



FÉDÉRATION INTERNATIONALE DE MOTOCYCLISME

Anti-Doping Code

2009

Code Antidopage

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**FÉDÉRATION INTERNATIONALE
DE MOTOCYCLISME**

Date of enforcement: 01 January 2009
Entrée en vigueur: 1^{er} janvier 2009

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FIM ANTI-DOPING RULES

INTRODUCTION

Preface

At the FIM Congress held on 25/10/08 in Durban, South Africa (RSA), FIM accepted the revised (2009) World Anti-Doping Code (the "Code"). These Anti-Doping Rules are adopted and implemented in conformance with FIM's responsibilities under the Code, and are in furtherance of FIM's continuing efforts to eradicate doping in the sport of Motorcycling.

Anti-Doping Rules, like Competition rules, are sport rules governing the conditions under which sport is played. Riders and other Persons accept these rules as a condition of participation and shall be bound by them. These sport-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore, not intended to be subject to or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

Fundamental Rationale for the Code and FIM's Anti-Doping Rules

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

Scope

These Anti-Doping Rules shall apply to FIM, each National Federation (FMN) of FIM, and each Participant in the activities of FIM or any of its FMNs by virtue of the Participant's membership, accreditation, or participation in FIM, its FMNs, or their activities or Meetings.

To be eligible for participation in FIM meetings, a competitor must have an FIM licence issued by his or her FMN. The FIM licence will only be issued to competitors who have personally signed the Appendix 1 consent form, in the actual form approved by the FIM Management Council. All forms from under-age applicants must be counter-signed by their legal guardians.

The FMN must guarantee that all Riders registered for a FIM Licence accept the Rules of the FIM, including these FIM Anti-Doping Rules.

It is the responsibility of each FMN to ensure that all national-level Testing on the FMN's Riders complies with these Anti-Doping Rules. In some countries, the FMN itself will be conducting the Doping Control described in these Anti-Doping Rules. In other countries, many of the Doping Control responsibilities of the FMN have been delegated or assigned by statute or agreement to a National Anti-Doping Organisation. In those countries, references in these Anti-Doping Rules to the FMN shall apply, as appropriate, to the National Anti-Doping Organisation.

These Anti-Doping Rules shall apply to all Doping Controls over which FIM and its FMNs have jurisdiction.

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 2.8 of these Anti-Doping Rules.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Riders and 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 The presence of a Prohibited Substance or its Metabolites or Markers in a Rider's Sample

2.1.1 It is each Rider's personal duty to ensure that no Prohibited Substance enters his or her body. Riders 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 Rider's part be demonstrated in order to establish an anti-doping violation under Article 2.1.

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by either of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Rider's A Sample where the Rider waives analysis of the B Sample and the B Sample is not analyzed; or, where the Rider's B Sample is analyzed and the analysis of the Rider's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Rider's A Sample.

2.1.3 Excepting those substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in a Rider'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 or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.

- 2.2 Use or Attempted Use by a Rider of a Prohibited Substance or a Prohibited Method**
- 2.2.1** It is each Rider's personal duty to ensure that no Prohibited Substance enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Rider'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 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.
- 2.3** Refusing or failing without compelling justification to submit to Sample collection after notification as authorized in these Anti-Doping Rules, or otherwise evading Sample collection.
- 2.4** Violation of applicable requirements regarding Rider availability for Out-of-Competition Testing set out in the International Standard for Testing, including failure to file whereabouts information in accordance with Article 11.3 of the International Standard for Testing (a "Filing Failure") and failure to be available for Testing at the declared whereabouts in accordance with Article 11.4 of the International Standard for Testing (a "Missed Test"). Any combination of three Missed Tests and/or Filing Failures committed within an eighteen-month period, as declared by FIM or any other Anti-Doping Organisation with jurisdiction over a Rider, shall constitute an anti-doping rule violation.
- 2.5 Tampering or Attempted Tampering with any part of Doping Control.**
- 2.6 Possession of Prohibited Substances and Methods**
- 2.6.1** Possession by a Rider In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by a Rider Out-of-Competition of any Prohibited Method or any Prohibited Substance which is prohibited in Out-of-Competition Testing unless the Rider establishes that the Possession is pursuant to a therapeutic use exemption ("TUE") granted in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

- 2.6.2** Possession by Rider Support Personnel In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by Rider Support Personnel Out-of-Competition of any Prohibited Method or any Prohibited Substance which is prohibited Out-of-Competition, in connection with a Rider, Competition or training, unless the Rider Support Personnel establishes that the Possession is pursuant to a TUE granted to a Rider in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.
- 2.7** **Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.**
- 2.8** **Administration or Attempted administration to any Rider** In-Competition of any Prohibited Method or Prohibited Substance, or administration or Attempted administration to any Rider Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

FIM and its FMNs shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether FIM or its FMN 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. Where these Rules place the burden of proof upon the Rider or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except as provided in Articles 10.4 and 10.6, where the Rider must satisfy a higher burden of proof.

3.2 Methods of Establishing Facts and Presumptions

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

3.2.1 WADA-accredited laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Rider or other Person may rebut this presumption by establishing that a departure from the International Standard occurred which could reasonably have caused the Adverse Analytical Finding.

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

3.2.2 Departures from any other International Standard or other anti-doping rule or policy which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results. If the Rider or other Person establishes that a departure from another International Standard or other anti-doping rule or policy which could reasonably have caused the Adverse Analytical Finding or other anti-doping rule violation occurred, then FIM or its FMN shall have the burden to establish that such a departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.

3.2.3 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 irrefutable evidence against the Rider or other Person to whom the decision pertained of those facts unless the Rider or other Person establishes that the decision violated principles of natural justice.

3.2.4 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Rider or other Person who is asserted to have committed an anti-doping rule violation based on the Rider'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 tribunal) and to answer questions either from the hearing panel or from the Anti-Doping Organisation asserting the anti-doping rule violation.

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the Prohibited List

These Anti-Doping Rules incorporate the Prohibited List which is published and revised by WADA as described in Article 4.1 of the Code. FIM will make the current Prohibited List available to each FMN, and each FMN shall ensure that the current Prohibited List is available to its members and constituents.

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and revisions shall go into effect under these Anti-Doping Rules three months after publication of the Prohibited List by WADA without requiring any further action by FIM. As described in Article 4.2 of the Code, FIM may upon the recommendation of its International medical Panel (CMI) request that WADA expand the Prohibited List for all or certain disciplines within the sport of Motorcycling. FIM may also upon the recommendation of its CMI request that WADA include additional substances or methods, which have the potential for abuse in motorcycle, in the monitoring program described in Article 4.5 of the Code. As provided in the Code, WADA shall make the final decision on such requests by FIM.

4.2.2 Specified Substances

For purposes of the application of Article 10 (Sanctions on Individuals), all Prohibited Substances shall be "Specified Substances" except (a) substances in the classes of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the Prohibited List. Prohibited Methods shall not be Specified Substances.

4.2.3 New Classes of Prohibited Substances

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

4.3 Criteria for Including Substances and Methods on the Prohibited List

As provided in Article 4.3.3 of the Code, WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List and the classification of substances into categories on the Prohibited List is final and shall not be subject to challenge by a Rider or other Person 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

- 4.4.1** Riders with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must first obtain a Therapeutic Use Exemption ("TUE"). The presence of a Prohibited Substance or its Metabolites or Markers (Article 2.1), Use or Attempted Use of a Prohibited Substance or a Prohibited Method (Article 2.2), Possession of Prohibited Substances or Prohibited Methods (Article 2.6) or administration of a Prohibited Substance or Prohibited Method (Article 2.8) consistent with the provisions of an applicable TUE issued pursuant to the International Standard for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.
- 4.4.2** Subject to Article 4.4.3, Riders included by FIM in its Registered Testing Pool and other Riders participating in any World Championship or Prize Event must obtain a TUE from FIM (regardless of whether the Rider previously has received a TUE at the national level). The application for a TUE must be made as soon as possible and in any case (save in emergency situations) no later than 21 days before the Rider's participation at the Meeting.
- 4.4.3** TUE's granted by FIM shall be reported to the Rider's FMN and to WADA. Other Riders subject to Testing who need to use a Prohibited Substance or a Prohibited Method for therapeutic reasons must obtain a TUE from their National Anti-Doping Organisation or other body designated by their FMN, as required under the rules of the National Anti-Doping Organisation/other body. FMNs shall promptly report any such TUE's to FIM and WADA.

- 4.4.4** The FIM CMI shall appoint a board of doctors to consider requests for TUE's (the "TUE Board"). Upon FIM's receipt of a TUE request, the Chair of the TUE Board shall appoint one or more members of the TUE Board (which may include the Chair) to consider such request. The TUE Board member(s) so designated shall promptly evaluate such request in accordance with the International Standard for Therapeutic Use Exemptions and render a decision on such request, which shall be the final decision of FIM.
- 4.4.5** WADA, at the request of a Rider or on its own initiation, may review the granting or denial of any TUE by FIM. If WADA determines that the granting or denial of a TUE did not comply with the International Standard for Therapeutic Use Exemptions in force at the time then WADA may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 13.

