



ANTI-DOPING POLICY

Table of Contents

ANTI-DOPING POLICY..... 1

FUNDAMENTAL RATIONALE FOR THE PGTI ANTI-DOPING POLICY..... 6

2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample..... 10

2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method⁹ 10

2.3 Evading, Refusing or Failing to Submit to Sample Collection by an Athlete..... 11

2.4 Whereabouts Failures by an Athlete 11

2.5 Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person 11

2.6 Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Player Support Person 11

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Athlete Support Person 12

2.8 Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-competition of any Prohibited Substance or Prohibited Method or Administration or Attempted Administration to any Athlete out-of-competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition. 12

2.9 Complicity or Attempted Complicity by an Athlete or Other Person..... 12

2.10 Prohibited Association by an Athlete or Other Persons..... 12

2.11 Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities
13

3.1 Burdens and Standards of Proof 14

3.2 Methods of Establishing Facts and Presumptions..... 14

4.1 Publication and Revision of the Prohibited List 17

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List 17

4.3 Criteria for including Substances and Methods on the Prohibited List 18

4.4 Therapeutic Use Exemptions (“TUEs”) 19

4.5 Monitoring Program 21

5.1 Purpose of Testing and Investigations 23

5.2 Authority to Test 23

5.3	Event Testing.....	24
5.4	Testing Requirements	24
5.5	Athlete Whereabouts Information	24
5.6	Retired Athletes Returning to Competition	25
5.7	Investigations and Intelligence Gathering	25
6.1	Use of Accredited and Approved Laboratories and Other Laboratories	26
6.4	Standards for Sample Analysis and Reporting ⁴²	27
6.5	Further Analysis of Sample Prior to or during Results Management	27
6.6	Further Analysis of a Sample after it has been reported as Negative or has otherwise not Resulted in an Anti-Doping Rule Violation Charge	27
6.7	Split of ‘A ’or ‘B ’Sample	27
6.8	WADA’s right to take possession of Samples and Data	27
7.1	Responsibility for Conducting Results Management	29
7.2	Review and Notification Regarding Potential Anti-Doping Rule Violations	30
7.3	Identification of Prior Anti-Doping Rule Violations.....	31
7.4	Principles Applicable to Provisional Suspensions ⁴⁸	31
7.5	Results Management Decisions	32
7.6	Notification of Results Management Decisions.....	33
7.7	Retirement from Sport ⁵¹	33
8.1	Fair Hearings.....	34
8.2	Event Hearings	34
8.3	Waiver of Hearing.....	34
8.4	Notice of Decisions.....	34
8.5	Single Hearing Before CAS.....	34
10.1	Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs...37	
10.2	Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method	37
10.3	Ineligibility for Other Anti-Doping Rule Violations.....	38
10.4	Aggravating Circumstances which may increase the period of Ineligibility.	39

10.5	Elimination of the Period of Ineligibility where there is No Fault or Negligence	40
10.6	Reduction of the Period of Ineligibility based on No Significant Fault or Negligence.....	40
10.7	Elimination, Reduction, or Suspension of Period of Ineligibility or Other Consequences for Reasons Other than Fault.....	41
10.8	Results Management Agreements	43
10.9	Multiple Violations.....	44
10.10	Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation	45
	Impact on PGTI Tournament Rankings:.....	46
10.11	Forfeited Prize Money	46
10.12	Financial Consequences	46
10.13	Commencement of Ineligibility Period	47
10.14	Status During Ineligibility or Provisional Suspension	48
10.15	Automatic Publication of Sanction.....	50
11.1	Testing of Team Sports.....	51
11.2	Consequences for Team Sports.....	51
11.3	Event Ruling Body or International Federation may establish stricter consequences for Team Sports	51
13.1	Decisions Subject to Appeal	53
13.3	Failure to Render a Timely Decision by PGTI ⁸⁹	55
13.4	Appeals Relating to TUEs.....	55
13.5	Notification of Appeal Decisions	55
13.6	Appeals from Decisions under Article 24.1.....	55
13.7	Appeals from Decisions Suspending or Revoking Laboratory Accreditation.....	56
14.1	Information Concerning Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Rule Violations.....	57
14.2	Notice of Anti-Doping Rule Violation or Violations of Ineligibility or Provisional Suspension Decisions and Request for Files	58
14.3	Public Disclosure.....	58
14.4	Statistical Reporting.....	59

14.5	Doping Control Information Database and Monitoring of Compliance	59
14.6	Data Privacy ⁹³	59



PURPOSE, SCOPE, AND ORGANIZATION OF THE PGTI ANTI-DOPING PROGRAM AND THE ANTI-DOPING POLICY

The purposes of the Policy and the PGTI Anti-Doping Program which supports it are:

- To protect the Athletes’ fundamental right to participate in doping-free sport and thus promote health, fairness, and equality for Athletes, and
- To ensure harmonized, coordinated, and effective anti-doping programs for PGTI Athletes at all levels of sports (out-of-competition and in-competition) with regard to the prevention of doping, including:

Education — to raise awareness, inform, communicate, to instill values, develop life skills and decision-making capability to prevent intentional and unintentional anti-doping rule violations.

Deterrence — to divert potential dopers, through ensuring that robust rules and sanctions are in place and salient for all stakeholders.

Detection — an effective Testing and investigations system not only enhances a deterrent effect, but also is effective in protecting clean Athletes and the spirit of sport by catching those committing anti-doping rule violations, while also helping to disrupt anyone engaged in doping behavior.

Enforcement — to adjudicate and sanction those found to have committed an anti-doping rule violation.

Rule of law — to ensure that all relevant stakeholders have agreed to submit to the Policy and the International Standards developed by the World Anti-Doping Agency (WADA), and that all measures taken in application of their anti-doping programs respect the Policy, the International Standards developed by WADA, and the principles of proportionality and human rights.

THE POLICY

The Policy is a fundamental document upon which the PGTI Anti-Doping Program in golf sport is based. The purpose of the Policy is to advance the anti-doping effort through harmonization of core anti-doping elements. The Policy has been drafted considering the principles of proportionality and human rights.¹

The PGTI Anti-Doping Program

The PGTI Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in PGTI anti-doping programs. The PGTI adheres to main elements as mentioned hereunder:

Level 1: The Policy

Level 2: International Standards² and Technical Documents³ enacted by WADA

Level 3: Models of Best Practice and Guidelines⁴ enacted by WADA

FUNDAMENTAL RATIONALE FOR THE PGTI ANTI-DOPING POLICY

PGTI Anti-doping programs are founded on the intrinsic value of sport. This intrinsic value is often referred to as “the spirit of sport”: the ethical pursuit of human excellence through the dedicated perfection of each Athlete’s natural talents.

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

PGTI Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.

¹ [Comment: The Olympic Charter and the International Convention against Doping in Sport 2005 adopted in Paris on 19 October 2005 (“UNESCO Convention”), both recognize the prevention of and the fight against doping in sport as a critical part of the mission of the International Olympic Committee and UNESCO, and also recognize the fundamental role of the Code.]

²[Comment: The International Standards enacted by WADA contain much of the technical detail necessary for implementing the Policy.

³[Comment: For example, where an additional analytical procedure is required before reporting a Sample as an Adverse Analytical Finding, that procedure would be mandated in a Technical Document issued immediately by WADA.]

⁴[Comment: These model documents may provide alternatives from which PGTI may select consistent with the general principles and specific requirements set forth in the Policy.]

INTRODUCTION

Part One of the Policy sets forth specific anti-doping rules and principles that are to be followed by PGTI responsible for adopting, implementing, or enforcing anti-doping rules within its authority.

All provisions of the Policy are mandatory in substance⁵ and must be followed as applicable by all stakeholders and Athlete or other Person.

⁵[Comment: The provisions of PGTI Anti-Doping Policy are in compliance with World Anti Doping Code 2021, but certain flexibilities have been taken in Articles 9, 10, 11 and 12 of this Policy to impose Sanctions as per decision of PGTI Board of Directors.

This Anti-Doping Policy is adopted and implemented by the Professional Golf Tour of India “PGTI” in conformance with the World Anti-Doping Code 2021 (“the Code”), PGTI’s responsibilities under the Code, and in furtherance of PGTI’s continuing efforts to eradicate doping in the sport of Golf.

Anti-Doping Rules, like the Rules of Golf, are sport rules governing the conditions under which sport is played. Athletes and other Persons (including board members, directors, officers, and specified employees Delegated Third Parties and their employees) accept these rules as a condition of participation or involvement in sport and shall be bound by these rules.

⁶PGTI shall establish rules and procedures to ensure that all Athletes, Athlete Support Personnel or other Persons under the authority of the PGTI are informed of and agree to be bound by anti-doping rules in force of the PGTI.

⁶[Comment: Where the Code requires a Person other than an Athlete or Athlete Support Person to be bound by the Policy, such Person would of course not be subject to Sample collection or Testing and would not be charged with an anti-doping rule violation under the Policy for Use or Possession of a Prohibited Substance or Prohibited Method. Rather, such Person would only be subject to discipline for a violation of Policy Articles 2.5 (Tampering), 2.7 (Trafficking), 2.8 (Administration), 2.9 (Complicity), 2.10 (Prohibited Association) and 2.11 (Retaliation). Furthermore, such Person would be subject to the additional roles and responsibilities according to Article 21.3. Also, the obligation to require an employee to be bound by the Policy is subject to applicable law.]

PGTI shall establish rules and procedures to ensure that all Athletes, Athlete Support Personnel or other Persons under the authority of the PGTI are informed of the dissemination of their private data as required or authorized by the Policy, and are bound by and compliant with the anti-doping rules found in the Policy, and that the appropriate Consequences are imposed on those Athletes or other Persons who breach those rules. These sport-specific rules and procedures, aimed at enforcing anti-doping rules in a harmonized way, are distinct in nature from criminal and civil proceedings. They are not intended to be subject to or limited by any national requirements and legal standards applicable to such proceedings, although they are intended to be applied in a manner which respects the principles of proportionality and human rights. When reviewing the facts and the law of a given case, all courts, arbitral hearing panels and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Policy and the fact that those rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

As provided in the Policy, PGTI shall be responsible for conducting all aspects of Doping Control. Any aspect of Doping Control or anti-doping Education may be delegated by PGTI to a Delegated Third Party, however, the PGTI shall require the Delegated Third Party to perform such aspects in compliance with the Policy and International Standards enacted by WADA, and the PGTI shall remain fully responsible for ensuring that any delegated aspects are performed in compliance with the Policy.

ARTICLE 1 DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of the Policy.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Athletes or other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the Prohibited List.

The following constitute anti-doping rule violations:

2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample

- 2.1.1 It is the Athlete's personal duty to ensure that no Prohibited Substance enters their bodies. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on the Athletes's part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.⁷

⁷[Comment to Article 2.1.1: An anti-doping rule violation is committed under this Article without regard to an Athlete's Fault. This rule has been referred to in various CAS decisions as "Strict Liability". An Athlete's Fault is taken into consideration in determining the Consequences of this anti-doping rule violation under Article 10. This principle has consistently been upheld by CAS.]

- 2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Athlete's A Sample where the Athlete waives analysis of the B Sample and the B Sample is not analyzed; or, where the Athlete's B Sample is analyzed and the analysis of the Athlete's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Athlete's A Sample; or, where the Athlete's B Sample is split into two parts and the analysis of the confirmation part of the split Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first part of the split Sample or the Athlete waives analysis of the confirmation part of the split Sample.⁸

⁸ [Comment to Article 2.1.2: The PGTI with Results Management responsibility may, at its discretion, choose to have the B Sample analyzed even if the Athlete does not request the analysis of the B Sample.]

- 2.1.3 Excepting those substances for which a Decision Limit is specifically identified in the Prohibited List or a Technical Document, the presence of any reported quantity of a Prohibited Substance or its Metabolites or Markers in a Athlete's Sample shall constitute an anti-doping rule violation.
- 2.1.4 As an exception to the general rule of Article 2.1, the Prohibited List, International Standards, or Technical Documents may establish special criteria for reporting or the evaluation of certain Prohibited Substances.

2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method⁹

⁹ [Comment to Article 2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the Comment to Article 3.2, unlike the proof required to establish an anti-doping rule violation under Article 2.1, Use or Attempted Use may also

be established by other reliable means such as admissions by the Athlete, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the Athlete Biological Passport, or other analytical information which does not otherwise satisfy all the requirements to establish “Presence” of a Prohibited Substance under Article 2.1. For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where the PGTI provides a satisfactory explanation for the lack of confirmation in the other Sample.]

2.2.1 It is Athlete’s personal duty to ensure that no Prohibited Substance enters their bodies and that no Prohibited Method is Used. Accordingly, it is not necessary that intent, Fault, Negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.

