



INTERNATIONAL TABLE TENNIS FEDERATION

ANNUAL GENERAL MEETING

DRAFT OF THE MINUTES of the Annual General Meeting of the International Table Tennis Federation held virtually on Monday, 28th September 2019 at 13h00 CEST, and managed from the Meeting Room Dukhan 1, Sheraton Hotel, Doha, Qatar.

1. President's Welcome and Opening Address

Following an opening inspirational video featuring people practicing table tennis at home around the world during the pandemic, the **President**, Mr Thomas WEIKERT, gave the welcome to the Delegates to this exceptional year AGM. The **President** explained that a recent contact with a positive case of COVID-19 made it impossible for him to travel to Doha but wanted to thank the ITTF representatives that travelled there, and especially the ITTF Deputy President, Mr Khalil AL-MOHANNADI, and the Secretary General of the Qatar Olympic Committee, Mr Jassim Rashid ALBUENAIN, for making possible conducting the AGM from the Qatari capital.

The **President** reflected on the fantastic 2019 outcome, with a great World Championships in Budapest, and the amazing World Tour Grand Finals and Star Awards, among many other excellent events. The **President** wanted to thank the Hungarian Table Tennis Association (MOATSZ), the Chinese Table Tennis Association (CTTA) and all other Member Associations that hosted events in 2019.

The **President** also highlighted the very delicate situation the World has faced in 2020 and particularly the Table Tennis family. Staff and elected officials had to sacrifice salaries and honorariums, and this pandemic also resulted in the postponement of the Busan 2020 WTTTC. The **President** wanted to thank Mr RYU Seungmin, ITTF Executive Committee (EC) Member, and President of the Korean Table Tennis Association (KTTA) as well as their organizing committee for their enthusiasm in trying to make possible the event, hoping to be able to organize it in February-March 2021. The **President** also thanked all other organizers that were ready to host event in 2020, but that were forced to cancel or postpone them due to the pandemic, for their cooperation.

The **President** thanked the IOC and ASOIF, particularly their presidents, Dr Thomas BACH, Mr Francesco RICCI BITTI, for their support during these delicate times, as well as the Governments of Singapore, Switzerland and Germany, the three countries where the ITTF has offices, for their help in these difficult times.

The **President** ended his speech with the positive message of the #RESTART events planned in November in China, thanking CTTA and its president, Mr LIU Guoliang, as well as the players that will travel to China.

For 2021, The **President** expressed his optimism with WTT, the World Championships and the Olympic Games, despite it will be -still- not a normal year.

Mr Jassim Rashid ALBUENAIN welcomed all delegates attending the AGM from all corners around the world, remembering that Doha hosted already the 2004 ITTF AGM on the occasion of the World Team Table Tennis Championships held in the Qatari capital that year. Mr ALBUENAIN wished the cities of Durban and Dusseldorf the best of luck on their desire to host the WTTTC 2023 and hoped also to welcome all attending delegates to Doha soon, for a sporting event.

Mr Khalil AL-MOHANNADI, ITTF **Deputy President**, gave the welcome to all delegates in attendance in his capacity as President of the Qatar Table Tennis Association, host for this General Assembly. The **Deputy President** lamented the absence of the **President** from the gathering in Doha, although he will be joining from Germany and confirmed that the Executive Vice-President, Mrs Petra SÖRLING, the **CEO**, Mr Steve DANTON, the **Secretary General**, Mr Raul CALIN, and the CFO, Mr Michael BROWN, were present in Doha to conduct the AGM.

The **Deputy President** reflected on the amazing year the ITTF had in 2019, and in the unexpected experience the World is living in 2020. In March, Qatar hosted one of the last ITTF events before the pandemic, the Qatar Open, and he looks forward to overcoming this pandemic and having Table Tennis returning even stronger in 2021, particularly, with the World Team Table Tennis Championships in Busan.

2. CEO Report: Impact of COVID-19 in Global Table Tennis

The **CEO**, Mr Steve DANTON, provided the delegates with a COVID-19 impact report. The pandemic provoked the ceasing of all table tennis activities for a period of months, including the postponement of the World Championships for the first time in more than two decades.

International competitions were suspended for many months, world rankings were frozen, and we were unable to organize the development, high performance and ITTF Foundation activities for the majority of the year.

The **CEO** stated it has been the hardest period the ITTF has lived in this century, with huge financial ramifications, including scaling down operations and making cuts in all projects.

Despite the challenges, the **CEO** wanted to commend the ITTF Executive Committee and the staff for the quick and decisive actions taken, including important allowances and salary cuts.

The ITTF was expecting a further 10 to 15% financial expansion in 2020, which was expected to be even greater in 2021, with the projects of World Table Tennis (**WTT**) and the Home of Table Tennis (**HoTT**) coming to life, but when the Olympic Games were postponed, it became obvious that the impact would be longer.

One of the consequences has been not being able to meet personally, and on many occasions, this lack of personal interaction has resulted in misunderstandings. At the same time, technology has been necessarily adopted, and this has also helped to accelerate the adoption of more sustainable solutions for communications, which eventually could be considered in the future, when meeting in person is not imperative.

The **CEO** reflected on the six videoconferences the ITTF has organized leading to this Annual General Assembly, dedicated to the Foundation, High Performance and Development, Governance, Finances, WTT and the presentations of the two candidate cities bidding to host the 2023 WTTTC.

The **CEO** also mentioned the COVID-19 Guidelines to return to competition and practice, and the work being done in cooperation with the Chinese Table Tennis Association (CTTA) to be able to restart the competitions, with three major events being held there: The Women's World Cup, the Men's World Cup and the ITTF Finals. All three events will be hosted in a "bubble" concept, and the ITTF is looking for options to host events in other parts of the world as well. The **CEO** also mentioned the **Table Tennis United** joint initiative, organized together with the ITTF Foundation and WTT.

To conclude, the **CEO** suggested that it is in moment like this, when the world has been hit so heavily, when we need to be more united than ever. Despite the differences of opinions, it is important to focus on the positive actions, working as one, with humility, to ensure Table Tennis can continue to prosper. This AGM is the proof of the resilience of the Table Tennis family, that despite the pandemic has been able to reunite, even if virtually, and the ITTF will continue to support all Member Associations and stakeholders to the best of our abilities. The **CEO** concluded hoping Table Tennis will come stronger from this crisis.

The President thanked the **CEO** for his comprehensive report highlighting the final words: "come together, work together, we are one family".

3. Appointment of a Chair

Mr Thomas WEIKERT, ITTF President was nominated by the Executive Committee (EC) to be the Chair of the AGM.

20200928-AGM-01

The AGM accepted the nomination of Mr Thomas WEIKERT as AGM Chair.

101 valid votes. 100 votes in favour. 1 vote against. 99.01% in favour.

4. Roll Call of Associations Present

The **Secretary General** proceeded with the roll call ([Appendix 1](#)) of registered associations, the Board of Directors, Commissioners, Committee Chairs, Personal Honorary Members, President's Advisory Council Members, and Senior Management Staff in attendance¹.

