

PASA ANTI-DOPING CODE INTRODUCTION:

THE PURPOSE, SCOPE, AND ORGANIZATION OF THE PASA AND THE WORLD ANTI-DOPING CODE;

The purposes of the PASA's Anti-Doping Program and the Code are in accordance with the World Anti-Doping Agency (WADA).

- To protect the Athlete's fundamental right to participate in doping-free sport and thus promote health, fairness, and equality for Athletes worldwide; and
- To ensure harmonized, coordinated and effective anti-doping programs at the international and national level with regard to detection, deterrence, and prevention of doping.

THE PAN AMERICAN SURF ASSOCIATION'S ANTI-DOPING PROGRAM

The PASA's Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs.

The main elements are:

- 1- The Code
- 2- International Standards

THE CODE

The Code is the fundamental and universal document upon which the PASA Anti-Doping Program is based. The purpose of the Code is to advance the anti-doping effort through universal harmonization of core anti-doping elements. The rules follow the same structure as the Code, with some regulations which are specific to the PASA and the NF's members of the PASA. The Code can be found on the WADA website.

INTERNATIONAL STANDARDS

International Standards for different technical and operational areas within the anti-doping program will be developed in conjunction with WADA. The purpose for the International Standards is harmonization among Anti-Doping Organizations and approved by WADA, and adopted by the PASA.

The International Standards may be revised from time to time by the WADA Executive Committee after reasonable consultation with the Signatories and governments. Unless provided otherwise in the Code, International Standards and all revisions shall become effective on the date specified in the International Standard or revision

FUNDAMENTAL RATIONALE FOR THE PASA'S ANTI-DOPING CODE

The PASA's Anti-Doping Program seeks to preserve what is intrinsically valuable about sport. This value is often referred to as the "spirit of the sport"; it is the essence of true sportsmanship. It is how we play true. The spirit of sports 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.

PART ONE

Part one of the Code sets forth specific anti-doping rules and principles that are to be followed. The PASA.

Doping Control:

Anti-doping rules, like competition rules, are sport rules governing the conditions under which sport is played. Athletes accept these rules as a condition of participation. Anti-doping rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the Code represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.

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 the Code

ARTICLE 2: ANTI-DOPING RULE VIOLATIONS:

The following constitute anti-doping rule violations:

2.1 The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's bodily Specimen.

2.1.1 It is each Athlete's personal duty to ensure that no Prohibited Substances enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their bodily Specimens. Accordingly, it is not necessary that intent, fault negligence or knowing Use on the Athletes' part be demonstrated in order to establish an anti-doping violation under Article 2.1

2.1.2 Excepting those substance for which a quantitative reporting threshold is specifically identified I the Prohibited List, the detected presence of any quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample shall substitute an anti-doping rule violation.

2.1.3 As an exception to the general rule of Article 2.1, the Prohibited List may establish special criteria for the evaluation of Prohibited Substance that can also be produce endogenously.

2.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method.

2.2.1 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 applicable anti-doping rules or other wise evading Sample collection.

2.4 Violation of applicable requirements regarding Athlete availability for Out of Competition Testing including failure to provide required whereabouts information and missed tests which re declared based on reasonable rules.

2.5 Tampering, or attempting to tamper, with any part of Doping Control.

2.6 Possession of Prohibited Substance and Methods:

2.6.1 Possession by an Athlete at any time or place of a substance that is prohibited in Out-of-Competition Testing or a Prohibited Method unless the Athlete establishes that the Possession is pursuant to a therapeutic use exemption granted in accordance with Article 4.4, (Therapeutic Use) or other acceptable justification.

2.6.2 Possession of a substance that is prohibited in Out-of-Competition Testing or a Prohibited Method by Athlete Support Personnel in connection with an Athlete, Competition or training, unless the Athlete Support Personnel establishes that the Possession is pursuant to a therapeutic sue exemption granted to ant Athlete in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

2.7 Trafficking in any Prohibited Substance or Prohibited Method.

2.8 Administration or Attempted administration of a Prohibited Substance or Prohibited Method to any Athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted violation

ARTICLE 3: PROOF OF DOPING

3.1 Burdens and Standards of Proof.

The PASA shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the PASA has established an anti doping rule violation to the comfortable satisfaction of the hearing body 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 the proof beyond a reasonable doubt. Where the Code places the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts of circumstances, the standard of proof shall be by a balance of probability.