2.2.2 The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti- doping rule violation to be committed.¹⁰

¹⁰ [Comment to Article 2.2.2: Demonstrating the “Attempted Use” of a Prohibited Substance or a Prohibited Method requires proof of intent on the Athlete’s part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the Strict Liability principle established for violations of Article 2.1 and violations of Article 2.2 in respect of Use of a Prohibited Substance or Prohibited Method. An Athlete’s Use of a Prohibited Substance constitutes an anti-doping rule violation unless such Substance is not prohibited Out-of-Competition and the Athlete’s Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition is a violation of Article 2.1 regardless of when that Substance might have been administered.)]

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

Evading Sample collection; or refusing or failing to submit to Sample collection without compelling justification after notification by a duly authorized Person.¹¹

¹¹ [Comment to Article 2.3: For example, it would be an anti-doping rule violation of “evading Sample collection” if it were established that an Athlete was deliberately avoiding a Doping Control official to evade notification or Testing. A violation of “failing to submit to Sample collection” may be based on either intentional or negligent conduct of the Athlete, while “evading” or “refusing” Sample collection contemplates intentional conduct by the Athlete

2.4 Whereabouts Failures by an Athlete

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

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

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

2.6.1 Possession by an Athlete In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of- Competition unless the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption (“TUE”) granted in accordance with Article 4.4 or other acceptable justification.¹²

¹²[Comment to Articles 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or Possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician’s prescription, e.g., buying Insulin for a diabetic child.]

2.6.2 Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification¹³.

¹³[Comment to Articles 2.6.1 and 2.6.2: Acceptable justification may include, for example, (a) an Athlete or a team doctor carrying Prohibited Substances or Prohibited Methods for dealing with acute and emergency situations (e.g., an epinephrine auto-injector), or (b) an Athlete Possessing a Prohibited Substance or Prohibited Method for therapeutic reasons shortly prior to applying for and receiving a determination on a TUE.]

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

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

2.9 Complicity or Attempted Complicity by an Athlete or Other Person

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.14.1 by another Person.¹⁴

¹⁴[Comment to Article 2.9: Complicity or Attempted Complicity may include either physical or psychological assistance.]

2.10 Prohibited Association by an Athlete or Other Persons

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

2.10.1.1 If subject to the authority of PGTI or other Anti-Doping Organization, is serving a period of Ineligibility; or

2.10.1.2 If not subject to the authority of PGTI and where Ineligibility has not been addressed in a Results Management process pursuant to the Policy, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Policy-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.1.3 Is serving as a front or intermediary for an individual described in Article 2.10.1.1 or 2.10.1.2.

2.10.2 To establish a violation of Article 2.10, PGTI must establish that the Athlete or other Person knew of the Athlete Support Person's disqualifying status.

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

PGTI if aware of Athlete Support Personnel who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to WADA.¹⁵

¹⁵[Comment to Article 2.10: Athletes and other Persons must not work with coaches, trainers, physicians or other Athlete Support Personnel who are Ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other Athlete who is acting as a coach or Athlete Support Person while serving a period of Ineligibility. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the Athlete Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation. While Article 2.10 does not require the PGTI to notify the Athlete or other Person about the Athlete Support Person's disqualifying status, such notice, if provided, would be important evidence to establish that the Athlete or other Person knew about the disqualifying status of the Athlete Support Person.]

2.11 Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities

Where such conduct does not otherwise constitute a violation of Article 2.5:

2.11.1 Any act which threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with the Policy to WADA, PGTI or relevant Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for WADA or PGTI or an Anti-Doping Organization.

2.11.2 Retaliation against a Person who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with the Policy to WADA, PGTI, relevant Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for WADA or PGTI or an Anti-Doping Organization.¹⁶

¹⁶[Comment to Article 2.11.2: This [Article](#) is intended to protect Persons who make good faith reports, and does not protect Persons who knowingly make false reports.]

For purposes of Article 2.11, retaliation, threatening and intimidation include an act taken against such Person either because the act lacks a good faith basis or is a disproportionate response.¹⁷

¹⁷[Comment to Article 2.11.2: Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the reporting Persons, their families, or associates. Retaliation would not include an Anti-Doping Organization asserting in good faith an anti-doping rule violation against the reporting Person. For purposes of Article 2.11, a report is not made in good faith where the Person making the report knows the report to be false.]

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

PGTI shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the PGTI has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.¹⁸ Where the Policy places the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 3.2.2. and 3.2.3, the standard of proof shall be by a balance of probability.

¹⁸[Comment to Article 3.1: This standard of proof required to be met by the PGTI is comparable to the standard which is applied in most countries to cases involving professional misconduct.]

3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions.¹⁹ The following rules of proof shall be applicable in doping cases:

¹⁹[Comment to Article 3.2: For example, the PGTI may establish an anti-doping rule violation under Article 2.2 based on the Athlete's admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Article 2.2, or conclusions drawn from the profile of a series of the Athlete's blood or urine Samples, such as data from the Athlete Biological Passport.]

3.2.1.1 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. Any Athlete or other Person seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. CAS on its own initiative may also inform WADA of any such challenge. The initial hearing body, appellate body or CAS on its own initiative, may also inform WADA of any such challenge. Within ten (10) days of WADA's receipt of such notice and the case file related to such challenge, WADA shall also have the right to intervene as a party, appear as amicus curiae or otherwise provide evidence in such proceeding. In cases before CAS, at WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

²⁰[Comment to Article 3.2.1: For certain Prohibited Substances, WADA may instruct WADA-accredited laboratories not to report Samples as an Adverse Analytical Finding if the estimated concentration of the Prohibited Substance or its Metabolites or Markers is below a Minimum Reporting Level. WADA's decision in determining that Minimum Reporting Level or in determining which Prohibited Substances should be subject to Minimum Reporting Levels shall not be subject to challenge. Further, the laboratory's estimated concentration of such Prohibited Substance in a Sample may only be an estimate. In no event shall the possibility that the exact concentration of the Prohibited Substance in the Sample may be below the Minimum Reporting Level constitute a defense to an anti-doping rule violation based on the presence of that Prohibited Substance in the Sample.]

3.2.2 WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this

presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then PGTI shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.²¹

²¹[Comment to Article 3.2.2: The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. Thus, once the Athlete or other Person establishes the departure by a balance of probability, the Athlete or other Person's burden on causation is the somewhat lower standard of proof— "could reasonably have caused." If the Athlete or other Person satisfies these standards, the burden shifts to the PGTI to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]

3.2.3 Departures from any other International Standard or other anti-doping rule or policy set forth in the Code or in PGTI's Policy shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation;²² provided, however, if the Athlete or other Person establishes that a departure from one of the specific International Standard provisions listed below could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or whereabouts failure, then the PGTI shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or whereabouts failure:

²²[Comment to Article 3.2.3: Departures from an International Standard or other rule unrelated to Sample collection or handling, Adverse Passport Finding, or Athlete notification relating to whereabouts failure or B Sample opening – e.g., the International [Standard for Education](#), [Standard for the Protection of Privacy and Personal Information](#) or [International Standard for Therapeutic Use Exemptions](#) – may result in compliance proceedings by WADA but are not a defense in an anti-doping rule violation proceeding and are not relevant on the issue of whether the Athlete committed an anti-doping rule violation. Similarly, PGTI's violation of the document referenced in Article 20.7.7 shall not constitute a defense to an anti-doping rule violation.]

(i) a departure from the International Standard for Testing and Investigations related to Sample collection or Sample handling which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case the PGTI shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;

(ii) a departure from the International Standard for Results Management or International Standard for Testing and Investigations related to an Adverse Passport Finding which could reasonably have caused an anti-doping rule violation, in which case the PGTI shall have the burden to establish that such departure did not cause the anti-doping rule violation;

(iii) a departure from the International Standard for Results Management related to the requirement to provide notice to the Athlete of the B Sample opening which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case the PGTI shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;²³

²³[Comment to Article 3.2.3 (iii): PGTI would meet its burden to establish that such departure did not cause the Adverse Analytical Finding by showing that, for example, the B Sample opening and analysis were observed by an independent witness and no irregularities were observed.]

(iv) a departure from the International Standard for Results Management related to Athlete notification which could reasonably have caused an anti-doping rule violation based on a

whereabouts failure, in which case the PGTI shall have the burden to establish that such departure did not cause the whereabouts failure.

- 3.2.4 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Athlete or other Person to whom the decision pertained of those facts unless the Athlete or other Person establishes that the decision violated principles of natural justice.
- 3.2.5 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Athlete or other Person who is asserted to have committed an anti-doping rule violation based on the Athlete's or other Person's refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the PGTI asserting the anti-doping rule violation.

ARTICLE 4 THE PROHIBITED LIST

4.1 Publication and Revision of the Prohibited List

This Anti-Doping Policy incorporates the Prohibited List²⁴, which is published and revised by WADA as described in Article 4.1 of the Code. The Prohibited List can be found on both the PGTI and WADA websites.

²⁴[Comment to Article 4.1: The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made. WADA will always have the most current Prohibited List published on its website. The Prohibited List is an integral part of the International Convention against Doping in Sport. WADA will inform the Director-General of UNESCO of any change to the Prohibited List.]

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

The Prohibited List shall identify those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times (both In-Competition and Out-of-Competition) because of their potential to enhance performance in future Competitions or their masking potential, and those substances and methods which are prohibited In-Competition only. The Prohibited List may be expanded by WADA for a particular sport. Prohibited Substances and Prohibited Methods may be included in the Prohibited List by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.²⁵

²⁵[Comment to Article 4.2.1: Out-of-Competition Use of a Substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the Substance or its Metabolites or Markers is reported for a Sample collected In-Competition.]

4.2.2 Specified Substances

For purposes of the application of Article 10, all Prohibited Substances shall be Specified Substances except as identified on the Prohibited List. No Prohibited Method shall be a Specified Method unless it is specifically identified as a Specified Method on the Prohibited List.²⁶

²⁶[Comment to Article 4.2.2: The Specified Substances and Methods identified in Article 4.2.2 should not in any way be considered less important or less dangerous than other doping Substances or methods. Rather, they are simply Substances and Methods which are more likely to have been consumed or used by an Athlete for a purpose other than the enhancement of sport performance.]

4.2.3 Substances of Abuse

For purposes of applying Article 10, Substances of Abuse shall include those Prohibited Substances which are specifically identified as Substances of Abuse on the Prohibited List because they are frequently abused in society outside of the context of sport.

4.2.4 New Classes of Prohibited Substances or Prohibited Methods

In the event WADA expands the Prohibited List by adding a new class of Prohibited Substances or Prohibited Methods in accordance with Article 4.1, WADA's Executive Committee shall determine whether any or all Prohibited Substances or Prohibited Methods within the new class shall be considered Specified Substances or Specified Methods under Article 4.2.2 or Substances of Abuse under Article 4.2.3

4.3 Criteria for including Substances and Methods on the Prohibited List

WADA shall consider the following criteria in deciding whether to include a substance or method on the Prohibited List:

4.3.1 A substance or method shall be considered for inclusion on the Prohibited List if WADA, in its sole discretion, determines that the substance or method meets any two of the following three criteria:

4.3.1.1 Medical or other scientific evidence, pharmacological effect or experience that the substance or method, alone or in combination with other substances or methods, has the potential to enhance or enhances sport performance;²⁷

²⁷[Comment to Article 4.3.1.1: This Article anticipates that there may be Substances that, when used alone, are not prohibited but which will be prohibited if used in combination with certain other Substances. A Substance which is added to the Prohibited List because it has the potential to enhance performance only in combination with another Substance shall be so noted and shall be prohibited only if there is evidence relating to both Substances in combination.]

4.3.1.2 Medical or other scientific evidence, pharmacological effect or experience that the Use of the substance or method represents an actual or potential health risk to the Athlete;

4.3.1.3 WADA's determination that the Use of the substance or method violates the spirit of sport described in the introduction to the Code.

4.3.2 A substance or method shall also be included on the Prohibited List if WADA determines there is medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to mask the Use of other Prohibited Substances or Prohibited Methods.²⁸

²⁸[Comment to Article 4.3.2: As part of the process each year, all Signatories, governments and other interested Persons are invited to provide comments to WADA on the content of the Prohibited List.]

4.3.3 WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List, the classification of substances into categories on the Prohibited List, the classification of a substance as prohibited at all times or In-Competition only, the classification of a substance or method as a Specified Substance, Specified Method or Substance of Abuse is final and shall not be subject to any challenge by an Athlete or other Person including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

4.4 Therapeutic Use Exemptions (“TUEs”)

- 4.4.1 The presence of a Prohibited Substance or its Metabolites or Markers, and/or the Use or Attempted Use, Possession or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method, shall not be considered an anti-doping rule violation if it is consistent with the provisions of a TUE granted in accordance with the International Standard for Therapeutic Use Exemptions.
- 4.4.2 Athletes who are not International-Level Athletes shall apply to PGTI for a TUE. If the PGTI denies the application, the Athlete may appeal exclusively to the appeal body described in Article 13.2.2.
- 4.4.3 Athletes who are International-Level Athletes shall apply to their International Federation.²⁹

²⁹[Comment to Article 4.4.3: If the International Federation refuses to recognize a TUE granted by PGTI only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the International Standard for Therapeutic Use Exemptions, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to the PGT]

If an International Federation chooses to test an Athlete who is not an International-Level Athlete, it must recognize a TUE granted by PGTI.]