ARTICLE 5 TESTING

5.1 Authority to Test

All Riders under the jurisdiction of an FMN shall be subject to In-Competition Testing by FIM, the Rider's FMN, and any other Anti-Doping Organisation responsible for Testing at a Competition or Meeting in which they participate. All Riders under the jurisdiction of an FMN, including Riders serving a period of ineligibility or a Provisional Suspension, shall also be subject to Out-of-Competition Testing at any time or place, with or without advance notice, by FIM, WADA, the Rider's FMN, the National Anti-Doping Organisation of any country where the Rider is present. Target Testing will be made a priority.

5.2 Responsibility for FIM Testing

The FIM CMI shall be responsible for drawing up a test distribution plan for motorcycling sport in accordance with Article 4 of the International Standard for Testing, and for the implementation of that plan, including overseeing all Testing conducted by or on behalf of FIM. Testing may be conducted by members of the FIM CMI or by other qualified persons so authorized by FIM.

5.3 Testing Standards

Testing conducted by FIM and its FMNs shall be in substantial conformity with the International Standard for Testing in force at the time of Testing.

5.3.1 Blood (or other non-urine) Samples may be used to detect Prohibited Substances or Prohibited Methods for screening procedure purposes, or for longitudinal hematological profiling (“the passport”). If the Sample is collected for screening only, it will have no consequences for the Rider other than to identify him/her for a urine test under these anti-doping rules. In these circumstances, the FIM may decide at its own discretion which blood parameters are to be measured in the screening Sample and what levels of those parameters will be used to indicate that a Rider should be selected for a urine test. IF however, the Sample is collected for longitudinal hematological profiling (“the passport”), it may be used for anti-doping purposes in accordance with Article 2.2 of the Code.

5.4 Coordination of Testing

FIM and FMNs shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in Testing.

5.5 Rider Whereabouts Requirements

5.5.1 FIM shall identify a Registered Testing Pool of those Riders who are required to comply with the whereabouts requirements of the International Standard for Testing and shall publish the criteria for Riders to be included in this Registered Testing Pool as well as a list of the Riders meeting those criteria for the period in question. FIM shall review and update as necessary its criteria for including Riders in its Registered Testing Pool, and shall revise the membership of its Registered Testing Pool from time to time as appropriate in accordance with the set criteria. Each Rider in the Registered Testing Pool (a) shall advise FIM of his/her whereabouts on a quarterly basis, in the manner set out in Article 11.3 of the International Standard for Testing; (b) shall update that information as necessary in accordance with Article 11.4.2 of the International Standard for Testing, so that it remains accurate and complete at all times; and (c) shall make him/herself available for Testing at such whereabouts, in accordance with Article 11.4 of the International Standard for Testing.

5.5.2 A Rider’s failure to advise FIM of his/her whereabouts shall be deemed a Filing Failure for purposes of Article 2.4 where the conditions of Article 11.3.5 of the International Standard for Testing are met.

- 5.5.3** A Rider's failure to be available for Testing at his/her declared whereabouts shall be deemed a Missed Test for purposes of Article 2.4 where the conditions of Article 11.4.3 of the International Standard for Testing are met.
- 5.5.4** Each FMN shall also assist its National Anti-Doping Organisation in establishing a national level Registered Testing Pool of top level national to whom the whereabouts requirements of the International Standard for Testing shall also apply. Where those Riders are also in the FIM's Registered Testing Pool, the FIM and the National Anti-Doping Organisation will agree (with the assistance of WADA FIM required) on which of them will take responsibility for receiving whereabouts filings from the Rider and sharing it with the other (and with other Anti-Doping Organisations) in accordance with Article 5.5.5.
- 5.5.5** Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with WADA and other Anti-Doping Organisations having jurisdiction to test a Rider in accordance with Articles 11.7.1(d) and 11.7.3(d) of the International Standard for Testing, including the strict condition that it be used only for Doping Control purposes.

5.6 Retirement and Return to Competition

- 5.6.1** A Rider who has been identified by FIM for inclusion in FIM's Registered Testing Pool shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the International Standard for Testing unless and until the Rider gives written notice to FIM that he or she has retired or until he or she no longer satisfies the criteria for inclusion in FIM's Registered Testing Pool and has been so informed by FIM.
- 5.6.2** A Rider who has given notice of retirement to FIM may not resume competing unless he or she notifies FIM at least six months before he or she expects to return to competition and makes him/herself available for unannounced Out-of-Competition Testing, including (FIM requested) complying with the whereabouts requirements of the International Standard for Testing, at any time during the period before actual return to competition.

5.7 Selection of Riders to be tested

5.7.1 At World Championships and Prize Events, the FIM CMI shall determine the number of finishing placement tests, random tests and target tests to be performed.

5.7.1.1 It is compulsory to test a minimum of three riders for each event or class: normally the rider placed first and two other riders selected by ballot. Selection of riders can be on a final position basis and/or random basis. If there are several classes (e.g. Superbike, Supersport, Superstock), the tests must be carried out in at least two classes.

5.7.2 The classes to be tested and the ballot for testing will be determined by the President of the International Jury or the Race Direction or the Chief Steward. In addition, selection of further riders may be ordered at the discretion of the President of the International Jury or the Race Direction or the Chief Steward by any method that he shall choose so long as such Target Testing is not used for any purpose other than legitimate Doping Control purposes.

5.7.3 Riders shall be selected for Out-of-Competition Testing by the FIM CMI and by FMNs through a process that substantially complies with the International Standard for Testing in force at the time of selection.

5.8 FMNs and the organising committees for World Championships and Prize Events shall provide access to Independent Observers at Meetings as directed by FIM.

5.9 Doping test facilities

Doping test facilities will be required, provided by the organisers of the event and should consist of:

One room minimum with:

- A table and chair
- A wash basin
- The ample containers (normally brought by the Doping Control Officer)
- Writing material
- A lavatory in an adjacent room and articles of personal hygiene
- A lockable refrigerator for storage of samples should be available in this room or in another adjacent secure area

A waiting area with:

- Chairs
- Clothes hangers and hooks
- Adequate supply of drinks which must be in unopened containers and possibly some reading material

The entry to the doping control area would normally be restricted to the following persons:

- Rider and designated accompanying person
- Doping Control Officer
- Chaperones
- Interpreter
- Person appointed by the FIM

ARTICLE 6 ANALYSIS OF SAMPLES

Doping Control Samples collected under these Anti-Doping Rules shall be analyzed in accordance with the following principles:

6.1 Use of Approved Laboratories

FIM shall send Doping Control Samples for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the Sample analysis shall be determined exclusively by FIM.

6.2 Purpose of Collection and Analysis of Samples

Samples 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 the Monitoring Program described in Article 4.5 of the Code or to assist FIM in profiling relevant parameters in a Rider's urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

6.3 Research on Samples

No Sample may be used for any purpose other than as described in Article 6.2 without the Rider's written consent. Samples used (with the Rider's consent) for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular Rider.

6.4 Standards for Sample Analysis and Reporting

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

6.5 Retesting Samples

A Sample may be reanalysed for the purposes described in Article 6.2 at any time exclusively at the direction of FIM or WADA. The circumstances and conditions for retesting Samples shall conform with the requirements of the International Standard for Laboratories.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests Initiated by FIM

Results management for tests initiated by FIM (including tests performed by WADA pursuant to agreement with FIM) shall proceed as set forth below:

- 7.1.1** The results from all analyses must be sent to FIM in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in confidentiality and in conformity with ADAMS, a database management tool developed by WADA. ADAMS is consistent with data privacy statutes and norms applicable to WADA and other Organisations using it.
- 7.1.2** Upon receipt of an A Sample Adverse Analytical Finding, the FIM CMI Bureau shall conduct a review to determine whether: (a) the Adverse Analytical Finding is consistent with an applicable TUE, or (b) there is any apparent departure from the International Standard for Testing or International Standard for Laboratories that caused the Adverse Analytical Finding.

7.1.3 In the following circumstances:

- (a) The Adverse Analytical Finding is for a Glucocorticosteroid, formoterol, salbutamol, salmeterol or terbutaline; and
- (b) The Sample in question was provided by a Rider who is not in FIM's Registered Testing Pool, during his/her participation in an International Meeting for which (in accordance with Article 7.13 of the International Standard for Therapeutic Use Exemptions and Article 4.4.3 of these Anti-Doping Rules) the FIM does not require a TUE for asthma medication in advance; then, before the matter is referred to FIM International Disciplinary Court (CDI) under Article 7.1, the Rider shall be given an opportunity to apply to the TUE Board for a Retroactive TUE in accordance with Article 7.13 of the International Standard for Therapeutic Use Exemptions. The result of that application shall be forwarded to the FIM CMI Bureau for consideration in its review of the Adverse Analytical Finding under Article 7.1.2.