5. Appointment of Scrutineers

The **Secretary General** explained that due to the virtual nature of the meeting, LUMI ® company will be conducting the voting, which will be supervised by Mr Edward Gardiner, public notary from Cheeswrights. In any case, at the request of the ITTF, the Continental Associations have appointed the following scrutineers²:

| | | | |
|---------------------------|-----|----------------------|-----|
| Mr BETHO François Mederic | CGO | Mrs MAZEIKIENE Juste | LTU |
| Mr TSHEISO Thabang | RSA | Mr ELLIOTT Leon | TTO |
| Ms RAMOS Rachel | PHI | Mr LEANDRO Jose | CRC |
| Ms YOKOTA Sachiko | JPN | Ms LI Carolyn | FIJ |
| Mr RASANEN Mika | FIN | Ms MASOE Temusika | SAM |

¹ Full list of attendees on [Appendix 1](#).

² Names of some scrutineers were confirmed during the meeting itself.

6. Confirmation of the Minutes of the AGM held on 22nd April 2019 in Budapest.

Before proceeding, **the President** congratulated Mr Igor LEVITIN for his recent election as ETTU President and Mr Anthony HO for his re-election as ITTF Oceania President. The President asked the delegates if there was any feedback, and not being the case, the Minutes approval was put for vote.

20200928-AGM-02

The AGM adopted the 2019 AGM minutes as factual.

100 valid votes. 100 votes in favour. 0 vote against. 100% in favour.

7. Membership

The **Secretary General** reported that currently there are no suspended associations. The General Assembly noted that some associations have a disputed leadership and the ITTF is working closely with the International Olympic Committee, the respective NOC's and Ministries of Sport of the respective countries to try to solve the situations. Furthermore, the **Secretary General** reported that the ITTF is currently in discussions with a potential new member that could become the 227th ITTF Association in 2021.

8. Recognitions

8.1 Personal Honorary Membership

The President informed the members that on recommendation of the Board, the AGM was asked to consider Mr YAO Zhenxu as ITTF Personal Honorary Member (**PHM**). A video with highlights of his table tennis career was presented.

20200928-AGM-03

The AGM appointed Mr YAO Zhenxu, as ITTF Personal Honorary Member.

115 valid votes. 115 votes in favour. 0 vote against. 100% in favour.

Mr YAO addressed a message to the AGM thanking for his appointment as **PHM**. On his speech, Mr YAO reflected on his career, and in the fact that during many years, CTTA has tried to contribute to the world development of the sport, sending over 600 coaches to over 100 countries and regions, being Mr YAO one of them. Mr YAO reflected on the ping-pong diplomacy, and on the planned World Championships in Belgrade, that were postponed due to the war. Mr YAO reflected on the Shanghai 2005 and Guangzhou 2008 WTTC in which he was active part of the organisation.

Mr LIU Guoliang, **CTTA** President, congratulated Mr YAO for his appointment, and indicated that he was very touched by Mr YAO's contribution to our sport. Mr LIU thanked the ITTF for this gesture and indicated that -particularly with the creation of WTT-, CTTA will be more and more engaged in the world table tennis community, working with all Associations in order to globalise its operations. Mr LIU ended his speech indicating that in these times of pandemic it is important to work united, for a better future, and wishes the AGM a great success.

8.2 In Memoriam

The President introduced a video in memory of all the ITTF family members that passed away since the last General Assembly, asking the attendees to bow as a sign of respect for them. The video, representing all those sadly missed, displayed images of Agnes SIMON, Dexter ST. LOUIS, Mohamed REFAAT BASSYOUNI, HAN Sang-kook and Khadim Khazaal JASIM.

9. Presentations

The President reflected on the six 2020 ITTF AGM Videoconference series held during the previous four weeks:

| | |
|----------------------------|-------------------------------------|
| 1 st September | ITTF Foundation |
| 4 th September | High Performance and Development |
| 7 th September | Propositions and Resolutions to AGM |
| 10 th September | Finance Forum |
| 14 th September | World Table Tennis (WTT) |
| 21 st September | World Championships 2023 bids |

During the videoconferences, which lasted between one and two hours each, the ITTF Membership was able to see and interact with questions and answers about work being done by the ITTF Foundation ([Videoconference 1](#)), the High Performance and Development activities ([Videoconference 2](#)), the Governance, particularly the propositions and resolutions presented to this AGM ([Videoconference 3](#)), the Finance Forum, held for third consecutive year ([Videoconference 4](#)), WTT ([Videoconference 5](#)) and the bids for the 2023 World Table Tennis Championships ([Videoconference 6](#)).

A video with highlights of each of the six videoconferences was presented to the audience.

10. Annual General Report & Strategic Plan

The **President** introduced the Executive Vice-President in charge of the Strategic Plan (**SP**), Mr James MORRIS. Mr MORRIS thanked the ITTF staff for their work, reflecting on the positive impact they had in the ITTF and our sport growth in 2019, aligning with the ITTF strategic direction. Mr MORRIS invited the Chief Financial Officer (**CFO**) Mr Michael BROWN to present the evolution of the work done in the Strategic Plan since its establishment in 2018, reminding that the SP is a living and breathing document, which needs updates from time to time.

The **CFO** reported on the five strategic priorities progress. Starting with Organisation and Governance, the ITTF has improved communications with the Member Associations (**MA**s) through the introduction of the Member Relations Department. At the same time, the communications with the IOC and the IPC have kept improving and there was a significant increase in workforce, from 50 to 75 staff. Overall, it is considered through the assessment that the ITTF achieved 40% of its objectives in this area by the end of 2019.

In the area of High Performance and Development and keeping in mind that most of the goals are expected to be reached in 2024 as linked to players' development, it was noted the introduction of a more diversified and targeted portfolio of programs and activities to support the **MA**s, as well as an increased reach through talent identification programs and also a larger number of **MA**s participating at international Para Table Tennis competitions.

On the third of the strategic priorities, International Events, through an extensive consultation process, the ITTF developed a dynamic system for allocation of quotas for the future World Championships (**WC**). At the same time, with the introduction of the new structure of WC, there was already identified an increase of participation of Associations at localised competitions, as in the case of the regional championships held in Africa.

In the area of Promotion, we could see an increased participation in the World Table Tennis Day in 2019 and for the first time, it was introduced “Table Tennis Review”, a system in which the players can challenge certain decisions live during a match, helping to further enhance the broadcast quality.

In regard to Revenue, during 2019 the ITTF saw further increased commercial revenues through new partnerships while at the same time, significant work was undertaken towards the launch of new event products, and new partnership opportunities from 2021 onwards.

As the next steps in regard to the Strategic Plan, a survey was sent to all member associations and key stakeholders in February 2020, but with the pandemic starting in March, and the implications of COVID-19 may certainly have in ITTF’s strategy, further adjustments will be needed and eventually parts of the strategy may need to be realigned.

It was also noted that with the establishment of the ITTF Foundation and WTT, it will be needed to ensure that all efforts are well aligned for the future of our sport.

The President thanked Mr MORRIS and the CFO and noted the reception of the Strategic Plan update and the Annual Report by the AGM.