- 4.4.3.1 Where the Athlete already has a TUE granted by PGTI for the substance or method in question, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the International Golf Federation (IGF) must recognize it. If the International Golf Federation (IGF) considers that the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete and the PGTI promptly, with reasons. The Athlete or PGTI, as applicable, shall have 21 days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the PGTI remains valid for national-level Competitions and Out-of-Competition Testing (but is not valid for International-level Competitions) pending WADA’s decision. If the matter is not referred to WADA for review within the 21-day deadline, the PGTI must determine whether the original TUE granted by PGTI should nevertheless remain valid for national-level Competition and Out-of-Competition Testing (provided that the Athlete ceases to be an International-Level Athlete and does not participate in international-level Competition). Pending the PGTI’s decision, the TUE remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for international-level Competition).
- 4.4.3.2 If the Athlete does not already have a TUE granted by PGTI for the substance or method in question, the Athlete must apply directly to the International Golf Federation (IGF) for a TUE as soon as the need arises. If the International Federation (or the PGTI, where it has agreed to consider the application on behalf of the International Golf Federation) denies the Athlete’s application, it must notify the Athlete promptly, with reasons. If the International Golf Federation grants the Athlete’s application, it must notify not only the Athlete but also the PGTI, and if the PGTI considers that the TUE does not meet the

criteria set out in the International Standard for Therapeutic Use Exemptions, it has twenty-one (21) days from such notification to refer the matter to WADA for review. If the PGTI refers the matter to WADA for review, the TUE granted by the International Golf Federation remains valid for international-level Competition and Out-of-Competition Testing (but is not valid for national-level Competition) pending WADA's decision. If the PGTI does not refer the matter to WADA for review, the TUE granted by the International Golf Federation becomes valid for national-level Competition as well when the twenty-one (21-) day review deadline expires.

4.4.4 A Major Event Organization may require Athletes to apply to it for a TUE if they wish to Use a Prohibited Substance or a Prohibited Method in connection with the Event. In that case:

4.4.4.1 The Major Event Organization must ensure a process is available for an Athlete to apply for a TUE if he or she does not already have one. If the TUE is granted, it is effective for its Event only.

4.4.4.2 Where the Athlete already has a TUE granted by the PGTI or International Golf Federation, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, the Major Event Organization must recognize it. If the Major Event Organization decides the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete promptly, explaining its reasons.

4.4.4.3 A decision by a Major Event Organization not to recognize or not to grant a TUE may be appealed by the Athlete exclusively to an independent body established or appointed by the Major Event Organization for that purpose. If the Athlete does not appeal (or the appeal is unsuccessful), the Athlete may not Use the substance or method in question in connection with the Event, but any TUE granted by the PGTI or International Golf Federation for that substance or method remains valid outside of that Event.³⁰

³⁰[Comment to Article 4.4.4.3: For example, the CAS Ad Hoc Division or a similar body may act as the independent appeal body for particular Events, or WADA may agree to perform that function. If neither CAS nor WADA are performing that function, WADA retains the right (but not the obligation) to review the TUE decisions made in connection with the Event at any time, in accordance with Article 4.4.6.]

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

4.4.6 WADA must review an International Golf Federation's decision not to recognize a TUE granted by the PGTI that is referred to it by the Athlete or the PGTI. In addition, WADA must review an International Golf Federation's decision to grant a TUE that is referred to it by the PGTI. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard

for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.³¹

³¹[Comment to Article 4.4.6: WADA shall be entitled to charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Article 4.4.6; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]

- 4.4.7 Any TUE decision by International Golf Federation (or by PGTI where it has agreed to consider the application on behalf of International Golf Federation) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and/or the PGTI, exclusively to CAS.³²

³²[Comment to Article 4.4.7: In such cases, the decision being appealed is the International Golf Federation's TUE decision, not WADA's decision not to review the TUE decision or (having reviewed it) not to reverse the TUE decision. However, the time to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given notice of the appeal so that it may participate if it sees fit.]

- 4.4.8 A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the PGTI and/or the International Golf Federation affected, exclusively to CAS.
- 4.4.9 A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a TUE or for review of a TUE decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

4.5 Monitoring Program

WADA, in consultation with Signatories and governments, shall establish a monitoring program regarding substances which are not on the Prohibited List, but which WADA wishes to monitor in order to detect potential patterns of misuse in sport. In addition, WADA may include in the monitoring program substances that are on the Prohibited List, but which are to be monitored under certain circumstances— e.g., Out-of-Competition Use of some substances prohibited In-Competition only or the combined Use of multiple substances at low doses (“stacking”)— in order to establish prevalence of Use or to be able to implement adequate decisions in regards to their analysis by laboratories or their status within the Prohibited List.

WADA shall publish the substances that will be monitored.³³ Laboratories will report the instances of reported Use or detected presence of these substances to WADA. WADA shall make available to International Federations and National Anti-Doping Organizations, on at least an annual basis, aggregate information by sport regarding the monitored substances. Such monitoring program reports shall not contain additional details that could link the monitoring results to specific Samples. WADA shall implement measures to ensure that strict anonymity of individual Athletes is maintained with respect to such reports. The reported Use or detected presence of a monitored substance shall not constitute an anti-doping rule violation.

³³[Comment to Article 4.5: In order to improve the efficiency of the monitoring program, once a new substance is added to the published monitoring program, laboratories may re-process data and Samples previously analyzed in order to determine the absence or presence of any new substance.]

ARTICLE 5 TESTING AND INVESTIGATIONS

5.1 Purpose of Testing and Investigations

Testing and investigations shall only be undertaken for anti-doping purposes³⁴.

³⁴[Comment to Article 5.1: Where Testing is conducted for anti-doping purposes, the analytical results and data may be used for other legitimate purposes under the PGTI's rules. See, e.g., Comment to Article 23.2.2.]

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

5.2 Authority to Test

Any Athlete may be required to provide a Sample at any time and at any place by PGTI or any Anti-Doping Organization with Testing authority over him or her³⁵. Subject to the limitations for Event Testing set out in Article 5.3:

³⁵[Comment to Article 5.2: Additional authority to conduct Testing may be conferred by means of bilateral or multilateral agreements among Signatories. Unless the Athlete has identified a sixty-minute Testing window during the following-described time period, or otherwise consented to Testing during that period, before Testing an Athlete between the hours of 11:00 p.m. and 6:00 a.m., PGTI or Anti-Doping Organization should have serious and specific suspicion that the Athlete may be engaged in doping. A challenge to whether PGTI or Anti-Doping Organization had sufficient suspicion for Testing during this time period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]

- 5.2.1 PGTI shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are nationals, residents, license-holders or members of PGTI.
- 5.2.2 International Golf Federation shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are subject to its rules, including those who participate in International Events or who participate in Events governed by the rules of International Golf Federation, or who are members or license-holders of International Golf Federation or its member National Federations, or their members.
- 5.2.3 Each Major Event Organization including Golf Tours, Golf Tournaments, Golf Championships, Golf Matches, International Olympic Committee and the International Paralympic Committee, shall have In-Competition Testing authority for its Events and Out-of-Competition Testing authority over all Athletes entered in one of its future Events or who have otherwise been made subject to the Testing authority of the Major Event Organization for a future Event.
- 5.2.4 WADA shall have In-Competition and Out-of-Competition Testing authority as set out in Article 20.7.10.
- 5.2.5 PGTI may test any Athlete over whom they have Testing authority who has not retired, including Athletes serving a period of Ineligibility.
- 5.2.6 If International Golf Federation or Major Event Organization delegates or contracts any part of Testing to a National Anti-Doping Organization directly or through PGTI, that National Anti-Doping Organization may collect additional Samples or direct the laboratory to perform additional types of analysis at the National Anti-Doping Organization's expense. If additional Samples are collected or additional types of analysis are performed, the International Golf Federation or Major Event Organization shall be notified.

5.3 Event Testing

5.3.1 Except as otherwise provided below, only a single organization shall have authority to conduct Testing at Event Venues during an Event Period. At International Events, the international organization which is the ruling body for the Event (e.g., Golf Tours, Golf Tournaments, Golf Championships, Golf Matches, the International Olympic Committee for the Olympic Games, the International Golf Federation for a World Championship, and the Panam Sports for the Pan American Games) shall have authority to conduct Testing. At National Events, the PGTI shall have authority to conduct Testing. At the request of the ruling body for an Event, any Testing during the Event Period outside of the Event Venues shall be coordinated with that ruling body³⁶.

³⁶[Comment to Article 5.3.1: Some ruling bodies for International Events may be doing their own Testing outside of the Event Venues during the Event Period and thus want to coordinate that Testing with National Anti-Doping Organization Testing.]

5.3.2 If an Anti-Doping Organization which would otherwise have Testing authority but is not responsible for initiating and directing Testing at an Event desires to conduct Testing of Players at the Event Venues during the Event Period, the Anti-Doping Organization shall first confer with PGTI to obtain permission to conduct and coordinate such Testing. If the Anti-Doping Organization is not satisfied with the response from PGTI, the Anti-Doping Organization may ask WADA for permission to conduct Testing and to determine how to coordinate such Testing, in accordance with the procedures set out in the International Standard for Testing and Investigations. WADA shall not grant approval for such Testing before consulting with and informing PGTI. WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results management for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.³⁷

³⁷[Comment to Article 5.3.2: Before giving approval to a National Anti-Doping Organization to initiate and conduct Testing at an International Event, WADA shall consult with the international organization which is the ruling body for the Event. Before giving approval to an International Federation to initiate and conduct Testing at a National Event, WADA shall consult with the National Anti-Doping Organization of the country where the Event takes place. The Anti-Doping Organization "initiating and directing Testing" may, if it chooses, enter into agreements with a Delegated Third Party to which it delegates responsibility for Sample collection or other aspects of the Doping Control process.]

5.4 Testing Requirements

5.4.1 PGTI shall conduct test distribution planning and Testing as required by the International Standard for Testing and Investigations.

5.4.2 Where reasonably feasible, Testing shall be coordinated through ADAMS in order to maximize the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.

5.5 Athlete Whereabouts Information

Athletes who have been included in a Registered Testing Pool by International Golf Federation and/or PGTI shall provide whereabouts information in the manner specified in the International Standard for Testing and Investigations and shall be subject to Consequences for Article 2.4 violations as provided in Article 10.3.2. The International Golf Federations and PGTI shall coordinate the identification of such Athletes and the collection of their whereabouts information. International

Golf Federation and PGTI shall make available preferably through ADAMS a list which identifies those Athletes included in its Registered Testing Pool by name. Athletes shall be notified before they are included in a Registered Testing Pool and when they are removed from that pool. The whereabouts information they provide while in the Registered Testing Pool will be accessible through ADAMS to WADA and to other Anti-Doping Organizations having authority to test the Athlete as provided in Article 5.2. Whereabouts information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting Doping Control, providing information relevant to the Athlete Biological Passport or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with the International Standard for the Protection of Privacy and Personal Information.

PGTI may, in accordance with the International Standard for Testing and Investigations, collect whereabouts information from Athletes who are not included within a Registered Testing Pool and impose appropriate and proportionate non-Code Article 2.4 consequences under its own rules.

5.6 Retired Athletes Returning to Competition

5.6.1 If an International- or National-Level Athlete in a Registered Testing Pool retires and then wishes to return to active participation in sport, the Athlete shall not compete in International Events or National Events until the Athlete has made himself or herself available for Testing, by giving six -months prior written notice to International Golf Federation and PGTI. WADA, in consultation with the International Golf Federation and PGTI, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to an Athlete. This decision may be appealed under Article 13.³⁸

³⁸[Comment to Article 5.6.1: Guidance for determining whether an exemption is warranted will be provided by WADA.]

5.6.1.1 Any competitive results obtained in violation of Article 5.6.1 shall be Disqualified unless the Athlete can establish that he or she could not have reasonably known that this was an International Event or a National Event.