7.1.4 If the initial review of an Adverse Analytical Finding under Article 7.1.2 does not reveal an applicable TUE, or departure from the International Standard for Testing or the International Standard for Laboratories that caused the Adverse Analytical Finding, FIM shall promptly notify the Rider of: (a) the Adverse Analytical Finding; (b) the anti-doping rule violated; (c) the Rider's right to promptly request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived; (d) the scheduled date, time and place for the B Sample analysis (which shall be within the time period specified in the International Standard for Laboratories) if the Rider or FIM chooses to request an analysis of the B Sample; (e) the opportunity for the Rider and/or the Rider's representative to attend the B Sample opening and analysis at the scheduled date, time and place if such analysis is requested; and (f) the Rider's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratories. FIM shall also notify the Rider's National Anti-Doping Organisation and WADA. If FIM decides not to bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the Rider, the Rider's National Anti-Doping Organisation and WADA.

7.1.5 Where requested by the Rider or FIM, arrangements shall be made for Testing the B Sample within the time period specified in the International Standard for Testing. A Rider may accept the A Sample analytical results by waiving the requirement for B Sample analysis. FIM may nonetheless elect to proceed with the B Sample analysis.

- 7.1.6** The Rider and/or his representative shall be allowed to be present at the analysis of the B Sample within the time period specified in the International Standard for Laboratories. Also a representative of the Rider's FMN as well as a representative of FIM shall be allowed to be present.
- 7.1.7** If the B Sample proves negative, then (unless FIM takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the Rider, his FMN, and FIM shall be so informed.
- 7.1.8** If a Prohibited Substance or the Use of a Prohibited Method is identified, the findings shall be reported to the Rider, his FMN, FIM, and to WADA.
- 7.1.9** For apparent anti-doping rule violations that do not involve Adverse Analytical Findings, FIM shall conduct any necessary follow-up investigation and, at such time as it is satisfied that an anti-doping rule violation has occurred, it shall then promptly notify the Rider of the anti-doping rule which appears to have been violated, and the basis of the violation.
- 7.2 Results Management for Atypical Findings**
- 7.2.1** As provided in the International Standards, in certain circumstances laboratories are directed to report the presence of Prohibited Substances that may also be produced endogenously as Atypical Findings that should be investigated further.
- 7.2.2** If a laboratory reports an Atypical Finding in respect of a Sample collected from a Rider by or on behalf of FIM, the FIM CMI Bureau shall conduct a review to determine whether: (a) the Atypical Finding is consistent with an applicable TUE that has been granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing or International Standard for Laboratories that caused the Atypical Analytical Finding.
- 7.2.3** If the initial review of an Atypical Finding under Article 7.2.2 reveals an applicable TUE or departure from the International Standard for Testing or the International Standard for Laboratories that caused the Atypical Finding, the entire test shall be considered negative.

7.2.4 If the initial review of an Atypical Finding under Article 7.2.2 does not reveal an applicable TUE or departure from the International Standard for Testing or the International Standard for Laboratories that caused the Atypical Finding, FIM shall conduct the follow-up investigation required by the International Standards. If, once that investigation is completed, it is concluded that the Atypical Finding should be considered an Adverse Analytical Finding, FIM shall pursue the matter in accordance with Article 7.1.3.

7.2.5 FIM will not provide notice of an Atypical Finding until it has completed its investigation and has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exists:

If FIM determines the B Sample should be analysed prior to the conclusion of its follow-up investigation, it may conduct the B Sample analysis after notifying the Rider, with such notice to include a description of the Atypical Finding and the information described in Article 7.1.3(c) to (f).

7.3 Results Management for Tests initiated by FMNs

Results management conducted by FMNs shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Article 7. Results of all Doping Controls shall be reported to FIM and to WADA within 14 days of the conclusion of the FMN's results management process. Any apparent anti-doping rule violation by a Rider who is a member of that FMN shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the FMN or national law. Apparent anti-doping rule violations by Riders who are members of another FMN shall be referred to the Rider's FMN for hearing.

7.4 Results Management for Whereabouts Violations

7.4.1 Results management in respect of an apparent Filing Failure by a Rider in FIM's Registered Testing Pool shall be conducted by FIM in accordance with Article 11.6.2 of the International Standard for Testing (unless it has been agreed in accordance with Article 5.5.4 that the FMN or National Anti-Doping Organisation shall take such responsibility).

7.4.2 Results management in respect of an apparent Missed Test by a Rider in FIM's Registered Testing Pool as a result of an attempt to test the Rider by or on behalf of FIM shall be conducted by FIM in accordance with Article 11.6.3 of the International Standard for Testing. Results management in respect of an apparent Missed Test by such Rider as a result of an attempt to test the Rider by or on behalf of another Anti-Doping Organisation shall be conducted by that other Anti-Doping Organisation in accordance with Article 11.7.6(c) of the International Standard for Testing.

7.4.3 Where, in any eighteen-month period, a Rider in FIM's Registered Testing Pool is declared to have three Filing Failures, or three Missed Tests, or any combination of Filing Failures or Missed Tests adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other Anti-Doping Organisation, FIM shall bring them forward as an apparent anti-doping rule violation.

7.5 Provisional Suspensions

7.5.1 If analysis of an A Sample has resulted in an Adverse Analytical Finding for a Prohibited Substance that is not a Specified Substance, and a review in accordance with Article 7.1.2 does not reveal an applicable TUE or departure from the International Standard for Testing or the International Standard for Laboratories that caused the Adverse Analytical Finding, FIM shall Provisionally Suspend the Rider pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.

7.5.2 In any case not covered by Article 7.5.1 where FIM decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, the FIM Executive Secretariat, after consultation with the FIM CMI, may Provisionally Suspend the Rider pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.

7.5.3 Where a Provisional Suspension is imposed, whether pursuant to Article 7.5.1 or Article 7.5.2, the Rider shall be given either (a) an opportunity for a Provisional Hearing before imposition of the Provisional Suspension or on a timely basis after imposition of the Provisional Suspension; or (b) an opportunity for an expedited hearing in accordance with Article 8 (Right to a Fair Hearing) on a timely basis after imposition of a Provisional Suspension. FMNs shall impose Provisional Suspensions in accordance with the principles set forth in this Article 7.5.

7.5.4 If a Provisional Suspension is imposed based on an Adverse Analytical Finding in respect of an A Sample, and any subsequent analysis of the B Sample analysis does not confirm the A Sample analysis, then the Rider shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1 of the Code (Presence of a Prohibited Substance or its Metabolites or Markers). In circumstances where the Rider (or the Rider's team as may be provided in the rules of the FIM) has been removed from a Competition (single race) 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 Competition, it is still possible for the Rider or team to be reinserted, the Rider or team may continue to take part in the Competition.

7.6 Retirement from Sport

If a Rider or other Person retires while a results management process is underway, FIM retains jurisdiction to complete its results management process. If a Rider or other Person retires before any results management process has begun and FIM would have had results management jurisdiction over the Rider or other Person at the time the Rider or other Person committed an anti-doping rule violation, FIM has jurisdiction to conduct results management.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings arising out of FIM Testing or Tests at FIM World Championships and Prize Events

8.1.1 When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with the FIM Testing or Testing at an event, then the case shall be referred to the International Disciplinary Court (CDI) of the FIM for adjudication, pursuant to Article 3.3.2 of the FIM Disciplinary and Arbitration Code (CDA).

8.1.2 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7. Hearings held in connection with Meetings may be conducted on an expedited basis.

8.1.3 The FMN of the Rider or other Person alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.

- 8.1.4** FIM shall keep WADA fully apprised as to the status of pending cases and the result of all hearings.
- 8.1.5** A Rider or other Person may forego a hearing by acknowledging the Anti-Doping Rule violation and accepting Consequences consistent with Articles 9 and 10 as proposed by FIM. The right to a hearing may be waived either expressly or by the Rider's or other Person's failure to challenge FIM's assertion that an anti-doping rule violation has occurred within 10 days. Where no hearing occurs, FIM shall submit to the persons described in Article 13.2.3 a reasoned decision explaining the action taken.
- 8.1.6** Decisions of the FIM CDI may be appealed to the International Tribunal of Appeal (TIA) of the FIM and afterwards to the Court of Arbitration for Sport as provided in Article 12.
- 8.2 Hearings Arising Out of National Testing**
- 8.2.1** When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with Testing other than in connection with FIM Testing or Testing at a World Championship or Prize Event, the Rider or other Person involved shall be brought before a disciplinary panel of the Rider or other Person's FMN for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what Consequences should be imposed.
- 8.2.2** Hearings pursuant to this Article 8.2 shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with Meetings may be conducted by an expedited process. FIM the completion of the hearing is delayed beyond three months, FIM may elect to bring the case directly before the FIM Doping Hearing Panel at the responsibility and at the expense of the FMN.
- 8.2.3** FMNs shall keep FIM and WADA fully apprised as to the status of pending cases and the results of all hearings.
- 8.2.4** FIM and WADA shall have the right to attend hearings as an observer.