11. Annual Reports from the Executive Committee

The AGM adopted the following reports³:

| | | |
|-------|---|----------------|
| 11.1 | President: Thomas Weikert | (document A1) |
| 11.2 | Deputy President: Khalil Al-Mohannadi | (document A2) |
| 11.3 | Executive Vice President (Finance): Petra Sörling | (document A3) |
| 11.4 | Executive Vice-President: Bruce Burton | (document A4) |
| 11.5 | Executive Vice-President: Masahiro Maehara | (document A5) |
| 11.6 | Executive Vice-President: Alaa Meshref | (document A6) |
| 11.7 | Executive Vice-President: James Morris | (document A7) |
| 11.8 | Executive Vice-President: Shi Zhihao | (document A8) |
| 11.9 | Executive Vice-President: Nestor Tenca | (document A9) |
| 11.10 | Athletes Commission Chair: Zoran Primorac | (document A10) |
| 11.11 | IOC Member: Ryu Seungmin | (document A11) |

12. Annual Reports from the Continental Federations

The AGM adopted the following reports:

| | | |
|------|---------------|----------------|
| 10.1 | Africa | (document B1) |
| 10.2 | Asia | (document B2) |
| 10.3 | Europe | (document B3) |
| 10.4 | Latin America | (document B4) |
| 10.5 | North America | (not provided) |
| 10.6 | Oceania | (document B6) |

³ All reports can be found on the [2020 AGM Working Documents](#).

13. Annual Reports from the CEO, Secretary General, OPC, DCC and Ethics Commission

The AGM adopted the following reports:

- | | | |
|------|-------------------------------------|---------------|
| 13.1 | Chief Executive Officer | (document C1) |
| 13.2 | Secretary General | (document C2) |
| 13.3 | Olympic and Paralympic Commission | (document C3) |
| 13.4 | Development and Continental Council | (document C4) |
| 13.5 | Ethics Commission | (document C5) |

14. Annual Reports from Committees

The AGM adopted the following reports:

- | | | |
|------|--------------------------------------|---------------|
| 14.1 | Equipment Committee | (document D1) |
| 14.2 | Media Committee | (document D2) |
| 14.3 | Nominations Committee | (document D3) |
| 14.4 | Para Table Tennis Committee | (document D4) |
| 14.5 | Rules Committee | (document D5) |
| 14.6 | Sports Science and Medical Committee | (document D6) |
| 14.7 | Umpires' and Referees' Committee | (document D7) |
| 14.8 | Veterans' Committee | (document D8) |

15. Finance

The **President** thanked Mrs Petra SÖRLING, ITTF Executive Vice-President of Finance and the entire team for the work done in the area of Finance and passed the word to Mrs SÖRLING.

15.1 Financial Report

Mrs SÖRLING, lamented not being able to meet physically with all the delegates but -at the same time- referred to the positive aspect of being able to meet via videoconference, in a sustainable way. Mrs SÖRLING indicated that the third Finance Forum, organized on 10th September, for the first time in digital format, had a record participation compared to the two previous editions in 2018 and 2019, reminding all that it remains available on-line to view.

Mrs SÖRLING highlighted the following points:

- That since the decision taken in Budapest, the ITTF Finance and Audit Committee (**FAC**) has independent members, this being one of the goals aligned with good governance. The FAC has already made some recommendations on how to improve the ITTF financial management.
- A Risk Assessment Workshop was conducted in November 2019, involving staff from more departments, to help improve the awareness of risk across the organisation.
- During the year, the ITTF also further improved its Internal Control System, being now audited according to the Swiss Code of Obligations.
- It was also a year of investments in staff and infrastructures, in line with the strategic plan, and it was possible due to the record levels of revenue.
- The ITTF Debt Ratio was reduced, which implies a more stable business and a lower risk level in general.

Mrs SÖRLING passed the word to the CFO, to present the 2019 Financial Statements.

15.2 2019 Financial Statements

Despite COVID-19, the ITTF is able to maintain a stable position, due to the strong foundations made in recent years. The ITTF debt ratio has decreased (from 0.70 in 2018 to 0.63 in 2019) providing a greater balance in our financial position.

The CFO presented a graphic showing the increase of revenue during the last few years, the expenses evolution and the balance history and continued by presenting the comparison of budgets vs actual for the past year, in which a greater balance was finally achieved (in comparison with the budgeted one).

Mr Michael ACKERMANN presented the report of the independent auditor (Mazars SA) confirming the compliance of the consolidated financial statements with the Swiss auditing standards according to Swiss law as of 31st December 2019. Mr ACKERMANN confirmed the existence of an internal control system as well, in accordance also with Swiss law. Furthermore, the audit covered the ITTF Foundation and all ITTF offices were consolidated into the audit conducted by Mazars.

15.3 2020 Updated Budget

Mrs SÖRLING referred to the Finance Forum detailed presentation, explaining that the ITTF decided in March to create a special task force group, led by the CFO, in order to financially monitor the pandemic period, reporting weekly to the EC.

The CFO provided an overview in relation to the COVID-19 impact, with the re-assessments of the annual budget presented to the EC in April and July as the situation continued to be disrupted due to the pandemic, and the most recent one in September, once the #RESTART of activities was planned for the remainder of the year.

The ITTF prepared three different scenarios / contingency plans since April and with sacrifices from staff and officials, with reduction of salaries, honorariums and allowances, has permitted the ITTF to maintaining a relatively healthy financial position, and stabilising the overall potential loss that might take place. At the time of the presentation to the AGM, the CFO mentioned the uncertainty in relation to the Busan 2020 World Table Tennis Championships, as well as in regard to other international events that may take place, such the World Cups and other potential activities to be conducted during the #RESTART. The outcome of Tokyo 2020 Olympic Games will also impact on how to release the Olympic Fund.

The CFO added in this section that the impact of COVID-19 on the 2020 finances cannot be understated, referencing to a decrease of 92% of revenue in Q2, compared to the forecasted revenue before the pandemic and suggesting similar percentages for Q3.

The CFO concluded by indicating the significant measures which the ITTF took, reflecting in the decrease of forecasted expenses on Q2 of 65% but mentioning that further measures will be needed to reach a balancing financial position by year end and hoping that with the restart of events in Q4, the overall situation will be of financial stability by the end of year.

15.4 2021-2024 Quadrennial Forecast

As also presented during the Financial Forum, the CFO stated that with the establishment of WTT and the ITTF Foundation in recent times, an overall growth of the ITTF is expected in the coming years. Graphics presenting the revenues and expenditure expected for the

quadrennial were shown, with significant increases which will result -overall- in a bigger economy for the sport.

In terms of the balances, the CFO presented the expected negative balance, particularly for 2021, due to the new expenses under WTT which will be supported through external investment, will help to mitigate the overall financial impact for the ITTF.

The CFO concluded highlighting the uncertainty around the Tokyo 2020 Olympic Games and the financial impact that a potential cancellation of the Games may bring, along with the ongoing global pandemic, and the importance of risk management will continue to grow as the organisation continues to grow. With the introduction of the ITTF Foundation and WTT, it is important to manage the different objectives of the different ITTF entities.

20200928-AGM-04

The AGM approved the [Financial Statements](#) of 2019.

111 valid votes. 109 votes in favour. 2 votes against. 98.20% in favour.

20200928-AGM-05

The AGM accepted the 2020 budget update.

111 valid votes. 110 votes in favour. 1 vote against. 99.10% in favour.

20200928-AGM-06

The AGM accepted the 2021 budget and the 2021-2024 forecast.

112 valid votes. 108 votes in favour. 4 votes against. 96.43% in favour.

20200928-AGM-07

The AGM agreed for the next auditor's appointment to be managed through a tender process.

111 valid votes. 107 votes in favour. 4 votes against. 96.40 % in favour.