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 laboratory analysis. The Athlete may rebut this presumption by establishing that a departure from the International Standard occurred.

3.2.2 Departures from the International Standard for Testing which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results. If the Athlete establishes that departures from the International Standard occurred during testing then the PASA shall have the burden to establish that such departures did not cause the Adverse Analytical finding or the actual basis for the anti-doping rule violation.

ARTICLE 4: THE PROHIBITED LIST

4.1 Publication and Revision of the Prohibited List

WADA shall, as often as necessary and no less often than annually, publish the Prohibited list as an International Standard. The proposed content of the Prohibited list and all revisions shall be provided in writing promptly to all Signatories and governments for comment and consultation. Each annual version of the Prohibited list and all revisions shall be distributed promptly by WADA to each Signatory and government and shall be published on WADA's website, and each signatory shall take appropriate steps to distribute the Prohibited list to its members and constituents. The rules of the PASA shall specify that, unless otherwise in the Prohibited list or a revision, the Prohibited list and revisions shall go into effect under the

PASA's rules 3 months after publication of the Prohibited list by WADA without requiring any further action by the PASA.

4.2 Prohibited Substances and Prohibited Methods identified on the Prohibited list.

The prohibited list shall identify those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times, (both in and out of competition) because of their potential to enhance performance in future competitions or their masking potential and those substances and methods which are prohibited In-Competition only. Prohibited Substances and Prohibited Methods may be included in the Prohibited list by general category or by specific reference to a particular substance or method.

4.3 Criteria for including substances and Methods on the Prohibited List.

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

4.3.1.1 Medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to enhance or enhances sport performance;

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

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

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

4.4 Therapeutic Use

4.4.1 Athletes with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must first obtain a Therapeutic Use Exemption ("TUE").

4.4.2 Athletes included by PASA and its Registered Testing Pool and other Athletes prior to their participation in any International Event must obtain a TUE from the PASA (regardless of whether the Athlete previously has received a TUE at the national level). TUE's granted by the PASA shall be reported to the Athlete's National Federation and to WADA. Other Athletes subject to Testing must obtain a TUE from their National Anti-Doping Organization or other body designated by their National Federation. National Federations shall promptly report any such TUE's to the PASA and WADA.

4.4.3 The PASA Executive shall appoint a panel of physicians to consider requests for TUE's (the "TUE Panel"). Upon the PASA's receipt of a TUE request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel 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 the PASA.

4.4.3.1 International-Level Athletes who are included in the PASA's Registered Testing Pool, should apply to the PASA for the TUE at the same time the Athlete first provides whereabouts information to the PASA and, except in emergency situations, no later than 21 days before the Athlete's participation at an International Event.

4.4.3.2 Athletes participating in International Events who are not included in the PASA's

Registered Testing Pool must, except in emergency situations, request a TUE from the PASA no later than 21 days before the Athlete's participation at an International Event.

4.4.4 WADA, at the request of an Athlete or on its own initiation, may review the granting or denial of any TUE to an International Level Athlete or a national level Athlete that is included in a Registered Testing Pool. 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 The PASA will plan and implement an effective number of in-competition testing. All Athletes affiliated with a NF shall be subject to In-Competition Testing by the PASA, the Athlete's NF, and any other Anti-Doping Organization responsible for testing at a competition or event in which they participate. All Athletes affiliated with a NF shall also be subject to Out-of-Competition Testing at any time or place, with or without advance notice, by the PASA, WADA, the Athlete's NF or the National Anti-Doping Organization of any country where the Athlete is present.

5.1.2 WADA will be planning and implementing out-of competition testing.

5.1.2.1 will make No Advance Notice Testing a priority.

5.1.3 Each NGB shall establish a Registered Testing Pool for International-level Athletes for its country.

5.2 Standards for testing

The PASA's ADC shall be responsible for overseeing all Testing conducted by the PASA. Testing at PASA events is the responsibility of the NF, which is the host of the event according to PASA Rules. Testing must be performed as a minimum at the World Surfing Games and Junior events.

Anti-doping Organization conducting testing shall conduct such testing in conformity with the International Standard for testing.

5.2.1 Testing procedures

Details for the following procedures will be described in the International Standard for Testing: Notification of Athletes, Preparing for the Sample Collection Session, Conducting the Sample Collection Session, Security/Post test administration and Transport of Samples and documents. All testing must be carried out in accordance with the International Standard for Testing. The NF shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in Testing.