- 8.2.5** The Rider or other Person may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting Consequences consistent with Articles 9 and 10 as proposed by the FMN. The right to a hearing may be waived either expressly or by the Rider's or other Person's failure to challenge the FMN's assertion that an anti-doping rule violation has occurred within the Period of Time laid down in the applicable rules of the FMN. Where no hearing occurs, the FMN shall submit to the persons described in Article 13.2.3 a reasoned decision explaining the action taken.
- 8.2.6** Decisions by FMNs, whether as the result of a hearing or the Rider or other Person's acceptance of Consequences, may be appealed as provided in Article 13.
- 8.2.7** Hearing decisions by the FMN shall not be subject to further administrative review at the national level except as provided in Article 13 or required by applicable national law.

8.3 Principles for a Fair Hearing

All hearings pursuant to either Article 8.1 or 8.2 shall respect the following principles:

- a timely hearing;
- fair and impartial hearing panel;
- the right to be represented by counsel at the Person's own expense;
- the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting Consequences;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);
- the Person's right to an interpreter at the hearing, with the Executive Secretariat to determine the identity, and responsibility for the cost of the interpreter; and
- a timely, written, reasoned decision, specifically including an explanation of the reason(s) for any period of Ineligibility.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these Anti-Doping Rules in World Championships and Prize Events for Individuals 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.

ARTICLE 10 SANCTIONS ON INDIVIDUALS

10.1 Disqualification of Results in a Meeting during which an Anti-Doping Rule Violation Occurs

An Anti-Doping Rule violation occurring during or in connection with a Meeting may lead to Disqualification of all of the Rider's individual results obtained in that Meeting with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

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

10.2 Ineligibility for Presence, Use or Attempted Use, or Possession of Prohibited Substances and Prohibited Methods

The period of Ineligibility imposed for a violation of Article 2.1 (Presence of Prohibited Substance or its Metabolites or Markers), Article 2.2 (Use or Attempted Use of Prohibited Substance or Prohibited Method) or Article 2.6 (Possession of Prohibited Substances and Methods) shall be as follows, unless the conditions for eliminating or reducing the period of Ineligibility, as provided in Articles 10.4 and 10.5, or the conditions for increasing the period of Ineligibility, as provided in Article 10.6, are met:

First violation: Two (2) years' Ineligibility.

10.3 Ineligibility for Other Anti-Doping Rule Violations

The period of Ineligibility for violations of these Anti-Doping Rules other than as provided in Article 10.2 shall be as follows:

- 10.3.1** For violations of Article 2.3 (refusing or failing to submit to Sample collection) or Article 2.5 (Tampering with Doping Control), the Ineligibility period shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in Article 10.6, are met.
- 10.3.2** For violations of Article 2.7 (Trafficking) or Article 2.8 (Administration of Prohibited Substance or Prohibited Method), the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility unless the conditions provided in Article 10.5 are met. An anti-doping rule violation involving a Minor shall be considered a particularly serious violation, and, if committed by Rider Support Personnel for violations other than Specified Substances shall result in lifetime Ineligibility for such Rider Support Personnel. In addition, significant violations of Articles 2.7 or 2.8 which also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.
- 10.3.3** For violations of Article 2.4 (Filing Failures and/or Missed Tests), the period of Ineligibility shall be at a minimum one (1) year and at a maximum two (2) years based on the Rider's degree of fault.
- 10.4 Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances**

Where a Rider or other Person can establish how a Specified Substance entered his or her body or came into his or her possession and that such Specified Substance was not intended to enhance the Rider's sport performance or mask the use of a performance-enhancing substance, the period of Ineligibility found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of Ineligibility from future Meetings, and at a maximum, two (2) years of Ineligibility.

To justify any elimination or reduction, the Rider or other Person must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or mask the use of a performance enhancing substance. The Rider or other Person's degree of fault shall be the criterion considered in assessing any reduction of the period of Ineligibility.

10.5 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

10.5.1 No Fault or Negligence

If a Rider establishes in an individual case that he or she bears No Fault or Negligence, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in a Rider's Sample in violation of Article 2.1 (presence of Prohibited Substance), the Rider must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility eliminated. In the event this Article is applied and the period of Ineligibility otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Article 10.7.

10.5.2 No Significant Fault or Negligence

If a Rider or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the period of Ineligibility may be reduced, 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 section may be no less than 8 years. When a Prohibited Substance or its Markers or Metabolites is detected in a Rider's Sample in violation of Article 2.1 (Presence of Prohibited Substance or its Metabolites or Markers), the Rider must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility reduced.

10.5.3 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

The FIM CDI may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case where the Rider or other Person has provided Substantial Assistance to an Anti-Doping Organisation, criminal authority or professional disciplinary body which results in the Anti-Doping Organisation discovering or establishing an anti-doping rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another Person. After a final appellate decision under Article 13 or the expiration of time to appeal, FIM may only suspend a part of the applicable period of Ineligibility with the approval of WADA. 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 Rider or other Person and the significance of the Substantial Assistance provided by the Rider or other Person to the effort to eliminate doping in sport. 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 8 years. If FIM suspends any part of the period of Ineligibility under this Article, it shall promptly provide a written justification for its decision to each Anti-Doping Organisation having a right to appeal the decision. If FIM subsequently reinstates any part of the suspended period of Ineligibility because the Rider or other Person has failed to provide the Substantial Assistance which was anticipated, the Rider or other Person may appeal the reinstatement pursuant to Article 13.2.

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

Where a Rider 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 applicable.

10.5.5 Where a Rider or Other Person Establishes Entitlement to Reduction in Sanction under More than One Provision of this Article

Before applying any reductions under Articles 10.5.2, 10.5.3 or 10.5.4, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.6. FIM the Rider or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under two or more of Articles 10.5.2, 10.5.3 or 10.5.4, then the period of Ineligibility may be reduced or suspended, but not below one-quarter of the otherwise applicable period of Ineligibility.

10.6 Aggravating Circumstances Which May Increase the Period of Ineligibility

If FIM establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (Trafficking) and 2.8 (Administration) 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 up to a maximum of four (4) years unless the Rider or other Person can prove to the comfortable satisfaction of the hearing panel that he did not knowingly violate the anti-doping rule.

A Rider or other Person can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by FIM.

10.7 Multiple Violations

10.7.1 Second Anti-Doping Rule Violation

For a Rider's or other Person's first anti-doping rule violation, the period of Ineligibility is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction or suspension under Articles 10.4 or 10.5, or to an increase under Article 10.6). For a second anti-doping rule violation the period of Ineligibility shall be within the range set forth in the table below.

Second Violation First Violation	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	Life	life	life	life

Definitions for purposes of the second anti-doping rule violation table:

RS (Reduced sanction for Specified Substance under Article 10.4): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.4 because it involved a Specified Substance and the other conditions under Article 10.4 were met.

FFMT (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Article 10.3.3 (Filing Failures and/or Missed Tests).

NSF (Reduced sanction for No Significant Fault or Negligence): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.5.2 because No Significant Fault or Negligence under Article 10.5.2 was proved by the Rider.

St (Standard sanction under Articles 10.2 or 10.3.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two years under Article 10.2 or 10.3.1.

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.6 because the Anti-Doping Organisation established the conditions set forth under Article 10.6.

TRA (Trafficking or Attempted Trafficking and administration or Attempted administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.3.2.

10.7.2 Application of Articles 10.5.3 and 10.5.4 to Second Anti-Doping Rule Violation

Where a Rider or other Person who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of Ineligibility under Article 10.5.3 or Article 10.5.4, the hearing panel shall first determine the otherwise applicable period of Ineligibility within the range established in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of Ineligibility. The remaining period of Ineligibility, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of Ineligibility.

10.7.3 Third Anti-Doping Rule Violation

A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except FIM the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Article 10.4 or involves a violation of Article 2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of Ineligibility shall be from eight (8) years to life ban.

10.7.4 Additional Rules for Certain Potential Multiple Violations

For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if the FIM (or its FMN) can establish that the Rider or other Person committed the second anti-doping rule violation after the Rider or other Person received notice pursuant to Article 7 (Results Management), or after FIM (or its FMN) made reasonable efforts to give notice, of the first anti-doping rule violation; FIM the FIM (or its FMN) 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; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Article 10.6).

If, after the resolution of a first anti-doping rule violation, FIM discovers facts involving an anti-doping rule violation by the Rider or other Person which occurred prior to notification regarding the first violation, then FIM shall impose an additional sanction based on the sanction that could have been imposed FIM the two violations would have been adjudicated at the same time. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the Rider or other Person must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when FIM discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

10.7.5 Multiple Anti-Doping Rule Violations during an Eight-Year Period

For purposes of Article 10.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

10.8 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 (Automatic Disqualification of Individual Results), all other competitive results 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 prizes.

10.8.1 As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the Rider must first repay all prize money forfeited under this Article.

10.8.2 Allocation of Forfeited Prize Money.

Forfeited prize money shall be reallocated to other Riders.

10.9 Commencement of Ineligibility Period

Except as provided below, the period of Ineligibility shall start on the date of the hearing decision providing for Ineligibility or, FIM the hearing is waived, on the date Ineligibility is accepted or otherwise imposed

10.9.1 Delays Not Attributable to the Rider or other Person

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Rider or other Person, the FIM or Anti-Doping Organisation 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.

10.9.2 Timely Admission

Where the Rider promptly (which, in all meetings, means before the Rider competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by FIM, 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 Rider or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Rider or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

10.9.3 If a Provisional Suspension is imposed and respected by the Rider, then the Rider shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed.