16. Ratification of the Work Done by the Board of Directors and the Executive Committee

The President stated hoping that all the delegates having enough information from the Minutes, from the Reports, and through the Press Releases and reminded the Members about the meeting of the BoD just after the AGM in Budapest.

20200928-AGM-08

The AGM ratified the work done by the Board of Directors and the Executive Committee since the last Annual General Meeting.

112 valid votes. 107 votes in favour. 5 votes against. 95.54 % in favour.

The President thanked the trust and the confidence and moved to the next point in the agenda.

17. Governance Review

The President introduced the recorded message of Mr Andrew RYAN, Executive Director of the Association of Summer Olympic International Federations (ASOIF), which touched on the changing landscape of Global Sport, which has been forced to adapt quickly to a developing sport landscape by the pandemic COVID-19. The AGM delegates noted the information provided on the Global Trends Impacting Sports, the future of Global Sport and the Impacts of COVID-19.

Mr RYAN highlighted the growth in the number of International Federations (IFs) sanctioned events in the last four decades, and how the global trends are impacting the sport sector. Touching on some of the challenges the IFs are facing, Mr RYAN pointed the changes in consumption behaviour, the proliferation of mega-events, the necessary progress in athletes' autonomy, the private investment and public sector investment in sport growing and the area of governance and integrity.

The Future of Global Sport report, published by ASOIF in 2019 was also mentioned, and the interaction between Governments, Business and Sport Governing Bodies.

Mr RYAN quoted Mr Simon MORTON, COO of UK Sport, highlighting the importance for NFs and IFs to assert themselves and think more like business.

The AGM noted the decrease of Olympic Revenue dependence in the IFs (from Sydney 2000 to Rio 2016), and the outlook for the future, which -in ASOIF belief- should focus on professionalism, collaboration and partnership with public authorities and business and a state-of-the-art Governance.

Mr RYAN suggested a greater use of technology to reach a global fan base, creativity and experimentation among key factors for progress and the importance of establishing cooperation and partnerships.

In relation to the future role of IF, Mr RYAN suggested that IFs should keep the custody of the rules of the games, training of officials, world championships, coordination of the calendar, and making the necessary revisions of their constitutions to ensure compliance with laws, while overseeing in general the global development of the sport.

To conclude, Mr RYAN touched on the mentioned impact of COVID-19, which has acted as a catalyst and accelerator of existing trends, with more focus on environmental protection, a decrease on international travelling and the rise of e-commerce and digital platforms' use as some of the consequences and suggested a list of focus areas in which the IFs should work to mitigate the effects of the pandemic while replanning their strategic plans moving forward.

The President thanked Mr RYAN for his comprehensive report and suggestions mentioning the excellent cooperation the ITTF has with ASOIF as the umbrella of all Summer Olympic IFs, particularly in the area of good governance.

18. Propositions and Resolutions

The AGM considered the following propositions⁴, which required a **2/3 majority** of the votes cast:

20200928-AGM-09

Proposition 1. Proposed by the ITTF Executive Committee ([click here for details](#))

105 valid votes. 95 votes in favour. 10 votes against. 90.48 % in favour.

The proposition was **PASSED**.

20200928-AGM-10

Proposition 2. Proposed by the ITTF Executive Committee ([click here for details](#))

115 valid votes. 108 votes in favour. 7 votes against. 93.91 % in favour.

The proposition was **PASSED**.

20200928-AGM-11

Proposition 3. Proposed by the ITTF Executive Committee ([click here for details](#))

116 valid votes. 112 votes in favour. 4 votes against. 96.55 % in favour.

The proposition was **PASSED**.

20200928-AGM-12

Proposition 4. Proposed by the ITTF Executive Committee ([click here for details](#))

117 valid votes. 113 votes in favour. 4 votes against. 96.58 % in favour.

The proposition was **PASSED**.

20200928-AGM-13

Proposition 5. Proposed by the ITTF Executive Committee ([click here for details](#))

115 valid votes. 110 votes in favour. 5 votes against. 95.65 % in favour.

The proposition was **PASSED**.

⁴ Propositions and Resolutions listed in [Appendix 2](#), or -in readable format- in the [2020 AGM Working Documents](#) available on ITTF.com.

20200928-AGM-14

Proposition 6. Proposed by the ITTF Executive Committee ([click here for details](#))

116 valid votes. 113 votes in favour. 3 votes against. 97.41 % in favour.

The proposition was **PASSED**.

20200928-AGM-15

Proposition 7. Proposed by the ITTF Executive Committee ([click here for details](#))

118 valid votes. 112 votes in favour. 6 votes against. 94.92 % in favour.

The proposition was **PASSED**.

20200928-AGM-16

Proposition 8. Proposed by the ITTF Executive Committee ([click here for details](#))

120 valid votes. 116 votes in favour. 4 votes against. 96.67 % in favour.

The proposition was **PASSED**.

20200928-AGM-17

Proposition 9. Proposed by the ITTF Executive Committee ([click here for details](#))

125 valid votes. 119 votes in favour. 6 votes against. 95.20 % in favour.

The proposition was **PASSED**.

20200928-AGM-18

Proposition 10. Proposed by the ITTF Executive Committee and the Athletes Commission ([click here for details](#))

119 valid votes. 105 votes in favour. 14 votes against. 88.24 % in favour.

The proposition was **PASSED**.

20200928-AGM-19

Proposition 11. Proposed by the ITTF Executive Committee ([click here for details](#))

122 valid votes. 116 votes in favour. 6 votes against. 95.08 % in favour.

The proposition was **PASSED**.

20200928-AGM-20

Proposition 12. Proposed by the ITTF Executive Committee ([click here for details](#))

125 valid votes. 121 votes in favour. 4 votes against. 98.80 % in favour.

The proposition was **PASSED**.

20200928-AGM-21

Proposition 13. Proposed by the ITTF Executive Committee ([click here for details](#))

121 valid votes. 119 votes in favour. 2 votes against. 98.35 % in favour.

The proposition was **PASSED**.

20200928-AGM-22

Proposition 14. Proposed by the ITTF Executive Committee ([click here for details](#))

122 valid votes. 114 votes in favour. 8 votes against. 93.44 % in favour.

The proposition was **PASSED**.

20200928-AGM-23

Proposition 15. Proposed by the ITTF Rules Committee ([click here for details](#))

122 valid votes. 118 votes in favour. 4 votes against. 96.72 % in favour.

The proposition was **PASSED**.

The AGM considered the following proposition, which required a **3/4 majority** of the votes cast:

20200928-AGM-24

Proposition 16. Proposed by the Japan Table Tennis Association ([click here for details](#))

121 valid votes. 61 votes in favour. 60 votes against. 50.41 % in favour.

The proposition was **DEFEATED**.

The AGM considered the following proposition, which required a **simple majority** of the votes cast:

20200928-AGM-25

Proposition 17. Proposed by the ITTF Executive Committee ([click here for details](#))

124 valid votes. 121 votes in favour. 3 votes against. 97.58 % in favour.

The proposition was **PASSED**.

The AGM considered the following resolutions, which required a **simple majority** of the votes cast:

20200928-AGM-26

Resolution A. Proposed by the ITTF Executive Committee ([click here for details](#))

120 valid votes. 118 votes in favour. 2 votes against. 98.33 % in favour.