5.3 The NF, which is responsible for organizing the Championships, is responsible for organizing the Testing according to the Rules.

5.3.1 The host NF must make sure that there are enough qualified personnel to take care of the Testing according to the Rules.

5.3.2 In the event of negligence in the practical organization of Testing during the Championships, the host NF shall be liable to a fine not exceeding US\$ 1000. The fine may be multiplied by the number of days for which the negligence continues.

5.3.3 The PASA Anti-Doping Commission (PASA ADC) will appoint an anti-doping Supervisor (Supervisor) for each Championship. The Supervisor shall supervise the local anti-doping staff and report to the PASA ADC immediately of any violations to the Rules.

5.3.4 Selection of Athletes to be tested at the PASA Events shall be decided by the PASA ADC. All participating Athletes shall be considered. The Supervisor will supervise the selection according to the PASA ADC instructions.

5.3.5 The Athlete must show his/her accreditation card or passport to proof his/her identification.

5.3.6 The persons specified in the International Standard for testing and in the Rules may be present during the Sample Collection Session in addition to the Sample Collection Personnel: The Athletes selected for doping control and their respective accredited representative, Authorized interpreters, Supervisor, the PASA ADC, WADA Independent Observer and Other people only with the permission of the Supervisor. The news media shall not be admitted to the doping control station. The doors of the station must not be left open. No photography shall be permitted in the Doping Control Station during the hours of operation.

5.4 Unannounced testing by PASA

Unannounced doping control may be conducted by the PASA at any time, including at the time or location of any Event in every NF. Preferably it shall be carried out without any advance notice to the Athlete or his/her NF. Every Athlete affiliated to any PASA NF is obliged to undergo unannounced doping control decided by the PASA.

5.4.1 The PASA shall keep a register of International-Level Athletes who are being subject to unannounced doping control. NFs have the obligation to submit the names, addresses and telephone numbers of all following Athletes:

-All medal winner in the last PASA World Championships (both Juniors and Open) and all medal winners in the last Continental Championships for seniors.

-In case the number of the medal winners as described above is less than five or the NF does not have any medal winners as described above: The five top ranked International-Level Athletes (including all medal winners as described above) according to the NF's ranking system.

5.4.2 The PASA shall keep a register of training dates and venues, to enable to conduct unannounced doping control. NFs have the obligation to submit information of the training times and venues, training camps and any travel plans which may affect the availability for sample collection, for the Athletes described in the Articles 5.4.1

5.4.3 NF must send the required whereabouts information described in Articles 5.4.1 and 5.4.2 in writing to PASA Headquarters office every year within the month of July. Required whereabouts information must be sent by post and it must be signed by the President unless otherwise instructed by the PASA ADC. NF has the obligation and responsibility to inform of all changes. NF that fails to submit the required whereabouts information to the PASA within the month of July shall be liable to a fine not exceeding US\$ 100 for every week that exceeds July 31.

5.4.4 If the Athlete cannot be found for unannounced testing due to incorrect or insufficient information provided to the PASA, the NF to which the Athlete is affiliated to, is obliged to pay all expenses for the unsuccessful attempt of testing.

5.4.5 If the attempts to conduct unannounced testing fail twice because the Authorized Sample Collection Authority is unable to locate the Athlete at the address or location provided to the PASA for such purposes, the PASA must send notice regarding the situation to both the Athlete and his/her NF, requesting for more detailed information as to the Athlete's schedule. If the Athlete cannot be located thereafter for a doping control test during a period up to six (6) months from the first date the Athlete was unable to be located, the Athlete is considered to have failed to submit to doping control in accordance with Article 2.

ARTICLE 6: ANALYSIS OF SAMPLES

Doping control samples shall be analyzed in accordance with the following principles:

6.1 Use of Approved Laboratorie

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

6.2 Substances Subject to Detection Doping Control 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 of Article 4.5 (Monitoring Program)

6.3 Research on Samples

No sample may be used for any other purpose than the detection of substances (or classes of substances) or methods on the Prohibited List, or as otherwise identified by WADA pursuant of Article 4.5 (Monitoring Program), without the athlete's written consent.

6.4 Standards for Sample Analysis and Reporting Laboratories shall analyze Doping Control Samples and report results in conformity with the International Standard for laboratory analysis

ARTICLE 7: RESULTS MANAGEMENT

In the PASA shall establish a process for the pre-hearing administration of potential anti-doping rule violations that respects the following principles:

7.1 Initial review regarding Adverse Analytical Findings

Upon receipt of an A sample adverse analytical finding, the PASA shall conduct a review to determine whether: (a) an applicable therapeutic use exemption has been granted, or (b) there is any apparent departure from the International Standards for testing or laboratory analysis that undermines the validity of the diverse analytical finding.