10.9.4 If a Rider voluntarily accepts a Provisional Suspension in writing from FIM and thereafter refrains from competing, the Rider 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 Rider's voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 14.1.

10.9.5 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 Rider elected not to compete or was suspended by his or her team.

10.10 Status during Ineligibility

10.10.1 Prohibition against Participation during Ineligibility

No Rider or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Meeting or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by FIM or any FMN or a club or other member Organisation of FIM or any FMN, or in Competitions authorized or organized by any professional league or any international or national level Meeting Organisation.

A Rider or other Person subject to a period of Ineligibility longer than four years may, after completing four (4) years of the period of Ineligibility, participate in local sport meetings in a sport other than sports subject to the jurisdictions of FIM and its FMNs, but only so long as the local sport Meeting is not at a level that could otherwise qualify such Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Meeting.

A Rider or other Person subject to a period of Ineligibility shall remain subject to Testing.

10.10.2 Violation of the Prohibition of Participation during Ineligibility

Where a Rider or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.10.1, the results of such participation shall be Disqualified and the period of Ineligibility which was originally imposed shall start over again as of the date of the violation. The new period of Ineligibility may be reduced under Article 10.5.2 if the Rider or other Person establishes he or she bears No Significant Fault or Negligence for violating the prohibition against participation. The determination of whether a Rider or other Person has violated the prohibition against participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by FIM.

10.10.3 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction for Specified Substances as described in Article 10.4, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by FIM and its FMNs.

10.11 Reinstatement Testing

As a condition to regaining eligibility at the end of a specified period of Ineligibility, a Rider must, during any period of Provisional Suspension or Ineligibility, make him or herself available for Out-of-Competition Testing by FIM, the applicable FMN, and any other Anti-Doping Organisation having Testing jurisdiction, and must comply with the whereabouts requirements of Article 11 of the International Standard for Testing. If a Rider subject to a period of Ineligibility retires from sport and is removed from Out-of-Competition Testing pools and later seeks reinstatement, the Rider shall not be eligible for reinstatement until the Rider has notified FIM and the applicable FMN and has been subject to Out-of-Competition Testing for a period of time equal to the longer of (a) the period set forth in Article 5.6 and (b) period of Ineligibility remaining as of the date the Rider had retired. During such remaining period of Ineligibility, a minimum of 2 tests must be conducted on the Rider with at least three months between each test. The FMN shall be responsible for conducting the necessary tests, but tests by any Anti-Doping Organisation may be used to satisfy the requirement. The results of such tests shall be reported to FIM. In addition, immediately prior to the end of the period of Ineligibility, a Rider must undergo Testing by FIM for the Prohibited Substances and Methods that are prohibited in Out-of-Competition Testing. Once the period of a Rider's Ineligibility has expired, and the Rider has fulfilled the conditions of reinstatement, then the Rider will become automatically re-eligible and no application by the Rider or by the Rider's FMN will then be necessary.

10.12 Imposition of Financial Sanctions

Anti-Doping Organisations may, in their own rules, provide for financial sanctions on account of anti-doping rule violations. However, no financial sanction may be considered a basis for reducing the period of Ineligibility or other sanction which would otherwise be applicable under the Code.

ARTICLE 11 CONSEQUENCES TO TEAMS

- 11.1** If a member of a team is found to have committed a violation of these Anti-Doping Rules during a Meeting for teams competing with the same motorcycle, the team shall be Disqualified from the Meeting.
- 11.2** If a member of a team is found to have committed a violation of these Anti-Doping Rules during a Meeting where a team ranking is based on the addition of individual results, the results of the Rider committing the violation will be subtracted from the team result and replaced with the results of the next applicable team member. If by removing the Rider's results from the team results, the number of Riders counting for the team is less than the required number, the team shall be eliminated from the ranking.

ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST FMNs

- 12.1** The FIM Executive Board has the authority to withhold some or all funding or other non financial support to FMNs that are not in compliance with these Anti-Doping Rules.

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 13.2 through 13.4 or as otherwise provided in these Anti-Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in these rules must be exhausted (except as provided in Article 13.1.1).

13.1.1 WADA Not Required to Exhaust Internal Remedies

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

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

A decision that an anti-doping rule violation was committed, a decision 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 under Article 10.10.2 (prohibition of participation during Ineligibility); a decision that the FIM or its FMN lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision by any FMN 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 under Article 7.4; and a decision to impose a Provisional Suspension as a result of a Provisional Hearing or otherwise in violation of Article 7.4 may be appealed exclusively as provided in this Article 13.2. Notwithstanding any other provision herein, the only Person that may appeal from a Provisional Suspension is the Rider or other Person upon whom the Provisional Suspension is imposed.

13.2.1 Appeals Involving International-Level Riders

In cases arising from competition in a World Championship or Prize Event or in cases involving International-Level Riders, the decision may be appealed to the International Tribunal of Appeal (TIA) and in last instance exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

13.2.2 Appeals Involving National-Level Riders

In cases involving Riders who do not have a right to appeal under Article 13.2.1, each FMN shall have in place an appeal procedure that respects the following principles: a timely hearing, a fair and impartial hearing panel; the right to be represented by a counsel at the person's expense; and a timely, written, reasoned decision. FIM's rights of appeal with respect to these cases are set forth in Article 13.2.3 below.

13.2.3 Persons Entitled to Appeal

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the Rider 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) FIM and any other Anti-Doping Organisation under whose rules a sanction could have been imposed; and (d) WADA. In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the FMN's rules but, at a minimum, shall include the following parties: (a) the Rider 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) FIM; and (d) WADA. For cases under Article 13.2.2, WADA and FIM shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

13.3 Failure to Render a Timely Decision by FIM and its FMNs

Where, in a particular case, FIM or its FMNs fail 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 FIM or its FMN had rendered a decision finding no anti-doping rule violation. If the CAS 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 attorneys fees in prosecuting the appeal shall be reimbursed to WADA by FIM or its FMNs.

13.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Decisions by WADA reversing the grant or denial of a TUE may be appealed exclusively to CAS by the Rider, FIM, or National Anti-Doping Organisation or other body designated by an FMN which granted or denied the exemption. Decisions to deny TUE's, and which are not reversed by WADA, may be appealed by International-Level Riders to CAS and by other Riders to the national level reviewing body described in Article 13.2.2. FIM the national level reviewing body reverses the decision to deny a TUE, that decision may be appealed to CAS by WADA.

When the FIM, National Anti-Doping Organisations or other bodies designated by FMNs fail to take action on a properly submitted TUE application within a reasonable time, their failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

13.5 Appeal from Decisions Pursuant to Article 12

Decisions by FIM pursuant to Article 12 may be appealed exclusively to CAS by the FMN.

13.6 Time for Filing Appeals

The time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- b) FIM such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

The above notwithstanding, the filing deadline for an appeal or intervention filed by WADA shall be the later of:

- (a) Twenty-one (21) days after the last day on which any other party in the case could have appealed, or
- (b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

ARTICLE 14 FMNS' INCORPORATION OF FIM RULES, REPORTING AND RECOGNITION

14.1 Incorporation of FIM Anti-Doping Rules

All FMNs shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each FMNs Rules. All FMNs shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each FMN shall obtain the written acknowledgement and agreement, in the form attached as Appendix 2, of all Riders subject to Doping Control and Rider Support Personnel for such Riders. Notwithstanding whether or not the required form has been signed, the Rules of each FMN shall specifically provide that all Riders, Rider Support Personnel and other Persons under the jurisdiction of the FMN shall be bound by these Anti-Doping Rules.

14.2 Statistical Reporting

- 14.2.1** FMNs shall report to FIM at the end of every year results of all Doping Controls within their jurisdiction sorted by Rider and identifying each date on which the Rider was tested, the entity conducting the test, and whether the test was In-Competition or Out-of-Competition. FIM may periodically publish Testing data received from FMNs as well as comparable data from Testing under FIM's jurisdiction.
- 14.2.2** FIM shall publish annually a general statistical report of its Doping Control activities during the calendar year with a copy provided to WADA.

14.3 Doping Control Information Clearinghouse

When an FMN has received an Adverse Analytical Finding on one of its Riders it shall report the following information to FIM and WADA within fourteen (14) days of the process described in Article 7.1.2 and 7.1.3: the Rider's name, country, sport and discipline within the sport, whether the test was In-Competition or Out-of-Competition, the date of Sample collection and the analytical result reported by the laboratory. The FMN shall also regularly update FIM and WADA on the status and findings of any review or proceedings conducted pursuant to Article 7 (Results Management), Article 8 (Right to a Fair Hearing) or Article 13 (Appeals), and comparable information shall be provided to FIM and WADA within 14 days of the notification described in Article 7.1.9, with respect to other violations of these Anti-Doping Rules. In any case in which the period of Ineligibility is eliminated under Article 10.5.1 (No Fault or Negligence) or reduced under Article 10.5.2 (No Significant Fault or Negligence), FIM and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither FIM nor WADA shall disclose this information beyond those persons within their organisations with a need to know until the FMN has made public disclosure or has failed to make public disclosure as required in Article 14.4 below.