5.6.2 If an Athlete retires from sport while subject to a period of Ineligibility, the Athlete must notify the PGTI that imposed the period of Ineligibility in writing of such retirement. If the Athlete then wishes to return to active competition in sport, the Athlete shall not compete in International Events or National Events until the Athlete has made himself or herself available for Testing by giving six (6) months prior written notice (or notice equivalent to the period of Ineligibility remaining as of the date the Athlete retired, if that period was longer than six (6) months) to the International Golf Federation and PGTI

5.7 Investigations and Intelligence Gathering

PGTI shall have the capability to conduct, and shall conduct, investigations and gather intelligence as required by the International Standard for Testing and Investigations.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited and Approved Laboratories and Other Laboratories

For purposes of directly establishing an Adverse Analytical Finding under Article 2.1, Samples shall be analyzed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis shall be determined exclusively by the PGTI responsible for Results Management.³⁹

³⁹[Comment to Article 6.1: For cost and geographic access reasons, WADA may approve laboratories which are not WADA-accredited to perform particular analyses, for example, analysis of blood which should be delivered from the collection site to the laboratory within a set deadline. Before approving any such laboratory, WADA will ensure it meets the high analytical and custodial standards required by WADA. Violations of Article 2.1 may be established only by Sample analysis performed by a WADA-accredited laboratory or another laboratory approved by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

6.1.1 As provided in Article 3.2, facts related to antidoping rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of WADA-accredited or approved laboratories.

6.2 Purpose of Analysis of Samples and Data

Samples and related analytical data or Doping Control information shall be analyzed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to Article 4.5, or to assist PGTI in profiling relevant parameters in an Athlete's urine, blood or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.⁴⁰

⁴⁰[Comment to Article 6.2: For example, relevant Doping Control-related information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 2.2, or both. See also Comments to Articles 5.1 and 23.2.2.]

6.3 Research on Samples and Data

Samples, related analytical data and Doping Control information may be used for anti-doping research purposes, although no Sample may be used for research without the Athlete's written consent. Samples and related analytical data or Doping Control information used for research purposes shall first be processed in such a manner as to prevent Samples and related analytical data or Doping Control information being traced back to a particular Athlete.⁴¹ Any research involving Samples and related analytical data or Doping Control information shall adhere to the principles set out in Article 19.

⁴¹[Comment to Article 6.3: As is the case in most medical or scientific contexts, use of Samples and related information for quality assurance, quality improvement, method improvement and development or to establish reference populations is not considered research. Samples and related information used for such permitted non-research purposes must also first be processed in such a manner as to prevent them from being traced back to the particular Athlete, having due regard to the principles set out in Article 19, as well as the requirements of the International Standard for Laboratories and International Standard for the Protection of Privacy and Personal Information.]

6.4 Standards for Sample Analysis and Reporting⁴²

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

⁴²[Comment to Article 6.4: The objective of this Article is to extend the principle of “intelligent Testing” to the Sample analysis menu so as to most effectively and efficiently detect doping. It is recognized that the resources available to fight doping are limited and that increasing the Sample analysis menu may, in some sports and countries, reduce the number of Samples which can be analyzed.]

- 6.4.1 Laboratories at their own initiative and expense may analyze Samples for Prohibited Substances or Prohibited Methods not included on the standard Sample analysis menu, or as requested by the PGTI that initiated and directed Sample collection. Results from any such analysis shall be reported to PGTI and have the same validity and Consequences as any other analytical result.

6.5 Further Analysis of Sample Prior to or during Results Management

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a Sample prior to the time PGTI notifies an Athlete that the Sample is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification the PGTI wishes to conduct additional analysis on that Sample, it may do so with the consent of the Athlete or approval from a hearing body.

6.6 Further Analysis of a Sample after it has been reported as Negative or has otherwise not Resulted in an Anti-Doping Rule Violation Charge

After a laboratory has reported a Sample as negative, or the Sample has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of either the PGTI that initiated and directed Sample collection or WADA. Any other Anti-Doping Organization with authority to test the Athlete that wishes to conduct further analysis on a stored Sample may do so with the permission of the PGTI that initiated and directed Sample collection or WADA, and shall be responsible for any follow-up Results Management. Any Sample storage or further analysis initiated by WADA or another Anti-Doping Organization shall be at WADA's or that organization's expense. Further analysis of Samples shall conform with the requirements of the International Standard for Laboratories.

6.7 Split of ‘A’ or ‘B’ Sample

Where WADA, PGTI with Results Management authority and/or a WADA-accredited laboratory (with approval from WADA or the PGTI with Results Management authority) wishes to split an A or B Sample for the purpose of using the first part of the split Sample for an A Sample analysis and the second part of the split Sample for confirmation, then the procedures set forth in the International Standard for Laboratories shall be followed.

6.8 WADA's right to take possession of Samples and Data

WADA may, in its sole discretion at any time, with or without prior notice, take physical possession of any Sample and related analytical data or information in the possession of a laboratory or PGTI. Upon request by WADA, the laboratory or PGTI in possession of the Sample or data shall immediately grant access to and enable WADA to take physical possession of the Sample or data.⁴³ If WADA has not provided prior notice to the laboratory or PGTI before taking possession of a Sample or data, it shall provide such notice to the laboratory and to PGTI whose Samples or data have been taken by WADA within a reasonable time after taking possession. After analysis and any investigation of a seized Sample or data, WADA may direct another Anti-Doping Organization with authority to test the Athlete

to assume Results Management responsibility for the Sample or data if a potential anti-doping rule violation is discovered⁴⁴.

⁴³[Comment to Article 6.8: Resistance or refusal to WADA taking physical possession of Samples or data could constitute Tampering, Complicity or an act of non-compliance as provided in the International Standard for Code Compliance by Signatories and could also constitute a violation of the International Standard for Laboratories. Where necessary, the laboratory and/or the PGTI shall assist WADA in ensuring that the seized Sample or data are not delayed in exiting the applicable country.]

⁴⁴[Comment to Article 6.8: WADA would not, of course, unilaterally take possession of Samples or analytical data without good cause related to a potential anti-doping rule violation, non-compliance by a Signatory or doping activities by another Person. However, the decision as to whether good cause exists is for WADA to make in its discretion and shall not be subject to challenge. In particular, whether there is good cause or not shall not be a defense against an anti-doping rule violation or its Consequences.]

ARTICLE 7 RESULTS MANAGEMENT

Responsibility, Initial Review, Notice and Provisional Suspensions⁴⁵

Results Management under the PGTI Policy (as set forth in Articles 7, 8 and 13) establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner. PGTI conducting Results Management shall establish a process for the pre-hearing administration of potential anti-doping rule violations that respects the principles set forth in this Article. While PGTI is permitted to adopt and implement its own Results Management process, Results Management for PGTI shall at a minimum meet the requirements set forth in the International Standard for Results Management.

⁴⁵[Comment to Article 7: Various Signatories have created their own approaches to Results Management. While the various approaches have not been entirely uniform, many have proven to be fair and effective systems for Results Management. The WADA Code does not supplant each of the Signatories' Results Management systems. This Article and the International Standard for Results Management do, however, specify basic principles in order to ensure the fundamental fairness of the Results Management process which must be observed by each Signatory. The specific anti-doping rules of PGTI shall be consistent with these basic principles. Not all anti-doping proceedings which have been initiated by PGTI need to go to hearing. There may be cases where the Athlete or other Person agrees to the sanction which is either mandated by the Policy or which the PGTI considers appropriate where flexibility in sanctioning is permitted. In all cases, a sanction imposed on the basis of such an agreement will be reported to parties with a right to appeal under Article 13.2.3 as provided in Article 14.2.214 and published as provided in Article 14.3.]

7.1 Responsibility for Conducting Results Management

Except as otherwise provided in Articles 6.6, 6.8 and 7.1.3 through 7.1.5 below, Results Management shall be the responsibility of, and shall be governed by, the procedural rules of the PGTI that initiated and directed Sample collection (or, if no Sample collection is involved, the PGTI which first provides notice to an Athlete or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation). Regardless of which organization conducts Results Management, it shall respect the Results Management principles set forth in this Article, Article 8, Article 13 and the International Standard for Results Management, and PGTI's rules shall incorporate and implement the rules identified in Article 23.2.2 without substantive change.

- 7.1.1** If a dispute arises between Anti-Doping Organizations (any Anti Doping Organization and PGTI) over which Anti-Doping Organization has Results Management responsibility, WADA shall decide which organization has such responsibility. WADA's decision may be appealed to CAS within seven (7) days of notification of the WADA decision by any of the Anti-Doping Organizations involved in the dispute. The appeal shall be dealt with by CAS in an expedited manner and shall be heard before a single arbitrator. Any Anti-Doping Organization seeking to conduct Results Management outside of the authority provided in this Article 7.1 may seek approval to do so from WADA.
- 7.1.2** Where a National Anti-Doping Organization elects to collect additional Samples pursuant to Article 5.2.6, then it shall be considered the Anti-Doping Organization that initiated and directed Sample collection. However, where the National Anti-Doping Organization only directs the laboratory to perform additional types of analysis at the National Anti-Doping Organization's expense, then the International Golf Federation or Major Event Organization or PGTI, as applicable shall be considered the Anti-Doping Organization that initiated and directed Sample collection.
- 7.1.3** In circumstances where the rules of a National Anti-Doping Organization do not give the National Anti-Doping Organization authority over an Athlete or other Person who is not a national, resident, license holder, or member of a sport organization of that country, or the

National Anti-Doping Organization declines to exercise such authority, Results Management shall be conducted by the International Golf Federation or by a third party with authority over the Athlete or other Person as directed by the rules of the International Golf Federation or PGTI, as applicable. For Results Management purposes, for a test or a further analysis conducted by WADA on its own initiative, or an anti-doping rule violation discovered by WADA, WADA shall designate an Anti-Doping Organization with authority over the Athlete or other Person.⁴⁶

⁴⁶[Comment to Article 7.1.3: The Athlete's or other Person's International Golf Federation has been made the Anti-Doping Organization of last resort for Results Management to avoid the possibility that no Anti-Doping Organization would have authority to conduct Results Management. International Golf Federation is free to provide in its own anti-doping rules that the Athlete's or other Person's National Anti-Doping Organization shall conduct Results Management.]

7.1.4 For Results Management relating to a Sample initiated and taken during an Event conducted by a Major Event Organization, or an anti-doping rule violation occurring during such Event, the Major Event Organization for that Event shall assume Results Management responsibility to at least the limited extent of conducting a hearing to determine whether an anti-doping rule violation was committed and, if so, the applicable Disqualifications under Articles 9 and 10.1, any forfeiture of any medals, points, or prizes from that Event, and any recovery of costs applicable to the anti-doping rule violation. In the event the Major Event Organization assumes only limited Results Management responsibility, the case shall be referred by the Major Event Organization to the International Golf Federation for completion of Results Management.

7.1.5 WADA may direct an Anti-Doping Organization with Results Management authority to conduct Results Management in a particular case. If that Anti-Doping Organization refuses to conduct Results Management within a reasonable deadline set by WADA, such refusal shall be considered an act of non-compliance, and WADA may direct another Anti-Doping Organization with authority over the Athlete or other Person, that is willing to do so, to take Results Management responsibility in place of the refusing Anti-Doping Organization or, if there is no such Anti-Doping Organization, any other Anti-Doping Organization that is willing to do so. In such case, the refusing Anti-Doping Organization shall reimburse the costs and attorney's fees of conducting Results Management to the other Anti-Doping Organization designated by WADA, and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.⁴⁷

⁴⁷[Comment to Article 7.1.5: Where WADA directs another Anti-Doping Organization to conduct Results Management or other Doping Control activities, this is not considered a "delegation" of such activities by WADA.]

7.1.6 Results Management in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by the International Golf Federation or the PGTI with whom the Athlete in question files whereabouts information, as provided in the International Standard for Results Management. The Anti-Doping Organization (IGF or PGTI) that determines a filing failure or a missed test shall submit that information to WADA through ADAMS, where it will be made available to other relevant Anti-Doping Organizations.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

Review and notification with respect to a potential anti-doping rule violation shall be carried out in accordance with the International Standard for Results Management.

7.3 Identification of Prior Anti-Doping Rule Violations

Before giving an Athlete or other Person notice of a potential anti-doping rule violation as provided above, the PGTI shall refer to ADAMS and contact WADA and International Golf Federation to determine whether any prior anti-doping rule violation exists.

7.4 Principles Applicable to Provisional Suspensions⁴⁸

⁴⁸[Comment to Article 7.4: Before a Provisional Suspension can be unilaterally imposed by PGTI, the internal review specified in the Code must first be completed. In addition, the PGTI imposing a Provisional Suspension shall ensure that the Athlete is given an opportunity for a Provisional Hearing either before or promptly after the imposition of the Provisional Suspension, or an expedited final hearing under Article 8 promptly after imposition of the Provisional Suspension. The Athlete has a right to appeal under Article 13.2.3.]

In the rare circumstance where the B Sample analysis does not confirm the A Sample finding, the Athlete who had been Provisionally Suspended will be allowed, where circumstances permit, to participate in subsequent Competitions during the Event. Similarly, depending upon the relevant rules of the International Golf Federation in a Team Sport, if the team is still in Competition, the Athlete may be able to take part in future Competitions.