The resolution was **PASSED**.

20200928-AGM-27

Resolution B. Proposed by the ITTF Executive Committee ([click here for details](#))

122 valid votes. 119 votes in favour. 3 votes against. 97.54 % in favour.

The resolution was **PASSED**.

20200928-AGM-28

Resolution C. Proposed by the ITTF Executive Committee ([click here for details](#))

123 valid votes. 122 votes in favour. 1 vote against. 99.19 % in favour.

The resolution was **PASSED**.

20200928-AGM-29

Resolution D. Proposed by the Brazilian Table Tennis Association ([click here for details](#))

109 valid votes. 88 votes in favour. 21 votes against. 80.73 % in favour.

The resolution was **PASSED**.

20200928-AGM-30

Resolution E. Proposed by the German Table Tennis Association ([click here for details](#))

The resolution was **WITHDRAWN**.

20200928-AGM-31

Resolution F. Proposed by the Swiss Table Tennis Association ([click here for details](#))

The resolution was **WITHDRAWN**.

20200928-AGM-32

Resolution G. Proposed by the Swiss Table Tennis Association ([click here for details](#))

114 valid votes. 103 votes in favour. 11 votes against. 90.35 % in favour.

The resolution was **PASSED**.

19. Election of the World Championships 2023 host

The AGM received the following voting results for the election of the 2023 World Championships:

| | |
|------------|-------------------|
| Durban | 90 votes (69.77%) |
| Düsseldorf | 39 votes (30.23%) |

20200928-AGM-33

The AGM allocated the 2023 World Championships to the South African Table Tennis Board, to be held in the city of Durban.

20. Future World Championships

20.1 Deadline for 2024 World Championships Bids

The AGM noted that the deadline of 30th June 2021 is set for the bids to host the 2024 World Championships.

21. Next General Meeting

The next General Meeting will be an Extraordinary General Assembly to be held in Busan, Korea Republic, during the Busan 2020 World Team Table Tennis Championships to be held in February/March 2021.

22. Any Other Business:

- 22.1 Mr Geiger, President of the German Table Tennis Association congratulated the South African Table Tennis Board and wished all the best for the further preparations. Also thanked those Associations that voted for Düsseldorf, and especially the DTTB bid team and the city of Dusseldorf, represented by Mr Wismer, stating the city is very committed to Table Tennis, and informed the membership that the DTTB will be applying for the 2025 WTTC when the DTTB will be celebrating its 100th anniversary.
- 22.2 The President thanked everyone for their cooperation, the staff for the preparation and the whole EC for the work done, and particularly the Deputy President, for making this virtual AGM possible.

23. Adjournment:

Not having any further business, the meeting was adjourned at 17:05 CEST.

Thomas Weikert
President

Date:

Raul Calin
Secretary General

Date:

APPENDIX 1: REGISTERED DELEGATES FROM MEMBER ASSOCIATIONS

| CODE | ASSOCIATION | NAME |
|------|---------------------|--------------------------------|
| AFG | AFGHANISTAN | KAKAR Heleena |
| ALB | ALBANIA | BINOSHAJ Tonin |
| ALB | ALBANIA | KRUJA Dritan |
| ALG | ALGERIA | DERKAOUI Cherif |
| AND | ANDORRA | MARTINEZ LAZARO Xavier |
| ANG | ANGOLA | RIBEIRO Antonia Simao Bernardo |
| ANT | ANTIGUA AND BARBUDA | BELLOT Charles |
| ARG | ARGENTINA | JOFFRE Fernando |
| ARG | ARGENTINA | YAMAMOTO Julio |
| ARU | ARUBA | HOEK Jean Henry |
| AUS | AUSTRALIA | HOUSTON Scott |
| AUT | AUSTRIA | FRIEDINGER Johann |
| AUT | AUSTRIA | NEUWIRTH Mathias |
| AZE | AZERBAIJAN | MEHDIZADE Sabuhi |
| AZE | AZERBAIJAN | GUSHKHANI Khayala |
| BAN | BANGLADESH | MUNIR Khondkar Hassan |
| BAN | BANGLADESH | JAHANGIR ALAM Sheikh Md |
| BAR | BARBADOS | RUDDER Dale |
| BAR | BARBADOS | NEWTON-KNIGHT Cherry |
| BDI | BURUNDI | BUKUMBANYA Henri |
| BDI | BURUNDI | GARAGAZA Jean Claude |
| BEL | BELGIUM | DENYS Jacques |
| BEL | BELGIUM | MUREAU Jean-Michel |
| BEN | BENIN | SOUNOU Ferdinand |
| BEN | BENIN | GUILLAUME Lea |
| BES | BONAIRE | VOS Gilberto |
| BIZ | BELIZE | VASQUEZ Arturo |
| BIZ | BELIZE | LOPEZ Hector |
| BLR | BELARUS | PETKEVITCH Alexandre |
| BLR | BELARUS | VOROBIEV Andrei |
| BOL | BOLIVIA | MEJIA MENA Carlos Javier |
| BOL | BOLIVIA | BOYAN BEJARANO Luis Eduardo |
| BOT | BOTSWANA | MOTSWAGOLE Kudzanani |
| BOT | BOTSWANA | OLYN William |
| BRA | BRAZIL | PINTO AZEVEDO Alaor |
| BRA | BRAZIL | CAMPESTRINI Geraldo |
| BRN | BAHRAIN | AL MADEH Ali |
| BRN | BAHRAIN | AL KHALIFA Hayat |
| BUR | BURKINA FASO | NANEMA Denis |
| BUR | BURKINA FASO | KIBORA Hortense Rosine |
| CAF | CENTRAL AFRICA | TENGUE Jocelyn |
| CAF | CENTRAL AFRICA | GBARAM Adam Maxime |
| CAN | CANADA | CHAN Rob |