7.2 Notification after initial review

If the initial review under Article 7.1 does not reveal an applicable therapeutic use exemption or departure that undermines the validity of the adverse analytical finding, the PASA shall promptly notify the athlete, in the manner set out in its rules, of: (a) the adverse analytical finding; (b) the anti-doping rule violated, or in a case under Article 7.3, a description of the additional investigation that will be conducted as to whether there is an anti-doping violation; (c) the athletes right to promptly request the analysis of the be sample or, failing such request, that the B sample analysis may be deemed waived; (d) the right to the athlete and/or the athlete's representative to attend the B Sample opening and analysis if such analysis is requested' and (e) the athlete's right to request copies of the A and B sample laboratory documentation package which includes information as required by the International Standards for laboratory analysis.

If the Initial Review does not reveal an applicable therapeutic use exemption or departure that undermines the validity of the Adverse Analytical Finding, the NF responsible for the Testing and/or review, must send a notification informing of the Adverse Analytical Finding including the laboratory report, to the Athlete's NF. The notification to the Athlete's NF shall be sent within ten (10) working days after the laboratory has reported the results. Notification must be

confirmed by a receipt of a registered letter with proof of delivery. The NF responsible for notification shall at the same time according to Article 14.1 inform PASA ADC (Headquarters Office) and WADA. In case of any problems with the Initial Review, the PASA ADC has to be informed immediately.

7.3 Further review of Adverse Analytical Finding Where Required by Prohibited List

The PASA or other reviewing body established by such organization shall also conduct any follow-up investigation as may be required by the prohibited list. Upon completion of such follow-up investigation, the PASA shall promptly notify the Athlete regarding the results of the follow-up investigation and whether or not the PASA asserts that an anti-doping rule was violated.

7.4 Review of other Anti-Doping Rule Violations

The PASA or other reviewing body established by such organization, shall also conduct any follow-up investigation as may be required by the under applicable anti-doping policies and rules adopted pursuant to the Code or which the PASA otherwise considers appropriate. The PASA shall promptly give the athlete or other person subject to sanction notice, in the manner set out in its rules, of the anti-doping rule, which appears to have been violated, and the basis of the violation.

7.5 Principles Applicable to Provisional Suspensions

The PASA may adopt rules, applicable to any event for which the PASA is the ruling body, permitting Provisional Suspensions to be imposed after the review and notification described in Articles 7.1 and 7.2 but prior to a final hearing as described in Article 8, (Right to a Fair Hearing). Provided, however that a Provisional Suspension may not be imposed unless the Athlete is given either: (a) an opportunity for a Provisional Hearing either before imposition of the Provisional Suspension or on a timely basis after imposition for an expedited hearing in accordance with Article 8, (Right to a Fair Hearing), on a timely basis after imposition of a Provisional Suspension.

If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis does not confirm the A Sample analysis, then the Athlete shall not be subject to any further disciplinary action and any sanction previously imposed shall be rescinded. In circumstances where the Athlete or the Athlete's team has been removed from a Competition and the subsequent B Sample analysis does not confirm the Sample A finding, if, without otherwise affecting the Competition, it is still possible for the Athlete or team to be reinserted, the Athlete, or team may continue to take part in the competition.

ARTICLE 8 Right to a Fair Hearing

The PASA who is responsible for the results management shall provide a hearing process for any Person who asserted to have committed an anti-doping rule violation. Such hearing process shall address whether an anti-doping violation was committed and if so, the appropriate Consequences. The hearing process shall respect the following principles:

- a timely hearing
- fair and impartial hearing body
- the right to be fairly and timely informed 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 body's discretion to accept testimony by telephone or written submission)
- the Person's right to an interpreter at the hearing, with the hearing body to determine the identity, and responsibility for the cost, of the interpreter and;
- a timely, written, reasoned decision: Hearings held in connection with Events may be conducted by an expedited process as permitted by the rules of the PASA and the hearing body.

ARTICLE 9: Automatic disqualification of individual results

An anti-doping rule violation in connection with an In-Competition test, automatically leads to Disqualification of the individual result obtained in that competition with all resulting consequences, including forfeiture of any medal, points, and prizes.