Athletes and other Persons shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed or accepted as provided in Article 10.13.2.]

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

The PGTI in this paragraph shall adopt rules providing that when an Adverse Analytical Finding or Adverse Passport Finding (upon completion of the Adverse Passport Finding review process) is received for a Prohibited Substance or a Prohibited Method, other than a Specified Substance or Specified Method, a Provisional Suspension shall be imposed promptly upon or after the review and notification required by Article 7.2: where the PGTI is the ruling body of an Event (for application to that Event); where the PGTI is responsible for team selection (for application to that team selection); where the IGF is the International Golf Federation; or where the PGTI is another Anti-Doping Organization which has Results Management authority over the alleged anti-doping rule violation. A mandatory Provisional Suspension may be eliminated if: (i) the Athlete demonstrates to the hearing panel that the violation is likely to have involved a Contaminated Product, or (ii) the violation involves a Substance of Abuse and the Athlete establishes entitlement to a reduced period of Ineligibility under Article 10.2.4.1. A hearing body's decision not to eliminate a mandatory Provisional Suspension on account of the Athlete's assertion regarding a Contaminated Product shall not be appealable.

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

PGTI may adopt rules, applicable to any Event for which the PGTI is the ruling body or to any team selection process for which the PGTI is responsible or where the IGF is the International Golf Federation or has Results Management authority over the alleged anti-doping rule violation, permitting Provisional Suspensions to be imposed for anti-doping rule violations not covered by Article 7.4.1 prior to analysis of the Athlete's B Sample or final hearing as described in Article 8.

7.4.3 Opportunity for Hearing or Appeal

Notwithstanding Articles 7.4.1 and 7.4.2, a Provisional Suspension may not be imposed unless the rules of the PGTI provide the Athlete or other Person with: (a) an opportunity for a Provisional Hearing, either before the imposition of the Provisional Suspension or on a timely basis after the imposition of the Provisional Suspension; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of a Provisional Suspension. The rules of the PGTI shall also provide an opportunity for an expedited appeal against the imposition of a Provisional Suspension, or the decision not to impose a Provisional Suspension, in accordance with Article 13.

7.4.4 Voluntary Acceptance of Provisional Suspension

Athletes on their own initiative may voluntarily accept a Provisional Suspension if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B Sample (or waiver of the B Sample) or ten (10) days from the notice of any other anti-doping rule violation, or (ii) the date on which the Athlete first competes after such report or notice. Other Persons on their own initiative may voluntarily accept a Provisional Suspension if done so within ten (10) days from the notice of the anti-doping rule violation. Upon such voluntary acceptance, the Provisional Suspension shall have the full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Article 7.4.1 or 7.4.2; provided, however, at any time after voluntarily accepting a Provisional Suspension, the Athlete or other Person may withdraw such acceptance, in which event the Athlete or other Person shall not receive any credit for time previously served during the Provisional Suspension.

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

7.5 Results Management Decisions

- 7.5.1** Results Management decisions or adjudications by PGTI, must not purport to be limited to a particular geographic area or sport and shall address and determine without limitation the following issues: (i) whether an anti-doping rule violation was committed or a Provisional Suspension should be imposed, the factual basis for such determination, and the specific Code Articles violated, and (ii) all Consequences flowing from the anti-doping rule violation(s), including applicable Disqualifications under Articles 9 and 10.10, any forfeiture of medals or prizes, any period of Ineligibility (and the date it begins to run) and any Financial Consequences, except that if PGTI is a Major Event Organizations shall not be required to determine Ineligibility or Financial Consequences beyond the scope of their Event.⁴⁹

⁴⁹[Comment to Article 7.5.1: Results Management decisions include Provisional Suspensions.]

- 7.5.2** A Results Management decision or adjudication by PGTI if it is a Major Event Organization in connection with one of its Events may be limited in its scope but shall address and determine, at a minimum, the following issues: (i) whether an anti-doping rule violation was committed, the factual basis for such determination, and the specific Code Articles violated, and (ii)

applicable Disqualifications under Articles 9 and 10.1, with any resulting forfeiture of medals, points and prizes. In the event PGTI if a Major Event Organization accepts only limited responsibility for Results Management decisions, it must comply with Article 7.1.4.⁵⁰

⁵⁰[Comment to Article 7.5.2: With the exception of Results Management decisions by PGTI if a Major Event Organization, each decision by PGTI should address whether an anti-doping rule violation was committed and all Consequences flowing from the violation, including any Disqualifications other than Disqualification under Article 10.1 (which is left to the ruling body for an Event). Pursuant to Article 15, such decision and its imposition of Consequences shall have automatic effect in every sport in every country. For example, for a determination that an Athlete committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the Athlete's results obtained in the Competition would be Disqualified under Article 9 and all other competitive results obtained by the Athlete from the date the Sample was collected through the duration of the period of Ineligibility are also Disqualified under Article 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the PGTI if is a Major Event Organization's responsibility to decide whether the Athlete's other individual results in the Event prior to Sample collection are also Disqualified under Article 10.1.]

7.6 Notification of Results Management Decisions

Athletes, other Persons, International Gold Federation and WADA shall be notified of Results Management decisions as provided in Article 14 and the International Standard for Results Management.

7.7 Retirement from Sport⁵¹

If a Player or other Person retires while PGTI is conducting the results management process, PGTI retains jurisdiction to complete its results management process. If a Player or other Person retires before any results management process has begun, and PGTI would have had results management authority over the Player or other Person at the time the Player or other Person committed an anti-doping rule violation, PGTI has authority to conduct results management in respect of that anti-doping rule violation.

⁵¹[Comment to Article 7.7: Conduct by an Athlete or other Person before the Athlete or other Person was subject to the authority of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Athlete or other Person membership in a sports organization.]

ARTICLE 8 RESULTS MANAGEMENT

Right to a Fair Hearing and Notice of Hearing Decision

8.1 Fair Hearings

For any Person who is asserted to have committed an anti-doping rule violation, the PGTI with responsibility for Results Management shall provide, at a minimum, a fair hearing within a reasonable time by a fair, impartial and Operationally Independent hearing panel in compliance with the WADA International Standard for Results Management. A timely reasoned decision specifically including an explanation of the reason(s) for any period of Ineligibility and Disqualification of results under Article 10.10 shall be Publicly Disclosed as provided in Article 14.3.⁵²

⁵²[Comment to Article 8.1: This Article requires that at some point in the Results Management process, the Athlete or other Person shall be provided the opportunity for a timely, fair and impartial hearing. These principles are also found in Article 6.1 of the Convention for the Protection of Human Rights and Fundamental Freedoms and are principles generally accepted in international law. This Article is not intended to supplant PGTI's own rules for hearings but rather to ensure that PGTI provides a hearing process consistent with these principles.]

8.2 Event Hearings

Hearings held in connection with Events may be conducted by an expedited process as permitted by the rules of the PGTI and the hearing panel.⁵³

⁵³[Comment to Article 8.2: For example, a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Athlete's eligibility to participate in the Event or during an Event where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.]

8.3 Waiver of Hearing

The right to a hearing may be waived either expressly or by the Athlete's or other Person's failure to challenge the PGTI's assertion that an anti-doping rule violation has occurred within the specific time period provided in the PGTI's rules.

8.4 Notice of Decisions

The reasoned hearing decision, or in cases where the hearing has been waived, a reasoned decision explaining the action taken, shall be provided by the PGTI with Results Management responsibility to the Athlete with a right to appeal under Article 13.2.3 as provided in Article 14 and published in accordance with Article 14.3.

8.5 Single Hearing Before CAS

Anti-doping rule violations asserted against International-Level Athletes, National-Level Athletes or other Persons may, with the consent of the Athlete or other Person, the PGTI with Results Management responsibility, and WADA, be heard in a single hearing directly at CAS.⁵⁴

⁵⁴[Comment to Article 8.5: In some cases, the combined cost of holding a hearing in the first instance at the international or national level, then rehearing the case de novo before CAS can be very substantial. Where all of the parties identified in this

Article are satisfied that their interests will be adequately protected in a single hearing, there is no need for the Athlete or PGTI to incur the extra expense of two hearings. PGTI may participate in the CAS hearing as an observer.]

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

An anti-doping rule violation in Individual Sports in connection with an In-Competition test automatically leads to Disqualification of the result obtained in that Competition with all resulting Consequences, including forfeiture of any medals, points and prizes.⁵⁵

⁵⁵[Comment to Article 9: For Team Sports, any awards received by individual Athlete will be Disqualified. However, Disqualification of the team will be as provided in Article 11. In sports which are not Team Sports but where awards are given to teams, Disqualification or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the International Golf Federation.]

ARTICLE 10 SANCTIONS ON INDIVIDUALS⁵⁶

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

An anti-doping rule violation occurring during or in connection with an Event may, upon the decision of the ruling body of the Event, lead to Disqualification of all of the Athlete's individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.⁵⁷

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

⁵⁶[Comment to Article 10: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete's career is short, a standard period of Ineligibility has a much more significant effect on the Athlete than in sports where careers are traditionally much longer. A primary argument in favor of harmonization is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, too much flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting organizations to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of conflicts between International Federations and National Anti-Doping Organizations.]

⁵⁷[Comment to Article 10.1: Whereas Article 9 Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the individual event), this Article may lead to Disqualification of all results in all events.]

10.1 If the Player establishes that he or she bears No Fault or Negligence for the violation, the Player's individual results in the other Competitions shall not be Disqualified, unless the Athlete's results in Competitions other than the Competition in which the anti-doping rule violation occurred were likely to have been affected by the Player's anti-doping rule violation.

10.2 Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method

The period of Ineligibility for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential elimination, reduction or suspension pursuant to Articles 10.5, 10.6 or 10.7:

10.2.1 The period of Ineligibility, subject to Article 10.2.4, shall be two (2) years where:

10.2.1.1 The anti-doping rule violation does not involve a Specified Substance or a Specified Method, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional.⁵⁸

⁵⁸[Comment to Article 10.2.1.1: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

10.2.1.2 The anti-doping rule violation involves a Specified Substance or a Specified Method and PGTI can establish that the anti-doping rule violation was intentional.

10.2.2 If Article 10.2.1 does not apply, subject to Article 10.2.4.1, the period of Ineligibility shall be one year.

10.2.3 As used in Article 10.2, the term “intentional” is meant to identify those Athletes or other Persons who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk.⁵⁹ An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall be rebuttably presumed to be not “intentional” if the substance is a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition. An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall not be considered “intentional” if the substance is not a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition in a context unrelated to sport performance.

⁵⁹[Comment to Article 10.2.3: Article 10.2.3 provides a special definition of “intentional” which is to be applied solely for purposes of Article 10.2.]

10.2.4 Notwithstanding any other provision in Article 10.2, where the anti-doping rule violation involves a Substance of Abuse:

10.2.4.1 If the Athlete can establish that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility shall be three (3) months Ineligibility.

In addition, the period of Ineligibility calculated under this Article 10.2.4.1 may be reduced to one (1) month if the Athlete or other Person satisfactorily completes a Substance of Abuse treatment program approved by the PGTI with Results Management responsibility.⁶⁰ The period of Ineligibility established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.

⁶⁰[Comment to Article 10.2.4.1: The determinations as to whether the treatment program is approved and whether the Athlete or other Person has satisfactorily completed the program shall be made in the sole discretion of the PGTI. This Article is intended to give PGTI the leeway to apply their own judgment to identify and approve legitimate and reputable, as opposed to “sham”, treatment programs. It is anticipated, however, that the characteristics of legitimate treatment programs may vary widely and change over time such that it would not be practical for WADA to develop mandatory criteria for acceptable treatment programs.]

10.2.4.2 If the ingestion, Use or Possession occurred In-Competition, and the Athlete can establish that the context of the ingestion, Use or Possession was unrelated to sport performance, then the ingestion, Use or Possession shall not be considered intentional for purposes of Article 10.2.1 and shall not provide a basis for a finding of Aggravating Circumstances under Article 10.4.

10.3 Ineligibility for Other Anti-Doping Rule Violations

The period of Ineligibility for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Articles 10.6 or 10.7 are applicable:

10.3.1 For violations of Article 2.3 or 2.5, the period of Ineligibility shall be four (4) years except: (i) in the case of failing to submit to Sample collection, if the Athlete can establish that the

commission of the anti-doping rule violation was not intentional, the period of Ineligibility shall be two (2) years; (ii) in all other cases, if the Athlete or other Person can establish exceptional circumstances that justify a reduction of the period of Ineligibility, the period of Ineligibility shall be one (1) year; or (iii) in a case involving a Protected Person or Recreational Athlete, the period of Ineligibility shall be in a range between a maximum of one (1) year and, at a minimum, a reprimand and no period of Ineligibility, depending on the Protected Person or Recreational Athlete's degree of Fault.