14.4 Public Disclosure

14.1 Neither FIM nor its FMN shall publicly identify Riders whose Samples have resulted in Adverse Analytical Findings, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged or the Rider has been Provisionally Suspended. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days. FIM or its FMN must also report within 20 days appeal decisions on an anti-doping rule violation. FIM or its FMN shall also, within the time period for publication, send all hearing and appeal decisions to WADA.

14.4.2 In any case where it is determined, after a hearing or appeal, that the Rider or other Person did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the Rider or other Person who is the subject of the decision. FIM or its FMN shall use reasonable efforts to obtain such consent, and FIM consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the Rider or other Person may approve.

14.4.3 Neither FIM nor its FMN or WADA accredited laboratory, or official of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the Rider, other Person or their representatives.

14.5 Recognition of Decisions by FIM and FMNs

Any decision of FIM or an FMN regarding a violation of these Anti-Doping Rules shall be recognized by all FMNs, which shall take all necessary action to render such results effective.

ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

Subject to the right to appeal provided in Article 13, the Testing, TUE's and hearing results or other final adjudications of any Signatory to the Code which are consistent with the Code and are within the Signatory's authority, shall be recognized and respected by FIM and its FMNs. FIM and its FMNs may recognize the same actions of other bodies which have not accepted the Code FIM the rules of those bodies are otherwise consistent with the Code.

ARTICLE 16 STATUTE OF LIMITATIONS

No action may be commenced under these Anti-Doping Rules against a Rider or other Person for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight years from the date the violation occurred.

ARTICLE 17 FIM COMPLIANCE REPORTS TO WADA

The FIM will report to WADA on the FIM's compliance with the Code every second year and shall explain reasons for any non-compliance.

ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

- 18.1** These Anti-Doping Rules may be amended from time to time by the FIM General Assembly.
- 18.2** Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 18.3** The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
- 18.4** The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.

- 18.5** These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The comments annotating various provisions of the Code may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.
- 18.6** Notice to a Rider or other Person who is a member of an FMN may be accomplished by delivery of the notice to the FMN.
- 18.7** These Anti-Doping Rules shall come into full force and effect on 1 January 2009 (the “**Effective Date**”). They shall not apply retrospectively to matters pending before the effective Date; provided, however, that:
- 18.7.1** Any case pending prior to the Effective Date, or brought after the Effective Date based on an anti-doping rule violation that occurred prior to the Effective Date, shall be governed by the predecessor to these Anti-Doping Rules in force at the time of the anti-doping rule violation, subject to any application of the principle of *lex mitior* by the hearing panel determining the case.
- 18.7.2** Any Article 2.4 whereabouts violation (whether a filing failure or a missed test) declared by FIM under rules in force prior to the Effective Date that has not expired prior to the Effective Date and that would qualify as a whereabouts violation under Article 11 of the International Standard for Testing shall be carried forward and may be relied upon, prior to expiry, as one of the three Filing Failures and/or Missed Tests giving rise to an anti-doping rule violation under Article 2.4 of these Anti-Doping Rules, unless otherwise stated by FIM, however:
- a. a filing failure that is carried forward in this manner may only be combined with (post-Effective Date) Filing Failures;

- b. a missed test that is carried forward in this manner may only be combined with (post-Effective Date) Missed Tests; and
- c. a filing failure or missed test declared by any Anti-Doping Organisation other than FIM and an FMN prior to the Effective Date may not be combined with any Filing Failure or Missed Test declared under these Anti-Doping Rules.

18.7.3 Where a period of Ineligibility imposed by FIM under rules in force prior to the Effective Date has not yet expired as of the Effective Date, the Person who is Ineligible may apply to FIM for a reduction in the period of Ineligibility in light of the amendments made to the Code as from the Effective Date. To be valid, such application must be made before the period of Ineligibility has expired.

18.7.4 Subject always to Article 10.7.5, anti-doping rule violations committed under rules in force prior to the Effective Date shall be taken into account as prior offences for purposes of determining sanctions under Article 10.7. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a Specified Substance under these Anti-Doping Rules, for which a period of Ineligibility of less than two years was imposed, such violation shall be considered a Reduced Sanction violation for purposes of Article 10.7.1.

* * * * *

APPENDIX 1 – DEFINITIONS

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

Anti-Doping Organisation: A Signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other Major Event Organisations that conduct Testing at their events, WADA, the FIM and National Anti-Doping Organisations.

Athlete: Any Person who participates in sport at the international level (as defined by each FMN) the national level (as defined by each National Anti-Doping Organisation, including but not limited to those Persons in its Registered Testing Pool), and any other competitor in sport who is otherwise subject to the jurisdiction of any Signatory or other sports Organisation accepting the Code. All provisions of the Code, including, for example, Testing, and TUE's must be applied to international and national-level competitors. Some National Anti-Doping Organisations may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national calibre competitors. National Anti-Doping Organisations are not required, however, to apply all aspects of the Code to such Persons. Specific national rules may be established for Doping Control for non-international-level or national-level competitors without being in conflict with the Code. Thus, a country could elect to test recreational-level competitors but not require TUE's or whereabouts information. In the same manner, a Major Event Organisation holding an Event only for masters-level competitors could elect to test the competitors but not require advance TUE or whereabouts information. For purposes of Article 2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports Organisation accepting the Code is an Athlete.

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an Attempt to commit a violation if the Person renounces the attempt prior to it being discovered by a third party not involved in the Attempt.

Atypical Finding: A report from a laboratory or other WADA-approved entity which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an Adverse Analytical Finding.

CAD: The FIM Anti-Doping Code

CAS: The Court of Arbitration for Sport.

CDA: The FIM Disciplinary and Arbitration Code

CMI: The FIM International Medical Panel

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular athletic contest. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a Competition and an Event will be as provided in the rules of the applicable International Federation.

Consequences of anti-doping rule violations: A Rider's or other Person's violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Rider's results in a particular Competition or Meeting are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the Rider or other Person is barred for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.9; and (c) Provisional Suspension means the Rider or other Person is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

Disqualification: See Consequences of anti-doping rule violations, above.

Doping Control: All steps and processes from test distribution planning, through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, sample collection and handling, laboratory analysis, TUE's, results management and hearings.

Event: A series of individual Competitions conducted together under one ruling body (e.g., the Olympic Games, FIM World Championship, or Pan American Games).

Event Period: The time between the beginning and the end of an Event, as established by the ruling body of the Event.

FMN: A national entity which is a member of the FIM and recognised as the entity governing the FIM's disciplines in that nation.

In-Competition: Unless provided otherwise in the rules of an International Federation or other relevant Anti-Doping Organisation, “In-Competition” means the period commencing twelve hours before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition.

Independent Observer Program: A team of observers, under the supervision of WADA, who observes and may provide guidance on the Doping Control process at certain Events and report on their observations.

Individual Sport: Any sport that is not a Team Sport.

Ineligibility: See Consequences of Anti-Doping Rule Violations above.

International Event: An Event where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major Event Organisation, or another international sport Organisation is the ruling body for the Event or appoints the technical officials for the Event.

International Meeting: Term used within motorcycling for International Event. A Meeting organised by a National Federation (FMN) but open to Riders of another FMN and run under FIM rules with Officials appointed by the organising FMN.

International-Level Rider: Riders designated by the FIM as being within the Registered Testing Pool.

International Standard: A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly. International Standards shall include any Technical Documents issued pursuant to the International Standard.

Major Event Organisations: The continental associations of National Olympic Committees and other international multi-sport Organisations that function as the ruling body for any continental, regional or other International Event.

Marker: A compound, group of compounds or biological parameter(s) that indicates the Use of a Prohibited Substance or Prohibited Method.

Meeting: Term used within motorcycling for one or more individual Competitions, races, heats, courses conducted together under one ruling and sanctioning body.

Metabolite: Any substance produced by a biotransformation process.

Minor: A natural Person who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organisation: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organisation for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee.

National Event: A sport Event involving international or national-level Riders that is not an International Event.

National Olympic Committee: The Organisation recognized by the International Olympic Committee. The term National Olympic Committee shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical National Olympic Committee responsibilities in the anti-doping area.

No Advance Notice: A Doping Control which takes place with no advance warning to the Rider and where the Rider is continuously chaperoned from the moment of notification through Sample provision.

No Fault or Negligence: The Rider's establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had Used or been administered the Prohibited Substance or Prohibited Method.

No Significant Fault or Negligence: The Rider's establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation.

Out-of-Competition: Any Doping Control which is not In-Competition.

Participant: Any Rider or Rider Support Personnel.

Person: A natural Person or an Organisation or other entity.

Possession: The actual, physical possession, or the constructive possession (which shall be found only FIM the person has exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists); provided, however, that FIM the person does not have exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive possession shall only be found FIM the person knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession FIM, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have possession and has renounced possession by explicitly declaring it to an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes possession by the Person who makes the purchase.

Prohibited List: The List identifying the Prohibited Substances and Prohibited Methods.