APPENDIX 1: REGISTERED DELEGATES FROM MEMBER ASSOCIATIONS

| CODE | ASSOCIATION | NAME |
|------|--------------------|------------------------------------|
| CAN | CANADA | GOHL Thorsten |
| CAY | CAYMAN ISLANDS | SAIRSINGH Robert |
| CAY | CAYMAN ISLANDS | NELSON Donovan |
| CGO | CONGO BRAZZAVILLE | OKOUNA OLANDZOBO Jean Marie |
| CGO | CONGO BRAZZAVILLE | BETHO François Mederic |
| CHA | CHAD | AHMAT Oumar Koudji |
| CHA | CHAD | TOGMBAYE Bitrus |
| CHI | CHILE | ARAYA Wladimir |
| CHI | CHILE | MARTINEZ Rodrigo |
| CHN | CHINA | LIU Guoliang |
| CHN | CHINA | QIN Zhijian |
| CIV | COTE D'IVOIRE | KAROU Tago Germain |
| CIV | COTE D'IVOIRE | DALEBA Zaddy Patrice |
| CMR | CAMEROON | BAGUEKA ASSOBO Alfred |
| CMR | CAMEROON | MOUTLEN Eugene |
| COD | CONGO DEMOCRATIC | ST MATHIEU MUANA MBUTA |
| COK | COOK ISLANDS | IORANGI Tearoa |
| COL | COLOMBIA | MARTINEZ Ruben |
| COL | COLOMBIA | PAEZ Jairo Orlando |
| CRC | COSTA RICA | CASTRO Ricardo |
| CRC | COSTA RICA | LEANDRO Jose |
| CRO | CROATIA | PRIMORAC Zoran |
| CUB | CUBA | OLIVA Barbaro |
| CYP | CYPRUS | GEORGIOU Andreas |
| CZE | CZECH REPUBLIC | SPACEK Zbynek |
| CZE | CZECH REPUBLIC | ENDAL Nikolas |
| DEN | DENMARK | KOEFOED Betina |
| DEN | DENMARK | SUNDBAEK Peter |
| DJI | DJIBOUTI | OMIR Mahamoud Oumar |
| DJI | DJIBOUTI | SOUBANE Mohamed Segueh |
| DOM | DOMINICAN REPUBLIC | HERNANDEZ PEGUERO Gary Starling |
| DOM | DOMINICAN REPUBLIC | LANDRON DE LA ROSA Daniel Geovanny |
| ECU | ECUADOR | MARTINEZ SALAS Byron |
| ECU | ECUADOR | CALLE CALLE Paul |
| EGY | EGYPT | ASHOUR Moataz |
| ENG | ENGLAND | SUTCLIFFE Sara |
| ERI | ERITREA | ISAAC Berhane |
| ERI | ERITREA | AHMEDIN Mohammedagos Husien |
| ESP | SPAIN | MACHADO Miguel Angel |
| ESP | SPAIN | CORRAL Jesus David |
| EST | ESTONIA | KOIT Madis |
| ETH | ETHIOPIA | MARU Tesfaye Bizane |
| ETH | ETHIOPIA | ANTE Abeba Amare |

APPENDIX 1: REGISTERED DELEGATES FROM MEMBER ASSOCIATIONS

| CODE | ASSOCIATION | NAME |
|------|------------------|-------------------------------|
| FIJ | FIJI | LAI Narendra |
| FIJ | FIJI | LI Xuan |
| FIN | FINLAND | HEIKKINEN Esko |
| FIN | FINLAND | RASANEN Mika |
| FRA | FRANCE | PALIERNE Christian |
| FRA | FRANCE | VICENS Miguel |
| FRO | FAROE ISLANDS | HARALDSEN ALBINUS Paetur |
| GAB | GABON | NGUEMA Bernadette |
| GAB | GABON | NGUEMA Wilfred |
| GAM | GAMBIA | ALTURKY Hesham |
| GAM | GAMBIA | SURAKATU Adebayo Gafar Abdoul |
| GBS | GUINEA-BISSAU | FRANCISCO GOMES Emiliano |
| GBS | GUINEA-BISSAU | JANDI Avelina |
| GER | GERMANY | GEIGER Michael |
| GER | GERMANY | VATHEUER Matthias |
| GGY | GUERNSEY | FOOTE Ben |
| GHA | GHANA | AFADZINU Mawuko |
| GHA | GHANA | ASHIGBEY Kenneth |
| GRE | GREECE | KOLIBADIS Emmanuel |
| GUA | GUATEMALA | MENDIZABAL PINTO Jose Felix |
| GUA | GUATEMALA | GATICA Hector |
| GUI | GUINEA | CONDE Robert |
| GUI | GUINEA | CONTE Sekou Ahmed |
| GUM | GUAM | JI James |
| GUY | GUYANA | MUNROE Godfrey |
| GUY | GUYANA | JOHNSON Linden |
| HAI | HAITI | DEMOSTHENES Bukford |
| HAI | HAITI | KERNIZANT Ralph |
| HKG | HONG KONG, CHINA | CHAN Cheong Ki |
| HKG | HONG KONG, CHINA | CHIU Echo |
| HON | HONDURAS | GODOY Leonel |
| HON | HONDURAS | PINZON Juvanny |
| HUN | HUNGARY | NATLAN Roland |
| HUN | HUNGARY | FARAGO Judit |
| INA | INDONESIA | OEGROSENO Oegroseno |
| INA | INDONESIA | MARLIONO Muchlis |
| IND | INDIA | SINGH Mahinder Pal |
| IND | INDIA | CHAUTALA Dushyant |
| IRE | IRELAND | STRONG Kenneth |
| IRE | IRELAND | BUTLER Richard |
| IRI | I.R. IRAN | ALIGHARDASHI Mehrdad |
| IRI | I.R. IRAN | TABRIZIFAR Faeze |
| IRQ | IRAQ | BARAM Harda |

APPENDIX 1: REGISTERED DELEGATES FROM MEMBER ASSOCIATIONS

| CODE | ASSOCIATION | NAME |
|------|----------------|--------------------------------|
| ISL | ICELAND | THORDARSON Oern |
| ISR | ISRAEL | CARMEL Liron |
| ITA | ITALY | DI NAPOLI Renato |
| ITA | ITALY | MARINO Giuseppe |
| JEY | JERSEY | ROUTIER Paul |
| JOR | JORDAN | AL-ZOUBI Tariq |
| JOR | JORDAN | TUFFAHA Hanadi |
| JPN | JAPAN | HOSHINO Ichiro |
| JPN | JAPAN | YOKOTA Sachiko |
| KAZ | KAZAKHSTAN | PAK Danil |
| KAZ | KAZAKHSTAN | BEKOV Nursultan |
| KEN | KENYA | OKELO Joseph |
| KEN | KENYA | GUDKA Madhu |
| KGZ | KYRGYZSTAN | BALYAN Samson |
| KOR | KOREA REPUBLIC | CHO Yong-soon |
| KOR | KOREA REPUBLIC | LEE Jong-san |
| KOS | KOSOVO | BEQIRI Jeton |
| KOS | KOSOVO | ORUQI Jeton |
| KSA | SAUDI ARABIA | ALTAHER Abdulaziz |
| KUW | KUWAIT | AL-ALI Sabri |
| LAT | LATVIA | JOZEPSONE Ina |
| LAT | LATVIA | PURINSH Egils |
| LBA | LIBYA | ALSAQAR Mustafa |
| LBA | LIBYA | ALDAEIKI Mohammed |
| LBN | LEBANON | HAJJ-NICOLAS Selim |
| LBN | LEBANON | KOPALY Georges |
| LBR | LIBERIA | AWOBAJO Wasiu Abiodun |
| LBR | LIBERIA | DAVIS Rodia |
| LCA | ST. LUCIA | MATTHEWS Teddy |
| LCA | ST. LUCIA | MATTHEWS Bryan |
| LES | LESOTHO | MOHATLANE Chabeli |
| LES | LESOTHO | TIKOE Thabo |
| LTU | LITHUANIA | NAVICKIENE Inga |
| LTU | LITHUANIA | MAZEIKIENE Juste |
| LUX | LUXEMBOURG | HARTMANN Andre |
| LUX | LUXEMBOURG | GONDERINGER Camille |
| MAD | MADAGASCAR | AMBINITSOARIVELO Jean Herley |
| MAD | MADAGASCAR | ANDRIAMBOLOLONA Zo Harinirainy |
| MAR | MOROCCO | EL HAJJI Monqid |
| MAS | MALAYSIA | YEOH Lip Khoon |
| MAW | MALAWI | NYIRENDA William |
| MAW | MALAWI | MWANDIRA Flora |
| MDV | MALDIVES | RASHEED Ali |