ARTICLE 10: Sanctions on individuals

10.1 Disqualification of results in event during which an Anti-Doping rule violation occurs

An anti-doping rule violation occurring during or in connection with an event may, upon the decision of the PASA, lead to disqualification of all of the Athlete's individual results obtained in that event with all consequences, including forfeiture of all medals, points, and prizes, except as provided in Article 10.1.1.

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

10.2 Imposition of ineligibility for Prohibited Substances and Prohibited Methods

Except for the specified substances identified in Article 10.3, the period of ineligibility imposed for a violation of Articles 2.1, (presence of Prohibited Substance or its Metabolites or Markers),

2.2, (Use or Attempted Use of Prohibited Substance or Prohibited Method), and 2.6, (Possession of Prohibited Substances and Methods), shall be:

- First violation: Two years ineligibility
- Second violation: Lifetime ineligibility

However, the Athlete or other person shall have the opportunity in each case, before a period of Ineligibility is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10,5

10.3 Specified Substances

The Prohibited List may identify specified substances which are particularly susceptible to unintentional anti-doping rules violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an Athlete can establish that the Use of such a specified substance was not intended to enhance sport performance, the period of ineligibility found in Article 10.2 shall be replaced with the following:

- First violation: At a minimum, a warning and reprimand and no period of ineligibility from future events, and at a maximum, one year's ineligibility.
- Second violation: two years ineligibility
- Third violation: Lifetime ineligibility

However, the Athlete or other Person shall have the opportunity in each case, before a period of Ineligibility is imposed, establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Article 10.5

10.4 Ineligibility for other Anti-Doping rule violations

The period of Ineligibility for other anti-doping rule violations shall be:

10.4.1 For violations of Article 2.3 (refusing or failing to submit to sample collection) or Article 2.5 (Tampering with Doping control), the ineligibility periods set forth in Article 10.2 shall apply.

10.4.2 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 years up to lifetime ineligibility. An anti-doping rule violation involving a minor shall be considered a particularly serious violation, and if committed by Athlete Support Personnel for violations other than specified substances referenced in Article 10.3. Shall result in lifetime ineligibility for such Athlete Support Personnel. In addition, violations of such Articles, which also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

10.4.3 For violations of Article 2.4 (whereabouts violation or missed test), the period of ineligibility shall be at a minimum 3 months and at maximum 2 years in accordance with the rules established by the PASA whose test was missed or whereabouts requirement was violated. The period of ineligibility for subsequent violations of Article 2.4 shall be as established in the rules of the PASA whose test was missed or whereabouts requirement was violated.

10.5 Elimination or reduction of period of ineligibility based on exceptional circumstances.

10.5.1 No fault or negligence

If the Athlete establishes in an individual case involving anti-doping rule violations under Article 2.1 (Presence of Prohibited Substance or its Metabolites or Markers) or use of a Prohibited Substance or Prohibited Method under Article 2.2, that he or she bears No fault or Negligence for the violation, the otherwise applicable period of ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's specimen in violation of Article 2.1 (presence of Prohibited Substance), the Athlete 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 Articles 10.2, 10.3, and 10.6.

10.5.2 No significant fault or negligence

This Article 10.5.2 applies only to anti-doping rule violations involving Article 2.1 (Presence of Prohibited Substance or its Metabolites or Markers), Use of a Prohibited Substance or Prohibited Method under Article 2.2, failing to submit to sample collection under Article 2.3 or administration of a Prohibited Substance or Prohibited Method under Article 2.8. If an Athlete establishes in an individual case involving such violations that he or she bears No Significant 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 minimum 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 an Athlete's specimen in violation of Article 2.1, (Presence of Prohibited Substance), the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of ineligibility reduced.

10.5.3 Athlete's substantial assistance in discovering or establishing Anti-Doping Rule violations by Athlete Support Personnel and Others.

The PASA may also reduce the period of ineligibility in an individual case where the Athlete has provided substantial assistance to the PASA which results in the PASA discovering or establishing an anti-doping rule violation by another person involving Possession under Article 2.6.2, (Administration to an Athlete), Article 2.7, (Trafficking), or Article 2.8, (Administration to an Athlete). The reduced period of ineligibility may not, however, be less than one-half of the

minimum periods 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.