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

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

Provisional Hearing: For purposes of Article 7.6, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the Rider with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension: See Consequences above

Publicly Disclose or Publicly Report: To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 14.

Registered Testing Pool: The pool of top level Riders established separately by each International Federation and National Anti-Doping Organisation who are subject to both In-Competition and Out-of-Competition Testing as part of that International Federation's or National Anti-Doping Organisation's test distribution plan.

Retroactive TUE: As defined in the International Standard for Therapeutic Use Exemptions.

Rider: Term used within the FIM for "athlete"

Rider Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other Person working with or treating or assisting a Rider participating in or preparing for sports Competition.

Sample: Any biological material collected for the purposes of Doping Control.

Signatories: Those entities signing the Code and agreeing to comply with the Code, including the International Olympic Committee, International Federations, International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Meeting Organisations, National Anti-Doping Organisations, and WADA.

Suspension: see Ineligibility above

Specified Substances: As defined in Article 4.2.2.

Substantial Assistance: For purposes of Article 10.5.3, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing FIM requested to do so by an Anti-Doping Organisation or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, FIM no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring; or providing fraudulent information to an Anti-Doping Organisation.

Target Testing: Selection of Riders for Testing where specific Riders or groups of Riders are selected on a non-random basis for Testing at a specified time.

Team Sport: A sport in which the substitution of players is permitted during a Competition.

Testing: The parts of the Doping Control process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the laboratory.

Trafficking: Selling, giving, transporting, sending, delivering or distributing a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by a Rider, Rider Support Personnel or any other Person subject to the jurisdiction of an Anti-Doping Organisation to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate such Prohibited Substances are not intended for genuine and legal therapeutic purposes.

TUE: As defined in the International Standard for Therapeutic use Exemptions.

TUE Board: As defined in Article 4.4.4.

UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

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

WADA: The World Anti-Doping Agency.

APPENDIX 2 – ACKNOWLEDGMENT AND AGREEMENT

I, as a member of a national federation (FMN) and/or a participant in an FMN or FIM authorized or recognized Meeting, hereby acknowledge and agree as follows:

1. I have been referred and had an opportunity to review the FIM Anti-Doping Code.
2. I consent and agree to comply with and be bound by all of the provisions of the FIM Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all International Standards incorporated in the Anti-Doping Rules.
3. I acknowledge and agree that the National Federation (FMN) and the FIM have jurisdiction to impose sanctions as provided in the FIM Anti-Doping Code.
4. I also acknowledge and agree that any dispute arising out of a decision made pursuant to the FIM Anti-Doping Code, after exhaustion of the process expressly provided for in the FIM Anti-Doping Code, may be appealed exclusively as provided in Article 13 of the FIM Anti-Doping Code to an appellate body for final and binding arbitration in last instance, which in the case of International-Level Riders is the Court of Arbitration for Sport.
5. I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.
6. I have read and understand this Acknowledgement and Agreement.

Date

Print Name (Last Name, First Name)

Date of Birth
(Day/Month/Year)

Signature (or, if a minor, signature of
legal guardian/representative)

APPENDIX 3 – THE 2009 PROHIBITED LIST

The official text of the Prohibited List shall be maintained by WADA and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

Valid 1 January 2009

The use of any drug should be limited to medically justified indications.

All Prohibited Substances shall be considered as “Specified Substances” except Substances in classes S1, S2, S.4.4 and S6.a, and Prohibited Methods M1, M2 and M3.

<p style="text-align: center;">SUBSTANCES AND METHODS PROHIBITED AT ALL TIMES (IN- AND OUT-OF-COMPETITION)</p>

PROHIBITED SUBSTANCES

S1. ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

a. Exogenous AAS, including:

1-androstendiol (5 α -androst-1-ene-3 β ,17 β -diol); **1-androstendione** (5 α -androst-1-ene-3,17-dione); **bolandiol** (19-norandrostenediol); **bolasterone**; **boldenone**; **boldione** (androsta-1,4-diene-3,17-dione); **calusterone**; **clostebol**; **danazol** (17 α -ethynyl-17 β -hydroxyandrost-4-eno[2,3-d]isoxazole); **dehydrochlor-methyltestosterone** (4-chloro-17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **desoxymethyltestosterone** (17 α -methyl-5 α -androst-2-en-17 β -ol); **drostanolone**; **ethylestrenol** (19-nor-17 α -pregn-4-en-17-ol); **fluoxy-mesterone**; **formebolone**; **furazabol** (17 β -hydroxy-17 α -methyl-5 α -androstanol[2,3-c]-furazan); **gestrinone**; **4-hydroxytestosterone** (4,17 β -dihydroxyandrost-4-en-3-one); **mestanolone**; **mesterolone**; **metenolone**; **methandienone** (17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **methandriol**; **methasterone** (2 α , 17 α -dimethyl-5 α -androstan-3-one-17 β -ol); **methyldienolone** (17 β -hydroxy-17 α -methylestra-4,9-dien-3-one); **methyl-1-testosterone** (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one); **methyl-nortestosterone** (17 β -hydroxy-17 α -methylestr-4-en-3-one); **methyltrienolone**

(17 β -hydroxy-17 α -methylene-4,9,11-trien-3-one); **methyltestosterone**; **mibolone**; **nandrolone**; **19-norandrostenedione** (estr-4-ene-3,17-dione); **norbolone**; **norclostebol**; **norethandrolone**; **oxabolone**; **oxandrolone**; **oxymesterone**; **oxymetholone**; **prostanazol** (17 β -hydroxy-5 α -androstan-3-one); **quinbolone**; **stanozolol**; **stenbolone**; **1-testosterone** (17 β -hydroxy-5 α -androst-1-en-3-one); **tetrahydrogestrinone** (18 α -homo-pregna-4,9,11-trien-17 β -ol-3-one); **trenbolone** and other substances with a similar chemical structure or similar biological effect(s).

b. Endogenous* AAS when administered exogenously:

androstenediol (androst-5-ene-3 β ,17 β -diol); **androstenedione** (androst-4-ene-3,17-dione); **dihydrotestosterone** (17 β -hydroxy-5 α -androstan-3-one); **prasterone** (dehydroepiandrosterone, DHEA); **testosterone**

and the following metabolites and isomers:

5 α -androstane-3 α ,17 α -diol; **5 α -androstane-3 α ,17 β -diol**; **5 α -androstane-3 β ,17 α -diol**; **5 α -androstane-3 β ,17 β -diol**; **androst-4-ene-3 α ,17 α -diol**; **androst-4-ene-3 α ,17 β -diol**; **androst-4-ene-3 β ,17 α -diol**; **androst-4-ene-3 β ,17 β -diol**; **androst-5-ene-3 α ,17 α -diol**; **androst-5-ene-3 α ,17 β -diol**; **androst-5-ene-3 β ,17 α -diol**; **4-androstenediol** (androst-4-ene-3 β ,17 β -diol); **5-androstenedione** (androst-5-ene-3,17-dione); **epi-dihydrotestosterone**; **epitestosterone**; **3 α -hydroxy-5 α -androstan-17-one**; **3 β -hydroxy-5 α -androstan-17-one**; **19-norandrosterone**; **19-noretiocholalone**.

2. Other Anabolic Agents, including but not limited to:

Clenbuterol, **selective androgen receptor modulators (SARMs)**, **tibolone**, **zeranol**, **zilpaterol**.

For purposes of this section:

* "exogenous" refers to a substance which is not ordinarily capable of being produced by the body naturally.

** "endogenous" refers to a substance which is capable of being produced by the body naturally.

S2. HORMONES AND RELATED SUBSTANCES

The following substances and their releasing factors, are prohibited:

1. **Erythropoiesis-Stimulating Agents** (e.g. **erythropoietin (EPO)**, **darbepoietin (dEPO)**, **Hematide**);
2. **Growth Hormone (GH)**, **Insulin-like Growth Factors** (e.g. **IGF-1**), **Mechano Growth Factors (MGFs)**;
3. **Chorionic Gonadotrophin (CG)** and **Luteinizing Hormone (LH)** in males;
4. **Insulins**;
5. **Corticotrophins**;

and other substances with similar chemical structure or similar biological effect(s).

S3. BETA-2 AGONISTS

All beta-2 agonists including their D- and L-isomers are prohibited.

Therefore, formoterol, salbutamol, salmeterol and terbutaline when administered by inhalation also require a Therapeutic Use Exemption in accordance with the relevant section of the International Standard for Therapeutic Use Exemption.

Despite the granting of a Therapeutic Use Exemption, the presence of salbutamol in urine in excess of 1000 ng/mL will be considered as an Adverse Analytical Finding unless the Athlete proves, through a controlled pharmacokinetic study, that the abnormal result was the consequence of the use of a therapeutic dose of inhaled salbutamol.

S4. HORMONE ANTAGONISTS AND MODULATORS

The following classes are prohibited:

1. **Aromatase inhibitors** including, but not limited to: **anastrozole**, **letrozole**, **aminoglutethimide**, **exemestane**, **formestane**, **testolactone**.
2. **Selective estrogen receptor modulators (SERMs)** including, but not limited to: **raloxifene**, **tamoxifen**, **toremifene**.
3. **Other anti-estrogenic substances** including, but not limited to: **clomiphene**, **cyclofenil**, **fulvestrant**.
4. **Agents modifying myostatin function(s)** including but not limited to: **myostatin inhibitors**.