APPENDIX 1: REGISTERED DELEGATES FROM MEMBER ASSOCIATIONS

| CODE | ASSOCIATION | NAME |
|------|------------------|--------------------------------|
| MEX | MEXICO | CERVANTES Miguel |
| MEX | MEXICO | SANCHEZ Alejandro |
| MHL | MARSHALL ISLANDS | TARKWON Dimitrius |
| MKD | NORTH MACEDONIA | TILOVSKI Goran |
| MKD | NORTH MACEDONIA | RIKALOSKI Zlatko |
| MLI | MALI | SIDIBE Abdoulaye |
| MLI | MALI | SANGARE Siaka |
| MLT | MALTA | PACE David |
| MLT | MALTA | BALDACHINO Edward |
| MNE | MONTENEGRO | ROGIC Suncica |
| MNE | MONTENEGRO | BOCA Ranko |
| MON | MONACO | LOULERGUE Marc |
| MOZ | MOZAMBIQUE | ARCHER DA CUNHA Armando Julio |
| MRI | MAURITIUS | DESSCANN Ganeshan |
| MRI | MAURITIUS | HAO THYN VOON Ha Shun Philippe |
| MTN | MAURITANIA | AHMED SALEM Mohamed |
| MTN | MAURITANIA | AHMED SALEM Babou |
| MYA | MYANMAR | HWET Kyin |
| MYA | MYANMAR | KHAING Aung |
| NAM | NAMIBIA | SAUNDERSON Rudiger |
| NAM | NAMIBIA | FLEIDL Heiko |
| NCA | NICARAGUA | ALTAMIRANO LOPEZ Wilfredo |
| NED | NETHERLANDS | SIMONS Jan |
| NED | NETHERLANDS | SIALINO Achim |
| NEP | NEPAL | RAJVAIDYA Chaturananda |
| NEP | NEPAL | GAUTAM Shanker |
| NGR | NIGERIA | ISHAKU Tikon |
| NGR | NIGERIA | ASIEGBU Chimezie |
| NIG | NIGER | DOUBOU Mai Moussa |
| NIG | NIGER | MAI ABDOU Wazama |
| NOR | NORWAY | IBENFELT Christian |
| NOR | NORWAY | NORDBY Svenn-Erik |
| NZL | NEW ZEALAND | KYLE Paul |
| OMA | OMAN | BA MAKHALIF Abdullah |
| OMA | OMAN | BAQIR Sajad |
| PAK | PAKISTAN | MALLICK Ahmer |
| PAK | PAKISTAN | MUHAJIR Tauqeer |
| PAN | PANAMA | WONG Emilio |
| PAN | PANAMA | VELARDE Ricardo |
| PAR | PARAGUAY | AYALA GARCIA Diosnel |
| PAR | PARAGUAY | REAL SOHLBERG Benjamin |
| PER | PERU | ESPINEIRA Marisol |
| PHI | PHILIPPINES | LEDESMA Ting |

APPENDIX 1: REGISTERED DELEGATES FROM MEMBER ASSOCIATIONS

| CODE | ASSOCIATION | NAME |
|------|-----------------------|-----------------------------|
| PHI | PHILIPPINES | RAMOS Rachel |
| PLE | PALESTINE | ALSHARIF Radwan |
| POL | POLAND | FREJ Marcin |
| POL | POLAND | SZUMACHER Dariusz |
| POR | PORTUGAL | MOURA Pedro |
| POR | PORTUGAL | GARRETT Luis |
| PUR | PUERTO RICO | SANTOS Ivan |
| PUR | PUERTO RICO | CASTALDO Leticia |
| PYF | TAHITI | HUIOUTU Gerald |
| QAT | QATAR | SALEH Mohd Abdulla |
| QAT | QATAR | AL-MUFTAH Ali Sultan |
| ROU | ROMANIA | ROMANESCU Beatrice |
| ROU | ROMANIA | ZAMFIR Adriana |
| RSA | SOUTH AFRICA | MACDONALD Audrina |
| RSA | SOUTH AFRICA | TSHEISO Thabang |
| RUS | RUSSIA | KOSITSYN Ilya |
| RUS | RUSSIA | MARKOV Roman |
| RWA | RWANDA | BIRUNGI John |
| RWA | RWANDA | NDIZEYE Yves |
| SAM | SAMOA | CAI Frankie |
| SAM | SAMOA | MASOE Temusika |
| SCO | SCOTLAND | MCLERNON Terry |
| SEN | SENEGAL | DIAGNE Papa Anthioumane |
| SEN | SENEGAL | TRAORE Sekhou |
| SEY | SEYCHELLES | REMIE Francis |
| SEY | SEYCHELLES | FRANCOIS Samantha |
| SGP | SINGAPORE | WONG Hui Leng |
| SGP | SINGAPORE | LOY Soo Han |
| SKN | SAINT KITTS AND NEVIS | LAKE Calvin |
| SKN | SAINT KITTS AND NEVIS | FREEMAN Amelia |
| SLE | SIERRA LEONE | LEBBIE Emmanuel |
| SLE | SIERRA LEONE | BATTIS Dalton |
| SMR | SAN MARINO | PIVA Stefano Valentino |
| SMR | SAN MARINO | STEFANELLI Claudio |
| SOM | SOMALIA | GUAMALE Mohamed Ali |
| SRB | SERBIA | KARAKASEVIC Aleksandar |
| SRB | SERBIA | MATKOVIC Aleksandar |
| SRI | SRI LANKA | WIJETUNGA Chandana Shrinath |
| SRI | SRI LANKA | HERATH Kanaka Dashratha |
| SUD | SUDAN | ELBADAWI Esam Eldin |
| SUI | SWITZERLAND | SILBERSCHMIDT Georg |
| SUI | SWITZERLAND | GIROUD Pascal |
| SVK | SLOVAK REPUBLIC | KRIZ Zdenko |

APPENDIX 1: REGISTERED DELEGATES FROM MEMBER ASSOCIATIONS

| CODE | ASSOCIATION | NAME |
|------|----------------------|---------------------------|
| SVK | SLOVAK REPUBLIC | HATALOVA Ivica |
| SWE | SWEDEN | BUZA Thomas |
| SWE | SWEDEN | HELANDER Michael |
| TAN | TANZANIA | MTALASO Issa Yassini |
| TAN | TANZANIA | MUTAFURWA Anthony Kato |
| TJK | TAJIKISTAN | ISMOILZODA Mirzo |
| TJK | TAJIKISTAN | MAJIDZODA Rustam |
| TOG | TOGO | EDAH Koku Vaast |
| TOG | TOGO | LAWSON-CHROCO Latevi Kaka |
| TPE | CHINESE TAIPEI | HUNG Tsung-Min |
| TTO | TRINIDAD AND TOBAGO | JOSEPH David |
| TTO | TRINIDAD AND TOBAGO | ELLIOTT Leon |
| TUN | TUNISIA | GUERFEL Lotfi |
| TUN | TUNISIA | DALDOUI Habib |
| TUR | TURKEY | KARACA Fatih |
| TUR | TURKEY | POLAT Samet |
| UAE | UNITED ARAB EMIRATES | ALZAROONI Hassan |
| UAE | UNITED ARAB EMIRATES | ALBAHAR Ahmed |
| UGA | UGANDA | JJAGWE Robert |
| UGA | UGANDA | ANDIRA Ronald |
| URU | URUGUAY | MIGLIETTI Roberto |
| URU | URUGUAY | LABOURDETTE Gabriela |
| USA | USA | SUNG Virginia |
| USA | USA | CIOROSLAN Dragomir |
| UZB | UZBEKISTAN | MAKHMUDOVA Saida |
| UZB | UZBEKISTAN | BURKHANKHODJAYEVA Adina |
| VEN | VENEZUELA | DUCHARNE GUERRA Felix |
| VEN | VENEZUELA | LOPEZ SANCHEZ Francisco |
| VIN | ST. VINCENT | HASLAM Orville |
| VIN | ST. VINCENT | BALLAH Asquith |
| WAL | WALES | PEARCE Rhian |
| WLF | WALLIS AND FUTUNA | GAVEAU Charles |
| WLF | WALLIS AND FUTUNA | VAITULUKINA Paulo |
| YEM | YEMEN | AL-SUNAINI Essam Ali |
| YEM | YEMEN | ZABARAH Motahar Ahmed |
| ZAM | ZAMBIA | NG'ANDU Mutale |
| ZAM | ZAMBIA | CHEWE Martin |
| ZIM | ZIMBABWE | FERENANDO Noah |
| ZIM | ZIMBABWE | DURI Tinashe |