10.6 Rules for certain potential multiple violations

10.6.1 For purposes of imposing sanctions under Articles 10.2, 10.3, and 10.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if the PASA can establish that the Athlete or other person committed the second anti-doping rule violation after the Athlete or other person received notice, or after the PASA made a reasonable attempt to give notice, of the first anti-doping rule violation; if the PASA cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.6.2 Where an Athlete, based on the same Doping Control, is found to have committed an anti-doping rule violation involving both a specified substance under Article 10.3 and another Prohibited Substance or Prohibited Method, the Athlete shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the Prohibited Substance or Prohibited Method that carries the most severe sanction.

10.6.3 Where an Athlete is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 10.3, (Specified Substances) and the other involving a Prohibited Substance or Prohibited Method governed by the sanctions set forth in Article 10.4.1, the period of ineligibility imposed for the second offence shall be at a minimum two years' ineligibility and at a maximum three years ineligibility. Any Athlete found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 10.3 and any other anti-doping rule violation under 10.2 or 10.4.1 shall receive a sanction of lifetime ineligibility.

10.7 Disqualification of results in competitions subsequent to sample collection 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 doping 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 Commencement of ineligibility period

The period of ineligibility shall start on the date of the hearing decision providing for ineligibility or, if the hearing is waived, on the date ineligibility is accepted or otherwise imposed. Any period of provisional suspension (whether imposed or voluntarily accepted) shall be credited against the total period of ineligibility to be served. Where required by fairness, such as delays in the hearing process or other aspects of doping control not attributable to the Athlete, the body imposing the sanction may start the period of ineligibility at an earlier date commencing as early as the date of the sample collection.

10.9 Status during ineligibility

No person who has been declared ineligible may, during the period of ineligibility, participate in any capacity in a competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by the PASA or the PASA's member organizations. In addition, for any anti-doping rule violation not involving specified substances described in Article 10.3, some or all sport-related financial support or other sport-related benefits received by such person will be withheld by the PASA, or PASA member organization. A person subject to a period of ineligibility longer than four years may, after completing four years of the period of ineligibility, participate in local sports events in a sport other than the sport in which the person committed the anti-doping rule violation, but only so long as the local sport event 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 event.

10.10 Reinstatement testing

As a condition to regaining eligibility at the end of a specified period of ineligibility, an Athlete must, during any period of provisional suspension or ineligibility, make him or herself available for out-of-competition by any anti-doping organization having testing jurisdiction, and must, if requested, provide current and accurate whereabouts information. If an Athlete subject to a period of ineligibility retires from sport and is removed from out-of-competition testing pools and later seeks reinstatement, the Athlete has notified relevant anti-doping organizations and has been subject to out-of-competition testing for a period of time equal to the period of ineligibility remaining as of the date the Athlete has retired.

ARTICLE 11: CONSEQUENCES TO TEAMS

Where more than one team member in a Team Sport has been notified of a possible anti-doping rule violation under Article 7 in connection with an event, the team shall be subject to target testing for the event. If more than one team member in a team sport is found to have committed an anti-doping rule violation during the event, the team may be subject to disqualification or other disciplinary action. In sports which are not team sport but where awards are given to teams, disqualification or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the PASA.

ARTICLE 12: SANCTIONS AGAINST SPORT BODIES

Nothing in this code precludes any National Governing Body accepting the code from enforcing its own rules for the purpose of imposing sanctions on another sporting body over which the National Governing Body has authority.

ARTICLE 13: APPEALS

13.1 Decisions subject to appeal

Decisions made under the Code or rules adopted pursuant to the Code may be appealed as set forth below in Articles 13.2 through 13.4. 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 Article [8.7] [8.2.7] must be exhausted.

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, a decision that no anti-doping rule violation was committed, a decision that the PASA or its National Federation lacks jurisdiction to rule on an alleged anti-doping rule violation or its consequences, [and a decision to impose a Provisional Suspension as a result of a Provisional Hearing or otherwise in violation of Article 7.4 may appeal 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 Athlete or other Person upon whom the Provisional Suspension is imposed.]

13.2.1 Appeals involving International-Level Athletes

In cases arising from competition in an International Event or in cases involving International-level Athletes, the decision may be appealed exclusively to the Court of Arbitration for Sport, (CAS) in accordance's with the provisions applicable before such court.

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

13.2.3 In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the PASA and any other Anti-Doping Organization under whose rules a sanction could have been imposed; (d) the International Surfing Association, as applicable, (e) the Pan American Sports Organization, as applicable, (f) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games.