10.3.2 For violations of Article 2.4, the period of Ineligibility shall be in compliance with the Whereabouts Failure sanctions of IGF or Higher Raking Professional Golf Tour, as per IGF or Higher Raking Professional Golf Tour rules and regulations.

10.3.3 For violations of Article 2.7 or 2.8, the period of Ineligibility shall be a minimum of one (1) year up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Protected Person shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than for Specified Substances, shall result in lifetime Ineligibility for Athlete Support Personnel. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.⁶¹

⁶¹[Comment to Article 10.3.3: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to Ineligibility for accreditation, membership, and other sport benefits, reporting Player Support Personnel to competent authorities is an important step in the deterrence of doping.]

10.3.4 For violations of Article 2.9, the period of Ineligibility imposed shall be a minimum of one (1) year, up to two (2) years, depending on the seriousness of the violation.

10.3.5 For violations of Article 2.10, the period of Ineligibility shall be one (1) year, subject to reduction down to a minimum of six (6) months, depending on the Athlete or other Person's degree of Fault and other circumstances of the case.⁶²

⁶²[Comment to Article 10.3.5: Where the "other Person" referenced in Article 2.10 (Prohibited Association by an Athlete or Other Person) is an entity and not an individual, that entity may be disciplined as provided in Article 12.]

10.3.6 For violations of Article 2.11, the period of Ineligibility shall be a minimum of one (1) year, up to lifetime Ineligibility, depending on the seriousness of the violation by the Athlete or other Person.⁶³

⁶³[Comment to Article 10.3.6: Conduct that is found to violate both Article 2.5 (Tampering) and Article 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities) shall be sanctioned based on the violation that carries the more severe sanction.]

10.4 Aggravating Circumstances which may increase the period of Ineligibility.

If the PGTI establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) or 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting) that Aggravating Circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased by an additional period of Ineligibility of up to one

(1) year depending on the seriousness of the violation and the nature of the Aggravating Circumstances, unless the Athlete or other Person can establish that he or she did not knowingly commit the anti-doping rule violation.⁶⁴

⁶⁴[Comment to Article 10.4: Violations under Articles 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) and 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities) are not included in the application of Article 10.4 because the sanctions for these violations already build in sufficient discretion up to a lifetime ban to allow consideration of any Aggravating Circumstance.]

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

If a Player or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the otherwise applicable period of Ineligibility shall be eliminated.⁶⁵

⁶⁵[Comment to Article 10.4: This Article and Article 10.6.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example where an Athlete could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, No Fault or Negligence would not apply in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Article 2.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a Prohibited Substance by the Athlete's personal physician or trainer without disclosure to the Athlete, (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Athlete's food or drink by a spouse, coach or other Person within the Athlete's circle of associates (Athletes are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Article 10.6 based on No Significant Fault or Negligence.]

10.6 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence

10.6.1 Reduction of Sanctions in Particular Circumstances for Violations of Article 2.1, 2.2 or 2.6.

All reductions under Article 10.6.1 are mutually exclusive and not cumulative.

10.6.1.1 Specified Substances or Specified Methods

Where the anti-doping rule violation involves a Specified Substance (other than a Substance of Abuse) or Specified Method, and the Athlete or other Person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, one (1) year of Ineligibility, depending on the Athlete's or other Person's degree of Fault.

10.6.1.2 Contaminated Products

In cases where the Athlete or other Person can establish both No Significant Fault or Negligence and that the detected Prohibited Substance (other than a Substance of Abuse) came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, one (1) year Ineligibility, depending on the Athlete or other Person's degree of Fault.⁶⁶

⁶⁶[Comment to Article 10.6.1.2: In order to receive the benefit of this Article, the Athlete or other Person must establish not only that the detected Prohibited Substance came from a Contaminated Product but must also separately establish No Significant Fault or Negligence. It should be further noted that Athletes are on notice that they take nutritional supplements at their own risk. The sanction reduction based on No Significant Fault or

Negligence has rarely been applied in Contaminated Product cases unless the Athlete has exercised a high level of caution before taking the Contaminated Product. In assessing whether the Athlete can establish the source of the Prohibited Substance, it would, for example, be significant for purposes of establishing whether the Athlete actually Used the Contaminated Product, whether the Athlete had declared the product which was subsequently determined to be contaminated on the Doping Control form. This Article should not be extended beyond products that have gone through some process of manufacturing. Where an Adverse Analytical Finding results from environment contamination of a “non-product” such as tap water or lake water in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, typically there would be No Fault or Negligence under Article 10.5.]

10.6.1.3 Protected Persons or Recreational Athletes

Where the anti-doping rule violation not involving a Substance of Abuse is committed by a Protected Person or Recreational Athlete, and the Protected Person or Recreational Athlete can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, one (1) year Ineligibility, depending on the Protected Person or Recreational Athlete’s degree of Fault.

10.6.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.6.1⁶⁷

If an Athlete or other Person establishes in an individual case where Article 10.6.1 is not applicable that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of Ineligibility may be reduced based on the Athlete or other Person’s degree of Fault, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight (8) years.

⁶⁷[Comment to Article 10.6.2: Article 10.6.2 may be applied to any anti-doping rule violation except those Articles where intent is an element of the anti-doping rule violation (e.g., Article 2.5, 2.7, 2.8, 2.9 or 2.11) or an element of a particular sanction (e.g., Article 10.2.1) or a range of Ineligibility is already provided in an Article based on the Player or other Person’s degree of Fault.]

10.7 Elimination, Reduction, or Suspension of Period of Ineligibility or Other Consequences for Reasons Other than Fault

10.7.1 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations⁶⁸

10.7.1.1 PGTI with Results Management responsibility for an anti-doping rule violation may, prior to an appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the Consequences (other than Disqualification and mandatory Public Disclosure) imposed in an individual case where the Athlete or other Person has provided Substantial Assistance to PGTI, criminal authority or professional disciplinary body which results in: (i) the PGTI discovering or bringing forward an anti-doping rule violation by another Person; or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the PGTI with Results Management responsibility; or (iii) which results in WADA initiating a proceeding against a Signatory, WADA-accredited laboratory or Athlete passport management unit (as defined in the International Standard for Laboratories) for non-compliance with the Code, International Standard or Technical Document; or (iv) with the approval by WADA, which results in a criminal

or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping. After an appellate decision under Article 13 or the expiration of time to appeal, the PGTI may only suspend a part of the otherwise applicable Consequences with the approval of WADA and the International Golf Federation.

The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Athlete or other Person and the significance of the Substantial Assistance provided by the Athlete or other Person to the effort to eliminate doping in sport, non-compliance with the Code and/or sport integrity violations. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of Ineligibility shall not include any period of Ineligibility that could be added under Article 10.9.3.2.

If so requested by an Athlete or other Person who seeks to provide Substantial Assistance, the PGTI with Results Management responsibility shall allow the Athlete or other Person to provide the information to the PGTI subject to a Without Prejudice Agreement. If the Athlete or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of Consequences was based, the PGTI that suspended Consequences shall reinstate the original Consequences. If the PGTI decides to reinstate suspended Consequences or decides not to reinstate suspended Consequences, that decision may be appealed by any Person entitled to appeal under Article 13.

⁶⁸[Comment to Article 10.7.1: The cooperation of Athletes, Athlete Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.]

10.7.1.2 To further encourage Athletes and other Persons to provide Substantial Assistance to PGTI, at the request of the PGTI conducting Results Management or at the request of the Athlete or other Person who has, or has been asserted to have, committed an anti-doping rule violation, or other violation of the Code, WADA may agree at any stage of the Results Management process, including after an appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of Ineligibility and other Consequences. In exceptional circumstances, WADA may agree to suspensions of the period of Ineligibility and other Consequences for Substantial Assistance greater than those otherwise provided in this Article, or even no period of Ineligibility, no mandatory Public Disclosure and/or no return of prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of Consequences, as otherwise provided in this Article. Notwithstanding Article 13, WADA's decisions in the context of this Article 10.7.1.2 may not be appealed.

10.7.1.3 If PGTI suspends any part of an otherwise applicable sanction because of Substantial Assistance, then notice providing justification for the decision shall be provided to International Golf Federation with a right to appeal under Article 13.2.2 as provided in Article 14.

In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize PGTI to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

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

Where an Athlete or other Person voluntarily admits the commission of an anti-doping rule violation before having received notice of a Sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced, but not below one-half of the period of Ineligibility otherwise applicable⁶⁹.

⁶⁹[Comment to Article 10.7.2: This Article is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Athlete or other Person believes he or she is about to be caught. The amount by which Ineligibility is reduced should be based on the likelihood that the Athlete or other Person would have been caught had he/she not come forward voluntarily.]

10.7.3 Application of Multiple Grounds for Reduction of a Sanction

Where an Athlete or other Person establishes entitlement to reduction in sanction under more than one provision of Article 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.5, and 10.6. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.7, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

10.8 Results Management Agreements

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

Where an Athlete or other Person, after being notified by PGTI of a potential anti-doping rule violation that carries an asserted period of Ineligibility of two (2) or more years (including any period of Ineligibility asserted under Article 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the Athlete or other Person may receive a one-year reduction in the period of Ineligibility asserted by PGTI. Where the Athlete or other Person receives the one-year reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.⁷⁰

⁷⁰ [Comment to Article 10.8.1: For example, if PGTI alleges that an Athlete has violated Article 2.1 for Use of an anabolic steroid and asserts the applicable period of Ineligibility is two (2) years, then the Athlete may unilaterally reduce the period of Ineligibility to one (1) year by admitting the violation and accepting the three-year period of Ineligibility within the time specified in this Article, with no further reduction allowed. This resolves the case without any need for a hearing.]

10.8.2 Case Resolution Agreement

Where the Athlete or other Person admits an anti-doping rule violation after being confronted with the anti-doping rule violation by PGTI and agrees to Consequences acceptable to PGTI and WADA, at their sole discretion, then: (a) the Athlete or other Person may receive a reduction in the period of Ineligibility based on an assessment by PGTI and WADA of the application of Articles 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the Athlete or other Person's degree of Fault and how promptly the Athlete or other Person admitted the violation; and (b) the period of Ineligibility may start

as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the Athlete or other Person shall serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of the date the Athlete or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Athlete or other Person. The decision by WADA and the Anti-Doping Organization to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of the period of Ineligibility, are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

If so requested by an Athlete or other Person who seeks to enter into a case resolution agreement under this Article, the PGTI with Results Management responsibility shall allow the Athlete or other Person to discuss an admission of the anti-doping rule violation with PGTI subject to a Without Prejudice Agreement.⁷¹

⁷¹[Comment to Article 10.8.2: Any mitigating or aggravating factors set forth in this Article 10 shall be considered in arriving at the Consequences set forth in the case resolution agreement and shall not be applicable beyond the terms of that agreement. In some countries, the imposition of a period of Ineligibility is left entirely to a hearing body. In those countries, the Anti-Doping Organization may not assert a specific period of Ineligibility for purposes of Article 10.8.1 nor have the power to agree to a specific period of Ineligibility under Article 10.8.2. In these circumstances, Articles 10.8.1 and 10.8.2 will not be applicable but may be considered by the hearing body.]

10.9 Multiple Violations

10.9.1 Second or Third Anti-Doping Rule Violation

10.9.1.1 For an Athlete or other Person's second anti-doping rule violation, the period of Ineligibility shall be the greater of:

- (a)** A six -month period of Ineligibility; or
- (b)** A period of Ineligibility in the range between:
 - (i) the sum of the period of Ineligibility imposed for the first anti-doping rule violation plus the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and
 - (ii) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

The period of Ineligibility within this range shall be determined based on the entirety of the circumstances and the Athlete or other Person's degree of Fault with respect to the second violation.

10.9.1.2 A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Article 10.5 or 10.6, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight (8) years to lifetime Ineligibility.

10.9.1.3 The period of Ineligibility established in Articles 10.9.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.

10.9.2 An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence shall not be considered a violation for purposes of Article 10.9. In addition, an anti-doping rule violation sanctioned under Article 10.2.4.1 shall not be considered a violation for purposes of Article 10.9.

10.9.3 Additional Rules for Certain Potential Multiple Violations

10.9.3.1 For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be considered a second violation if PGTI can establish that the Athlete or other Person committed the additional anti-doping rule violation after the Athlete or other Person received notice pursuant to Article 7, or after PGTI made reasonable efforts to give notice of the first anti-doping rule violation. If PGTI cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of Aggravating Circumstances. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.10.⁷²

⁷²[Comment to Article 10.9.3.1: The same rule applies where, after the imposition of a sanction, PGTI discovers facts involving an anti-doping rule violation that occurred prior to notification for a first anti-doping rule violation—e.g., PGTI shall impose a sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time, including the application of Aggravating Circumstances.]

