge); and
 - 5.8.3 will send a copy of the decision to the Applicable Person subject to the charge, and for any decision confirming the admission of the Non-Doping Violation(s) and the imposition of the specified consequences and sanctions, send a copy of that decision to their relevant Member Federation, and Area Association (if applicable).

6. Notice

- 6.1 Any notice or other communication required to be given by the Integrity Unit or the Disciplinary and Appeals Tribunal pursuant to these Rules must be given in writing and must be sent by registered post or transmitted by email. If sent by registered post, the notice or other communication will be deemed to have been given on the Business Day following the day it is sent. If transmitted by email before 5pm (Monaco time) on a Business Day, the notice or other communication will be deemed to have been given on that day. If transmitted by email on a non-Business Day, or at or after 5pm (Monaco

time) on a Business Day, the notice or other communication will be deemed to have been given on the next Business Day.

- 6.2 A party's last-known residence, place of business or email will be a valid address for the purpose of any notice or other communication, unless notification of a change to such address has been communicated to the Integrity Unit or the Disciplinary and Appeals Tribunal (as applicable). Notice to a person who is a member of or affiliated to a Member Federation may be accomplished by delivery of the notice to the Member Federation.
- 6.3 Any period of time specified in these Rules will begin to run on the day following the day when a notice or other communication is given. Non-Business Days occurring during the period are included in calculating the running of that period, save that if the period, so calculated, ends on a Non-Business Day, then it will be deemed to end on the next Business Day.
- 6.4 The Head of the Integrity Unit or the Chairperson of the Disciplinary and Appeals Tribunal, as appropriate, may for good reason extend any period of time specified in these Rules, if necessary with retrospective effect.

7. Alternative procedure for minor violations

- 7.1 Notwithstanding any other provision of these Rules, where the Head of the Integrity Unit considers an alleged violation of the Integrity Code (other than a Doping Violation or a Safeguarding Concern) to be a minor violation, rather than follow the procedures set out above the Head of the Integrity Unit may refer the matter to the Disciplinary Officer to be dealt with in accordance with the Disputes and Disciplinary Proceedings Rules (a **Referral**).
- 7.2 The Referral will set out:
 - 7.2.1 the name of the Applicable Person who is the subject of the Referral (the Respondent);
 - 7.2.2 a brief statement of the details of the alleged violation;
 - 7.2.3 the specific provisions of the Integrity Code alleged to have been violated; and
 - 7.2.4 details of any relevant evidence, including copies of any relevant documents.
- 7.3 If upon investigation the Disciplinary Officer identifies facts or matters that suggest the sanctions set out in the Disputes and Disciplinary Rules may not be adequate, given the conduct of the Applicable Person, they shall raise this with the Head of the Integrity Unit, who will then decide whether to maintain the Referral or else withdraw the Referral and pursue the matter in accordance with the ordinary procedures set out above. Alternatively the Head of the Integrity Unit may withdraw the Referral of their own accord at any time and pursue the matter in accordance with the procedures set out above.