ARTICLE 14: CONFIDENTIALITY AND REPORTING

14.1 Information Concerning Adverse Analytical Findings and other Potential Anti-Doping Rule Violations

When a NF has received an Adverse Analytical Finding on one of its Athletes it shall report the following information to the PASA and WADA within fourteen (14) days of the process described in Article 7 (Results Management) the Athlete's name, country, discipline and category 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 NF shall also regularly update the PASA 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 PASA 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 in the Code (No Fault or Negligence) or reduced under Article 10.5.2 in the Code (No Significant Fault or Negligence), The PASA and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither the PASA nor WADA shall disclose this information beyond those persons within their organizations with a need to know until the NF has made public disclosure or has failed to make public disclosure as required in Article 14.2 below.

14.2 Public Disclosure

Neither the PASA nor its NF shall publicly identify Athletes 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 Athlete has been Provisionally Suspended. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days.

14.3 Athlete Whereabouts Information

Responsibilities of the NFs towards PASA are described under Article 5.5. PASA shall at all times maintain the obtained information in strict confidence and shall use it exclusively for purposes of planning, coordinating or conducting Testing and shall destroy it after it is no longer relevant for these purposes.

14.4 Statistical Reporting

NFs shall report to the PASA at the end of every results of all Doping Controls within their jurisdiction sorted by Athlete and identifying each date on which the Athlete was tested, the entity conducting the test, and whether the test was In-Competition or Out-of-Competition. The PASA may periodically publish Testing data received from NF as well as comparable data from Testing under PASA's jurisdiction.

14.5 Recognition of Decisions by IF and National Federations

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

ARTICLE 15: CLARIFICATION OF DOPING CONTROL RESPONSIBILITIES

The procedures in the PASA are described under Article 5.4

ARTICLE 16: STATUE OF LIMITATIONS

No action may be commenced against an Athlete or other Person for a violation of an anti-doping rule contained in the Rules unless such action is commenced within eight (8) years from the date the violation occurred.

ARTICLE 17: EDUCATION

17.1 Basic Principle and Primary Goal

The basic principle for information and education programs shall be to preserve the spirit of sport as described in the Introduction to the Code from being undermined by doping.

The primary goal of education shall be to dissuade Athletes from using Prohibited Substances and Prohibited Methods.

17.2 Program and Activities

The PASA and each NF should plan, implement and monitor information and education programs. The programs should provide Athletes and Athlete support personnel with update and accurate information on at least the following issues:

-Substances and Methods on the Prohibited List

-Health consequences of doping

-Doping Control procedures

-Athletes' rights and responsibilities

The programs should promote the spirit of sport in order to establish an anti-doping environment, which influence behavior among Athletes and Athlete Support Personnel. Athlete Support Personnel should educate and counsel Athletes regarding anti-doping policies and rules adopted pursuant to the Rules.

17.3 Coordination and Cooperation

The PASA and its member NFs shall cooperate with each other and governments to coordinate their efforts in anti-doping information and education.

ARTICLE 18: ADDITIONAL ROLES AND RESPONSIBILITIES OF THE ISA

AND ITS MEMBER NFs

18.1 To require as a condition of membership that the policies, rules and programs of all member organizations are in compliance with the Rules.

18.2 To require all Athletes and Athlete Support Personnel within their jurisdiction to recognize and be bound by the Rules.

18.3 To monitor the anti-doping programs of respective members.

18.4 To authorize and facilitate the Independent Observer program at International Events.

18.5 To adopt and implement anti-doping policies and rules which conform to the Code.

18.6 To take appropriate action to discourage non-compliance with the Code.

ARTICLE 19: ROLES AND RESPONSIBILITIES OF ATHLETES AND

ATHLETE SUPPORT PERSONNEL

19.1 Roles and Responsibilities of Athletes affiliated with the NF

19.1.1 To be knowledgeable of and comply with all applicable anti-doping policies and rules adopted pursuant to the Rules.

19.1.2 To be available for Sample collection.

19.1.3 To take responsibility, in the context of anti-doping, for what they ingest and use.

19.1.4 To inform medical personnel of their obligation not to Use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules adopted pursuant to the Rules.

19.2 Roles and Responsibilities of Athlete Support Personnel affiliated with the NFs

19.2.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted to the Rules and which are applicable to them or the Athletes whom they support.