10.9.3.2 If PGTI establishes that an Athlete or other Person committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of Ineligibility for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of Ineligibility is served consecutively, rather than concurrently, with the period of Ineligibility imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.3 If PGTI establishes that an Athlete or other Person committed a violation of Article 2.5 in connection with the Doping Control process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the period of Ineligibility for such violation shall be served consecutively, rather than concurrently, with the period of Ineligibility, if any, imposed for the underlying anti-doping rule violation. Where this Article 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.4 If PGTI establishes that an Athlete or other Person has committed a second or third anti-doping rule violation during a period of Ineligibility, the periods of Ineligibility for the multiple violations shall run consecutively, rather than concurrently.

10.9.4 Multiple Anti-Doping Rule Violations during Ten-Year Period

For purposes of Article 10.9, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

10.10 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation

In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Article 9, all other competitive results of the Athlete obtained from the date a positive Sample was collected (whether In-Competition or Out- of-Competition), or other anti-doping rule violation occurred, through the commencement of any Provisional Suspension or

Ineligibility period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting Consequences including forfeiture of any medals, points and prizes⁷³.

⁷³[Comment to Article 10.10: Nothing in this PGTI Anti-Doping Policy precludes clean Athletes or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such Person.]

Impact on PGTI Tournament Rankings:

In the event anti-doping violation(s) causes the winner of a given Tournament(s) to be disqualified, and there exists a tie for second place, the scores of the tied Players will be evaluated, according to the following guidelines, until the Player with the lowest score can be determined and a Tournament winner can be declared.

- (a) The lowest individual score in the final round over 18 holes;
- (b) The lowest individual score in the last 36 holes;
- (c) The lowest individual score in the last 9 holes of the Final Round;
- (d) The lowest individual score in the last 6 holes of the Final round;
- (e) The lowest individual score in the last 3 holes of the Final Round;
- (f) The lowest individual Score in the last hole of the Final Round.

The above criteria will be applied in the order until one individual Tournament winner is determined.

10.11 Forfeited Prize Money

The priority for repayment of CAS cost awards and forfeited prize money shall be:

- (i) first, payment of costs awarded by CAS; and
- (ii) second, reimbursement of the expenses of PGTI.⁷⁴

⁷⁴[Comment to Article 10.11: This Article is not intended to impose an affirmative duty on PGTI to take any action to collect forfeited prize money]

10.12 Financial Consequences

Where an Athlete or other Person commits an anti-doping rule violation, PGTI will elect to recover from the Athlete or other Person costs associated with the anti-doping rule violation, regardless of the period of Ineligibility imposed. The imposition of a financial sanction or the PGTI's recovery of costs shall not be considered a basis for reducing the Ineligibility or other sanction which would otherwise be applicable under this Anti-Doping Policy or the Code.

10.12.1 The prize money, if any, earned at PGTI tournament in which the Athlete's doping control sample was collected will be held by PGTI pending the laboratory analysis of the Athlete's doping control sample. The WADA accredited laboratories are expected to deliver the analytical results within 20 days turns around time after receipt of sample(s) by the laboratory, accordingly Athlete's prize money will be released after the receipt of sample(s) results from the WADA accredited laboratory, in cases when:

10.12.1.1 The Athlete's 'A' Sample is reported by the Laboratory as negative, provided that PGTI does not report any other anti-doping rule violation(s).

- 10.12.1.2 The Athlete's 'B' Sample does not conform the results of 'A' Sample Adverse Analytical Findings; provided that Anti-Doping Commission determines that no further investigation is needed.
- 10.12.1.3 The Appellate authority after hearing the Athlete or other person found that the Player or other person has not committed anti-doping rule violation(s).
- 10.12.1.4 **Restitution:** Any prize money earned from participation in PGTI tournaments in which an Athlete participates following the date of anti-doping rule violation(s) shall, following conclusion of the adjudication process, be promptly paid back to PGTI. Following the conclusion of such Athlete's suspension, payment of the prize money shall be a condition of precedent to reinstatement of Athlete's PGTI membership.
- 10.12.1.5 **Attorney's Fee:** To preserve and protect the collective PGTI membership, if an Athlete fails to pay the prize money referred in PGTI Anti-Doping Policy, the Athlete will be liable to pay PGTI all costs, including reasonable Attorney's fee, which PGTI incurs to recover the prize money from the Athlete.
- 10.12.1.6 **Reallocation of Prize Money:** To the extent practicable and to the extent PGTI secures possession to such prize money, the PGTI shall reallocate prize money, ranking points, titles, and awards, if any, to other Athletes who competed in the tournament(s) from which an Athlete was disqualified as a result of anti-doping rule violation(s), according to tournament results, as if the Athlete had been disqualified from the tournament(s). If PGTI is unable to secure possession of such prize money, it shall not be obligatory to reallocate such prize money.

10.13 Commencement of Ineligibility Period

Where an Athlete is already serving a period of Ineligibility for an anti-doping rule violation, any new period of Ineligibility shall commence on the first day after the current period of Ineligibility has been served. Otherwise, except as provided below, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed.

10.13.1 Delays Not Attributable to the Player or other Person

Where there have been substantial delays in the hearing process or other aspects of Doping Control, and the Athlete or other Person can establish that such delays are not attributable to the Athlete or other Person, PGTI imposing the sanction may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.⁷⁵

⁷⁵[Comment to Article 10.13.1: In cases of anti-doping rule violations other than under Article 2.1, the time required for an Anti-Doping Organization to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the Player or other Person has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used.]

10.13.2 Credit for Provisional Suspension or Period of Ineligibility Served

- 10.13.2.1 If a Provisional Suspension is imposed and respected by the Athlete or other Person, then the Athlete or other Person shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed. If the Athlete or other Person does not respect a Provisional Suspension, then the Athlete or other Person shall receive no credit for any period of Provisional Suspension served. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal.
- 10.13.2.2 If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing from PGTI and thereafter respects the Provisional Suspension, the Athlete or other Person shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. A copy of the Athlete or other Person's voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 13.1⁷⁶.
- ⁷⁶[Comment to Article 10.13.2.2: An Athlete's voluntary acceptance of a Provisional Suspension is not an admission by the Athlete and shall not be used in any way as to draw an adverse inference against the Athlete.]
- 10.13.2.3 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Athlete elected not to compete or was suspended by a team.
- 10.13.2.4 In Team Sports, where a period of Ineligibility is imposed upon a team, unless fairness requires otherwise, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed. Any period of team Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

10.14 Status During Ineligibility or Provisional Suspension

10.14.1 Prohibition against Participation during Ineligibility or Provisional Suspension

No Athlete or other Person who has been declared Ineligible or is subject to Provisional Suspension may, during the period of Ineligibility or Provisional Suspension, participate in any capacity in a Competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by PGTI or Higher Ranking Professional Golf Tour or any Signatory, Signatory's member organization, or a club or other member organization of a Signatory's member organization, or in Competitions authorized or organized by any professional league or any international or national level Event organization or any elite or national-level sporting activity funded by a governmental agency.⁷⁷

⁷⁷[Comment to Article 10.14.1: For example, subject to Article 10.14.2 below, an Ineligible Athlete cannot participate in a training camp; exhibition or practice organized by PGTI or Higher Ranking Professional Golf Tour or his or her National Federation Member or a club which is a member of that National Federation Member or which is funded by a governmental agency. Further, an Ineligible Athlete may not compete in a non-Signatory professional league etc, Events organized by a non-Signatory International Event organization or a non-Signatory national-level Event organization without triggering the Consequences set forth in Article 10.14.3. The term "activity" also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organization described in this Article. Ineligibility imposed in one sport shall also be recognized by other sports (see Article 15.1, Automatic Binding Effect of Decisions). An Athlete or other Person serving a period of Ineligibility is prohibited from coaching or serving as an Athlete Support Person in any other capacity at any time during the period of Ineligibility, and doing so could also result in a violation of 2.10 by another Athlete. Any

performance standard accomplished during a period of Ineligibility shall not be recognized by a Signatory or its National Federations for any purpose.]

An Athlete or other Person subject to a period of Ineligibility longer than four (4) years may, after completing four (4) years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the jurisdiction of a Code Signatory or member of a Code Signatory, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a PGTI or Higher Ranking Professional Golf Tour or national championship or International Event, and does not involve the Athlete or other Person working in any capacity with Protected Persons.

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

10.14.2 Return to Training

As an exception to Article 10.14.1, an Athlete may return to train with a team or to use the facilities of PGTI or a club or other member organization during the shorter of: (1) the last two (2) months of the Athlete's period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.⁷⁸

⁷⁸[Comment to Article 10.14.2: In many Team Sports and some individual sports, Athletes cannot effectively train on their own so as to be ready to compete at the end of the Athlete's period of Ineligibility. During the training period described in this Article, an Ineligible Athlete may not compete or engage in any activity described in Article 10.14.1 other than training.]

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

Where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.14.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length up to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility, including a reprimand and no period of Ineligibility, may be adjusted based on the Athlete or other Person's degree of Fault and other circumstances of the case. The determination of whether an Athlete or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by PGTI whose results management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Article 13.

An Athlete or other Person who violates the prohibition against participation during a Provisional Suspension described in Article 10.14.1 shall receive no credit for any period of Provisional Suspension served and the results of such participation shall be Disqualified.

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

10.14.4 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.5 or 10.6, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by PGTI.

10.15 Automatic Publication of Sanction

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

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 Testing of Team Sports

Where more than one member of a team in a Team Sport has been notified of an anti-doping rule violation under Article 7 in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of the team during the Event Period.

11.2 Consequences for Team Sports

If more than two members of a team in a Team Sport are found to have committed an anti-doping rule violation during an Event Period, the ruling body of the Event PGTI shall impose an appropriate sanction on the team (e.g., loss of points, Disqualification from a Competition or Event, or other sanction) in addition to any Consequences imposed upon the individual Athletes committing the anti-doping rule violation.

11.3 Event Ruling Body or International Federation may establish stricter consequences for Team Sports

The ruling body for an Event PGTI may elect to establish rules for the Event which impose Consequences for Team Sports stricter than those in Article 11.2 for purposes of the Event.⁷⁹ Similarly, an International Federation may elect to establish rules imposing stricter Consequences for Team Sports within its authority than those in Article 11.2.

⁷⁹[Comment to Article 11.3: For example, the International Olympic Committee could establish rules which would require Disqualification of a team from the Olympic Games based on a lesser number of anti-doping rule violations during the period of the Games.]

ARTICLE 12 SANCTIONS BY SIGNATORIES AGAINST OTHER SPORTING BODIES

PGTI shall adopt rules that obligate each of its member organizations and any other sporting body over which it has authority to comply with, implement, uphold and enforce the Policy within that organization's or body's area of competence. When a PGTI becomes aware that one of its member organizations or other sporting body over which it has authority has failed to fulfil such obligation, PGTI shall take appropriate action against such organization or body.⁸⁰ In particular, PGTI's action and rules shall include the possibility of excluding all, or some group of, members of that organization or body from specified future Events or all Events conducted within a specified period of time.⁸¹

⁸⁰[Comment to Article 12: This Article is not intended to impose an affirmative duty on PGTI to actively monitor each of its member organizations for acts of non-compliance, but rather only requires the PGTI to take action when it becomes aware of such acts.]

⁸¹[Comment to Article 12: This Article makes it clear that the Policy does not restrict whatever disciplinary rights between organizations may otherwise exist. For sanctions for non-compliance with the Policy, see Article 24.1]

ARTICLE 13 RESULTS MANAGEMENT: APPEALS⁸²

13.1 Decisions Subject to Appeal

Decisions made under this Anti-Doping Policy or under rules adopted pursuant to the Policy may be appealed as set forth below in Article 13.2 through 13.4 or as otherwise provided in this Anti-Doping Policy, the Code or the International Standards. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

⁸² [Comment to Article 13: The object of the Policy is to have anti-doping matters resolved through fair and transparent internal processes with a final appeal. Anti-doping decisions by PGTI are made transparent in Article 14. Specified Persons and organizations, including WADA, are then given the opportunity to appeal those decisions. Note that the definition of interested Persons and organizations with a right to appeal under Article 13 does not include Athletes, or their National Federations, who might benefit from having another competitor Disqualified.]

13.1.1 Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.⁸³

⁸³ [Comment to Article 13.1.1: The revised language is not intended to make a substantive change to the 2015 Policy, but rather for clarification. For example, where an Athlete was charged in the first instance hearing only with Tampering but the same conduct could also constitute Complicity, an appealing party could pursue both Tampering and Complicity charges against the Athlete in the appeal.]