S5. DIURETICS AND OTHER MASKING AGENTS

Masking agents are prohibited. They include:

Diuretics, probenecid, plasma expanders (e.g. intravenous administration of **albumin, dextran, hydroxyethyl starch** and **mannitol**) and other substances with similar biological effect(s).

Diuretics include:

Acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, etacrynic acid, furosemide, indapamide, metolazone, spironolactone, thiazides (e.g. **bendroflumethiazide, chlorothiazide, hydrochlorothiazide**), **triamterene**, and other substances with a similar chemical structure or similar biological effect(s) (except drosperinone and topical dorzolamine and brinzolamide, which are not prohibited).

PROHIBITED METHODS

M1. ENHANCEMENT OF OXYGEN TRANSFER

The following are prohibited:

1. Blood doping, including the use of autologous, homologous or heterologous blood or red blood cell products of any origin.
2. Artificially enhancing the uptake, transport or delivery of oxygen, including but not limited to perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin products (e.g. haemoglobin-based blood substitutes, microencapsulated haemoglobin products).

M2. CHEMICAL AND PHYSICAL MANIPULATION

1. Tampering, or attempting to tamper, in order to alter the integrity and validity of Samples collected during Doping Controls is prohibited. These include but are not limited to catheterisation, urine substitution and/or alteration.
2. Intravenous infusions are prohibited except in the management of surgical procedures, medical emergencies or clinical investigations.

M3. GENE DOPING

The transfer of cells or genetic elements or the use of cells, genetic elements or pharmacological agents to modulating expression of endogenous genes having the capacity to enhance athletic performance, is prohibited.

Peroxisome Proliferator Activated Receptor ? (PPAR?) agonists (e.g. GW 1516) and PPAR?-AMP-activated protein kinase (AMPK) axis agonists (e.g. AICAR) are prohibited.

<p style="text-align: center;">SUBSTANCES AND METHODS PROHIBITED IN-COMPETITION</p>
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In addition to the categories S1 to S5 and M1 to M3 defined above, the following categories are prohibited in competition:

PROHIBITED SUBSTANCES

S6. STIMULANTS

All stimulants (including both their D- & L- optical isomers where relevant) are prohibited, except imidazole derivatives for topical use and those stimulants included in the 2009 Monitoring Program*.

Stimulants include:

a: Non Specified Stimulants:

Adrafinil; amfepramone; amiphenazole; amphetamine; amphetaminil; benzphetamine; benzylpiperazine; bromantan; clobenzorex; cocaine; cropropamide; crotetamide; dimethylamphetamine; etilamphetamine; famprofazone; fencamine; fenetylline; fenfluramine; fenproporex; furfenorex; mefenorex; mephentermine; mesocarb; methamphetamine(D-); methylenedioxyamphetamine; methylenedioxymethamphetamine; p-methylamphetamine; modafinil; norfenfluramine; phendimetrazine; phenmetrazine; phentermine; 4-phenylpiracetam (carphedon); prolintane.

A stimulant not expressly listed in this section is a Specified Substance.

b: Specified Stimulants (examples):

Adrenaline^{}; cathine^{***}; ephedrine^{****}; etamivan; etilefrine; fenbutrazate; fencamfamin; heptaminol; isometheptene; levmetamphetamine; meclofenoxate; methylephedrine^{****}; methylphenidate; nikethamide; norfenefrine; octopamine; oxilofrine; parahydroxyamphetamine; pemoline; pentetrazol; phenpromethamine; propylhexedrine; selegiline; sibutramine; strychnine; tuaminoheptane** and other substances with a similar chemical structure or similar biological effect(s).

* The following substances included in the 2009 Monitoring Program (bupropion, caffeine, phenylephrine, phenylpropanolamine, piperadol, pseudoephedrine, synephrine) are not considered as Prohibited Substances.

** **Adrenaline** associated with local anaesthetic agents or by local administration (e.g. nasal, ophthalmologic) is not prohibited.

*** **Cathine** is prohibited when its concentration in urine is greater than 5 micrograms per milliliter.

**** Each of **ephedrine** and **methylephedrine** is prohibited when its concentration in urine is greater than 10 micrograms per milliliter.

S7. NARCOTICS

The following narcotics are prohibited:

Buprenorphine, dextromoramide, diamorphine (heroin), fentanyl and its derivatives, hydromorphone, methadone, morphine, oxycodone, oxymorphone, pentazocine, pethidine.

S8. CANNABINOIDS

Cannabinoids (e.g. hashish, marijuana) are prohibited.

S9. GLUCOCORTICOSTEROIDS

All glucocorticosteroids are prohibited when administered by oral, intravenous, intramuscular or rectal routes.

In accordance with the International Standard for Therapeutic Use Exemption, a declaration of use must be completed by the Athlete for glucocorticosteroids administered by intraarticular, periarticular, peritendinous, epidural, intradermal and inhalation routes, except as noted below.

Topical preparations when used for auricular, buccal, dermatological (including iontophoresis/phonophoresis), gingival, nasal, ophthalmic and perianal disorders are not prohibited and neither require a Therapeutic Use Exemption nor a declaration of use.

SUBSTANCES PROHIBITED IN PARTICULAR SPORTS

P1. ALCOHOL

Alcohol (ethanol) is prohibited In-Competition only, in the following sports. Detection will be conducted by analysis of breath and/or blood. The doping violation threshold (haematological values) is 0.10 g/L.

- Aeronautic (FAI)
- Archery (FITA, IPC)
- Automobile (FIA)
- Boules (IPC bowls)
- Karate (WKF)
- Modern Pentathlon (UIPM)
for disciplines involving shooting
- Motorcycling (FIM)
- Ninepin and Tenpin Bowling (FIQ)
- Powerboating (UIM)

P2. BETA-BLOCKERS

Unless otherwise specified, beta-blockers are prohibited In-Competition only, in the following sports.

- Aeronautic (FAI)
- Archery (FITA, IPC) (also prohibited Out-of-Competition)
- Automobile (FIA)
- Billiards and Snooker (WCBS)
- Bobsleigh (FIBT)
- Boules (CMSB, IPC bowls)
- Bridge (FMB)
- Curling (WCF)
- Golf (IGF)
- Gymnastics (FIG)
- Motorcycling (FIM)
- Modern Pentathlon (UIPM)
for disciplines involving shooting
- Ninepin and Tenpin Bowling (FIQ)
- Powerboating (UIM)
- Sailing (ISAF) for match race helms only
- Shooting (ISSF, IPC) (also prohibited Out-of-Competition)
- Skiing/Snowboarding (FIS)
in ski jumping, freestyle aerials/halfpipe and snowboard halfpipe/big air
- Wrestling (FILA)

Beta-blockers include, but are not limited to, the following:

Acebutolol, alprenolol, atenolol, betaxolol, bisoprolol, bunolol, carteolol, carvedilol, celiprolol, esmolol, labetalol, levobunolol, metipranolol, metoprolol, nadolol, oxprenolol, pindolol, propranolol, sotalol, timolol.



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Therapeutic Use Exemptions TUE

Please complete all sections in capital letters or typing

1. Rider Information

Surname:	Given Names:
Female <input type="checkbox"/> Male <input type="checkbox"/>	Date of Birth (d/m/y):
Nationality:	National Federation
Address:	
City: Country	Postcode:
Tel.:	E-mail:
(with international code)	Mobile N°:
Sport: Motorcycling	Discipline/Championship:
International Sporting Organisation: Fédération Internationale de Motocyclisme FIM	
If rider with disability, indicate disability:	

2. Medical information

Diagnosis with sufficient medical information (see note 1):
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If a permitted medication can be used to treat the medical condition, provide clinical justification for the requested use of the prohibited medication
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5. Rider's declaration

I, certify that the information under 1. is accurate and that I am requesting approval to use a Substance or Method from the WADA Prohibited List. I authorize the release of personal medical information to the Fédération Internationale de Motocyclisme (FIM) as well as to WADA staff, to the WADA TUEC (Therapeutic Use Exemption Committee) and to other ADO under the provisions of the Code. I understand that if I ever wish to revoke the right of these organisations to obtain my health information on my behalf, I must notify my medical practitioner and my ADO in writing of that fact.

Rider's signature: Date:

Parent's/Guardian's signature: Date:
(if the rider is a minor or has a disability preventing him/her to sign this form, a parent or guardian shall sign together with or on behalf of the rider)

Note:

Note 1	<p>Diagnosis</p> <p><i>Evidence confirming the diagnosis must be attached and forwarded with this application. The medical evidence should include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies. Copies of the original reports or letters should be included when possible. Evidence should be as objective as possible in the clinical circumstances and in the case of non-demonstrable conditions independent supporting medical opinion will assist this application.</i></p>
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Incomplete Applications will be returned and will need to be resubmitted.

Please submit the completed form to the FIM and keep a copy for your records.