19.2.2 To cooperate with the Athlete Testing program.

19.2.3 To use their influence on the Athlete values and behavior to foster anti-doping attitudes

ARTICLE 20: ACCEPTANCE AND MODIFICATIONS

20.1 Acceptance and modifications of the Rules

The Rules are approved and modified according to the PASA statutes. All amendments to the Code must be implemented in the Rules as set in the Code.

20.2 Consequences of Noncompliance with the Code or the Rules

20.2.1 Noncompliance with the Code: See Article 23.5.1 of the WADA Code.

20.2.2 Noncompliance with the procedures relating to anti-doping rule violations will be investigated by the PASA ADC. The final decision will be made by the PASA's Executive Committee, (EC) and it must be based on the Rules.

20.2.3 All decisions concerning the fines in the Rules will be taken by PASA's EC based on the recommendations by the PASA's ADC.

20.2.4 All other noncompliance with the Rules will be handled by the PASA Legal Committee.

ARTICLE 21: INTERPRETATION OF THE CODE

21.1 The official text of the Code shall be maintained by WADA and shall be published in English and French. In any conflicts between the English and French versions, English will prevail

21.2 The Code shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the PASA or governments.

Appendix 1: Definitions shall be considered an integral part of the Code

Adverse Analytical Finding. A report from a laboratory or other approved Testing entity that identifies in a Specimen 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 Organization. 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 Organizations that conduct Testing at their Events, WADA, Pan American Surf Association, and National Anti-Doping Organizations.

Athlete. For purposes of Doping Control, any Person who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each National Anti-Doping Organization) and any additional Person who participates in sport at a lower level if designated by the Person's National Anti-Doping Organization. For purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code.

Athlete Support Personnel. Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working with or treating Athletes participating in or preparing for sports competition.

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.

Code. The World Anti-Doping Code.

Competition. A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-meter dash. 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 Rules Violations. An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Athlete's results in a particular Competition or Event are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the Athlete 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 Athlete 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 Rules Violations above.

Doping Control. The process including test distribution planning, Sample collection and handling, laboratory analysis, results management, hearings and appeals.

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

In-Competition. For purposes of differentiating between In-Competition and Out-of-Competition Testing, unless provided otherwise in the rules of an International Federation or other relevant Anti-Doping Organization, an In-Competition test is a test where an Athlete is selected for testing in connection with a specific Competition.

Independent Observer Program. A team of observers, under the supervision of WADA, who observe the Doping Control process at certain Events and report on observations. If WADA is testing In-Competition at an Event, the observers shall be supervised by an independent organization.

Ineligibility. See Consequences of Anti-Doping Rules Violations above.

International Event. An Event where the International Olympic Committee, the International Paralympic Committee, the International Surfing Association, the Pan American Surf Association, a Major Event Organization, or another international sport organization is the ruling body for the Event or appoints the technical officials for the Event.

International-Level Athlete. Athletes designated by one or more International Federations as being within the Registered Testing Pool for the International Federation.

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.

Major Event Organizations. This term refers to the continental associations of National Olympic Committees and other international multi-sport organizations that function as the ruling body for any continental, regional or other International Event.

Marker. A compound, group of compounds or biological parameters that indicates the Use of a Prohibited Substance or Prohibited Method.

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 Organization. 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. 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 Athletes that is not an International Event.

National Federation. A national or regional entity which is a member of or is recognized by PASA as the entity governing the sport in that nation or region.

National Olympic Committee. The organization 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 Athlete and where the Athlete is continuously chaperoned from the moment of notification through Sample provision.

No Fault or Negligence. The Athlete'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 Athlete'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 Athlete or Athlete Support Personnel.

Person. A natural Person or an organization or other entity.

Possession. The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists); provided, however, that if 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 if 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 if, 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 no longer intends to have Possession and has renounced the Person's previous Possession.

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 7.5, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the Athlete 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 Athletes established separately by each International Federation and National Anti-Doping Organization who are subject to both In-Competition and Out-of-Competition Testing as part of that International Federation's or Organization's test distribution plan.

Sample/Specimen. 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 Event Organizations, National Anti-Doping Organizations, and WADA.

Tampering. Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

Target Testing. Selection of Athletes for Testing where specific Athletes or groups of Athletes 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. To sell, give, administer, transport, send, deliver or distribute a Prohibited Substance or Prohibited Method to an Athlete either directly or through one or more third parties, but excluding the sale or distribution (by medical personnel or by Persons other than an Athlete's Support Personnel) of a Prohibited Substance for genuine and legal therapeutic purposes.

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

WADA. The World Anti-Doping Agency.