13.1.2 CAS Shall Not Defer to the Findings Being Appealed

In making its decision, CAS shall not give deference to the discretion exercised by the body whose decision is being appealed.⁸⁴

⁸⁴ [Comment to Article 13.1.2: CAS proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.]

13.1.3 WADA Not Required to Exhaust Internal Remedies⁸⁵

Where WADA has a right to appeal under Article 13 and no other party has appealed a final decision within PGTI's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in PGTI's process.

⁸⁵ [Comment to Article 13.1.3: Where a decision has been rendered before the final stage of PGTI's process (for example, a first hearing) and no party elects to appeal that decision to the next level of PGTI's process, then WADA may bypass the remaining steps in PGTI's internal process and appeal directly to CAS.]

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

A decision that an anti-doping rule violation was committed, a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six months' notice requirement for a retired Athlete to return to competition under Article 5.6.1; a decision by WADA assigning results management under Article 7.1 of the Code; a decision by PGTI not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the International Standards for Results Management; a decision to impose, or lift a Provisional Suspension as a result of a Provisional Hearing; PGTI failure to comply with Article 7.4; a decision that PGTI lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences under Article 10.8.1; a decision under Article 10.14.3; a decision by PGTI not to implement another another Anti-Doping Organization's decision under Article 15; and a decision under Article 27.3 may be appealed exclusively as provided in this Articles 13.2.

13.2.1 The PGTI decision may be appealed exclusively to CAS.⁸⁶

⁸⁶[Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

13.2.2 Persons Entitled to Appeal

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the International Golf Federation (IGF); (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

13.2.2.1 Duty to Notify

All parties to any CAS appeal must ensure that WADA and all other parties with a right to appeal have been given timely notice of the appeal.

13.2.2.2 Appeal Deadline for Parties Other than WADA

The deadline to file an appeal for parties other than WADA shall be as provided in the rules of the PGTI conducting Results Management.

13.2.2.3 Appeal Deadline for WADA

The filing deadline for an appeal filed by WADA shall be the later of:

- (a) Twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed, or

(b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.⁸⁷

⁸⁷ [Comments to Article 13.2.2.3: Whether governed by CAS rules or Article 13.2.2.3, a party's deadline to appeal does not begin running until receipt of the decision. For that reason, there can be no expiration of a party's right to appeal if the party has not received the decision.]

13.2.2.4 Appeal from Imposition of Provisional Suspension

Notwithstanding any other provision herein, the only Person who may appeal from the imposition of a Provisional Suspension is the Athlete or other Person upon whom the Provisional Suspension is imposed.

13.2.3 Cross Appeals and other Subsequent Appeals Allowed⁸⁸

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the Code or this Policy are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

⁸⁸[Comment to Article 13.2.3: This provision is necessary because since 2011, CAS rules no longer permit an Athlete the right to cross appeal when PGTI appeals a decision after the Athlete's time for appeal has expired. This provision permits a full hearing for all parties.]

13.3 Failure to Render a Timely Decision by PGTI⁸⁹

Where, in a particular case, PGTI fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if PGTI had rendered a decision finding no anti-doping rule violation. If the CAS appeal panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by PGTI.

⁸⁹[Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation, and results management process, it is not feasible to establish a fixed time period for PGTI to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with PGTI and give PGTI an opportunity to explain why it has not yet rendered a decision. Nothing in this Article prohibits International Golf Federation (IGF) from also having rules which authorize it to assume authority for matters in which the Results Management performed by PGTI has been inappropriately delayed.]

13.4 Appeals Relating to TUEs

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

13.5 Notification of Appeal Decisions

PGTI that is a party to an appeal shall promptly provide the appeal decision to the Player or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 13.2.3 as provided under Article 13.2.

13.6 Appeals from Decisions under Article 24.1

A notice that is not disputed and so becomes a final decision under Article 24.1, finding a Signatory non-compliant with the Code and imposing consequences for such non-compliance, as well as

conditions for Reinstatement of the Signatory, may be appealed to CAS as provided in the International Standard for Code Compliance by Signatories.

13.7 Appeals from Decisions Suspending or Revoking Laboratory Accreditation

Decisions by WADA to suspend or revoke a laboratory's WADA accreditation may be appealed only by that laboratory with the appeal being exclusively to CAS.

ARTICLE 14 CONFIDENTIALITY AND REPORTING

The principles of coordination of anti-doping results, public transparency and accountability and respect for the privacy of all Athletes or other Persons are as follows:

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

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

The form and manner of notice of an asserted anti-doping rule violation shall be as provided in the rules of PGTI with Results Management responsibility.

14.1.2 Notice of Anti-Doping Rule Violations to other National Professional Golf Tour, IGF and WADA

PGTI with Results Management responsibility shall also notify the Athlete's National Professional Golf Tour, International Golf Federation and WADA of the assertion of an anti-doping rule violation simultaneously with the notice to the Athlete or other Person.

14.1.3 Content of an Anti-Doping Rule Violation Notice

Notification shall include: the Athlete's or other Person's name, country, sport and discipline within the sport, the Athlete's competitive level, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the laboratory, and other information as required by the International Standard for Results Management, or, for anti-doping rule violations other than Article 2.1, the rule violated and the basis of the asserted violation.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in notice of an antidoping rule violation pursuant to Article 14.1.1, Anti-Doping Organizations referenced in Article 14.1.2 shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those Persons with a need to know (which would include the appropriate personnel at the applicable National Professional Golf Tour and team in a Team Sport) until PGTI has made Public Disclosure or has failed to make Public Disclosure as required in Article 14.3.⁹⁰

⁹⁰[Comment to Article 14.1.5: PGTI shall provide, in its own anti-doping rules, procedures for the protection of confidential information and for investigating and disciplining improper disclosure of confidential information by any employee or agent of PGTI.]

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

- 14.2.1 Anti-doping rule violation decisions related to violations of Ineligibility or Provisional Suspension rendered pursuant to Article 7.6, 8.4, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, PGTI shall provide an English or French summary of the decision and the supporting reasons.
- 14.2.2 An Anti-Doping Organization having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

14.3 Public Disclosure

- 14.3.1 After notice has been provided to the Athlete or other Person in accordance with the International Standard for Results Management, and to the applicable Anti-Doping Organizations in accordance with Article 14.1.2, the identity of any Athlete or other Person who is notified of a potential anti-doping rule violation, the Prohibited Substance or Prohibited Method and nature of the violation involved, and whether the Athlete or other Person is subject to a Provisional Suspension may be Publicly Disclosed by PGTI with Results Management responsibility.
- 14.3.2 No later than twenty (20) days after it has been determined in a final appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, or the matter has been resolved under Article 10.8, or a new period of Ineligibility, or reprimand, has been imposed under Article 10.14.3, PGTI must Publicly Report the disposition of the matter, including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved (if any), and the Consequences imposed. PGTI must also Publicly Report within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.⁹¹

⁹¹[Comment to Article 14.3.2: Where Public Disclosure as required by Article 14.3.2 would result in a breach of other applicable laws, PGTI's failure to make the Public Disclosure will not result in a determination of non-compliance with Policy as set forth in Article 4.14.2 of the International Standard for the Protection of Privacy and Personal Information.]

- 14.3.3 After an anti-doping 14.3.3 rule violation has been determined to have been committed in an appellate decision under Article 13.2.1 or 13.2.2 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, PGTI responsible for Results Management may make public such determination or decision and may comment publicly on the matter.
- 14.3.4 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the fact that the decision has been appealed may be Publicly Disclosed. However, the decision itself and the underlying facts may not be Publicly Disclosed except with the consent of the Athlete or other Person who is the subject of the decision. PGTI with Results Management responsibility shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

- 14.3.5 Publication shall be accomplished at a minimum by placing the required information on the PGTI's website and leaving the information up for the longer of one (1) month or the duration of any period of Ineligibility.
- 14.3.6 Except as provided in Articles 14.3.1 and 14.3.3, no Anti-Doping Organization or PGTI or WADA-accredited laboratory, or official of either, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by, the Athlete, other Person or their entourage or other representatives.
- 14.3.7 The mandatory Public Disclosure required in 14.3.2 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor, Protected Person or Recreational Athlete. Any optional Public Disclosure in a case involving a Minor, Protected Person or Recreational Athlete shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting

PGTI shall at least annually, publish publicly a general statistical report of its Doping Control activities, with a copy provided to IGF & WADA. PGTI may also publish reports showing the name of each Athlete tested and the date of each Testing. WADA shall, at least annually, publish statistical reports summarizing the information that it receives from Anti-Doping Organizations and laboratories.

14.5 Doping Control Information Database and Monitoring of Compliance

To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable Doping Control information among Anti-Doping Organizations, WADA shall develop and manage a Doping Control information database, such as ADAMS, and PGTI shall report to WADA through such database Doping Control-related information, if given the rights to access ADAMS.

14.6 Data Privacy⁹³

PGTI may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct their Anti-Doping Activities under the Policy, Code and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information), and in compliance with applicable law.

⁹³[Comment to Article 14.6: Each government should put in place legislation, regulation, policies or administrative practices for: cooperation and sharing of information with Anti-Doping Organizations; sharing of data among Anti-Doping Organizations as provided in the Code.]

ARTICLE 15 IMPLEMENTATION OF DECISIONS

Automatic Binding Effect of Decisions by Signatory Anti-Doping Organizations

- 15.1.1 A decision of an anti-doping rule violation made by a Signatory Anti-Doping Organization, an appellate body (Article 13.2.2) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon every Signatory in every sport with the effects described below:
- 15.1.1.1 A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Athlete or other Person has either accepted the Provisional Suspension or has waived the right to a Provisional Hearing, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory during the Provisional Suspension.
- 15.1.1.2 A decision by any of the above-described bodies imposing a period of Ineligibility (after a hearing has occurred or been waived) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory for the period of Ineligibility.
- 15.1.1.3 A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all Signatories.
- 15.1.1.4 A decision by any of the above-described bodies to Disqualify results under Article 10.10 for a specified period automatically Disqualifies all results obtained within the authority of any Signatory during the specified period.
- 15.1.2 Each Signatory is under the obligation to recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date the Signatory receives actual notice of the decision or the date the decision is placed **by WADA** into ADAMS.
- 15.1.3 A decision by an Anti-Doping Organization, an appellate body or CAS to suspend, or lift, Consequences shall be binding upon each Signatory without any further action required, on the earlier of the date the Signatory receives actual notice of the decision or the date the decision is placed into ADAMS.
- 15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a Major Event Organization made in an expedited process during an Event shall not be binding on other Signatories unless the rules of the Major Event Organization provide the Athlete or other Person with an opportunity to an appeal under non-expedited procedures.⁹⁴

⁹⁴[Comment to Article 15.1.4: By way of example, where the rules of the Major Event Organization give the Athlete or other Person the option of choosing an expedited CAS appeal or a CAS appeal under normal CAS procedure, the final decision or adjudication by the Major Event Organization is binding on other Signatories regardless of whether the Athlete or other Person chooses the expedited appeal option.]

15.2 Implementation of Other Decisions by Anti-Doping Organizations

Signatories may decide to implement other anti-doping decisions rendered by Anti-Doping Organizations not described in Article 15.1.1 above, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Athlete or other Person.⁹⁵

⁹⁵[Comment to Articles 15.1 and 15.2: Anti-Doping Organization decisions under Article 15.1 are implemented automatically by other Signatories without the requirement of any decision or further action on the Signatories' part. For example, when a National Anti-Doping Organization decides to Provisionally Suspend an Athlete, that decision is given automatic effect at the International Federation level. To be clear, the "decision" is the one made by the National Anti-Doping Organization, there is not a separate decision to be made by the International Federation. Thus, any claim by the Athlete that the Provisional Suspension was improperly imposed can only be asserted against the National Anti-Doping Organization. Implementation of Anti-Doping Organizations' decisions under Article 15.2 is subject to each Signatory's discretion. A Signatory's implementation of a decision under Article 15.1 or Article 15.2 is not appealable separately from any appeal of the underlying decision. The extent of recognition of TUE decisions of other Anti-Doping Organizations shall be determined by Article 4.4 and the International Standard for Therapeutic Use Exemptions.]

15.3 Implementation of Decisions by Body that is not a Signatory

An anti-doping decision by a body that is not a Signatory to the Code shall be implemented by each Signatory if the Signatory finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the Code.⁹⁶

⁹⁶[Comment to Article 15.3: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, Signatories should attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in the Athlete's body but the period of Ineligibility applied is shorter than the period provided for in the Code, then all Signatories should recognize the finding of an anti-doping rule violation and the Athlete's National Anti-Doping Organization should conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed. A Signatory's implementation of a decision or its decision not to implement a decision under Article 15.3, is appealable under Article 13.]

ARTICLE 15 STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced against an Athlete or other Person unless he or she has been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten (10) years from the date the violation is asserted to have occurred.