APPENDIX 1: EC, BOD, COMMISSIONERS, COMMITTEE CHAIRS, PHM, PAC AND STAFF IN ATTENDANCE

EXECUTIVE COMMITTEE

| | |
|----------------------------------|---------------------|
| President | WEIKERT Thomas |
| Deputy President | AL-MOHANNADI Khalil |
| Executive Vice-President Finance | SORLING Petra |
| Executive Vice-President | BURTON H. Bruce |
| Executive Vice-President | MAEHARA Masahiro |
| Executive Vice-President | MESHREF Alaa |
| Executive Vice-President | MORRIS James |
| Executive Vice-President | SHI Zhihao |
| Executive Vice-President | TENCA Nestor |
| Chair of the Athletes Commission | PRIMORAC Zoran |
| IOC Member | RYU Seung-min |

CONTINENTAL PRESIDENTS

| | |
|---------------|----------------------|
| Africa | ELSALHY Khaled |
| Asia | CAI Zhenhua |
| Europe | LEVITIN Igor |
| Latin America | VILA Juan |
| Oceania | HO Anthony Yuan Dorn |

BOARD OF DIRECTORS

| | |
|------------------------|--------------------------------|
| Member – Africa | CARRIM Yusuf |
| Member – Africa | EL HAJJI Monqid |
| Member – Africa | ELSALLAWI Abdelrahman |
| Member – Africa | HAO THYN VOON Ha Shun Philippe |
| Member – Africa | KIGGUNDU Thomas James |
| Member – Africa | MUDIBO Andrew |
| Member – Africa | OLADAPO Olabanji |
| Member – Asia | AL MULLA Abdulla |
| Member – Asia | BADIEE Afshin |
| Member – Asia | CHOUDHARY Dhanraj |
| Member – Asia | LIU Yi |
| Member – Asia | YUE Tony |
| Member – Europe | AHLERT Heike |
| Member – Europe | DEATON Sandra |
| Member – Europe | GREFBERG Sonja |
| Member – Europe | KRIZ Zdenko |
| Member – Europe | ROMANESCU Cristinel |
| Member – Latin America | AZEVEDO Alaor |
| Member – Latin America | FELIX Marguerita |
| Member – Latin America | MATTHEWS Teddy |
| Member – Latin America | REIMBERG Henry |
| Member – Latin America | ZAMORA Alexander |

APPENDIX 1: EC, BOD, COMMISSIONERS, COMMITTEE CHAIRS, PHM, PAC AND STAFF IN ATTENDANCE

BOARD OF DIRECTORS (CONTINUED)

| | |
|------------------|----------------|
| Member – Oceania | IORANGI Tearoa |
| Member – Oceania | IRELAND Graeme |
| Member – Oceania | KYLE Paul |

COMMISSIONERS

| | |
|------------------------|----------------|
| Gender Commissioner | KAJEE Hajera |
| Junior Commissioner | AHLERT Heike |
| Technical Commissioner | IRELAND Graeme |

CHAIRS OF COMMITTEES

| | |
|--------------------------|---------------------|
| Equipment | SCHILTZ Paul |
| Media | MADSEN Arne |
| Nominations | OSHODI Wahid Enitan |
| Para Table Tennis | CROTTA Constantina |
| Rules | SPORRER Rudolf |
| Sports Science & Medical | KONDRIC Miran |
| Umpires and Referees | MA Young Sam |
| Veterans | BAZZI Reto |

| | |
|--------------------------|--------------------|
| PERSONAL HONORARY MEMBER | KAHN Jean-François |
|--------------------------|--------------------|

PRESIDENT'S ADVISORY COUNCIL

| | |
|--------|-------------------------------|
| Member | HUDETZ Radivoj |
| Member | KIMURA Koji |
| Member | LEVITIN Igor |
| Member | PINTO Jane |
| Member | RIVERA BURGOS Melecio Eduardo |
| Member | SHAHNAZI Shahrokh |

SENIOR STAFF

| | |
|---|----------------------|
| CEO | DAINTON Steve |
| Secretary General | CALIN Raul |
| CFO | BROWN Michael |
| Marketing Director | POUND Matt |
| High Performance and Development Director | CEHOVIN Polona |
| Member Relations Director | BESSAH Mounir |
| Foundation Director | OLVECH Leandro |
| Competitions Director (Interim) | FELEGYI Gabor Mihaly |
| CEO's Office – Projects Director | NECULA Iulia |
| Head of Partnerships | KOH Kimberly |

PROPOSITION 1 – PASSED

Proposition 1 – Effective 1st January 2021 (2/3 majority required)

Proposed by the ITTF Executive Committee.

To amend and introduce the following articles in the ITTF Constitution:

To amend 1.1.3.3.1

The ~~Executive Committee~~ ITTF Tribunal shall impose appropriate disciplinary sanctions from warnings to exclusions from all kind of activity in the ITTF, when a complaint of harassment has been substantiated. The same disciplinary sanctions shall be imposed if a false accusation has been substantiated.

Rationale:

To remove the judicial power from the Executive Committee and entrust the newly created ITTF Tribunal to take any necessary disciplinary actions.

To amend 1.1.4.1.5

to establish and enforce the Constitution, the Laws of Table Tennis, the Regulations for International Competitions, the Regulations for World, Olympic and Paralympic Title Competitions, the Anti-Doping Rules, the Code of Ethics, the Anti-Harassment Policy and Procedures, the ITTF Tribunal Regulations and any other ITTF regulations;

Rationale:

To introduce the chapter 8, ITTF Tribunal Regulations, in the ITTF Handbook.

To amend 1.2.3

1.2.3 SUSPENSION, ~~AND~~ TERMINATION AND OTHER SANCTIONS

Rationale:

To introduce other types of sanctions than suspension and termination.

To amend 1.2.3.6

The ~~Executive Committee~~ ITTF Tribunal may act to propose the termination to the AGM suspend or otherwise sanction an Association pending the AGM or EGM, provided that: if it infringes the ITTF Constitution, other Regulations, and ITTF Tribunal decisions.

~~1.2.3.6.1 clause 1.2.3.5 is applied;~~

~~1.2.3.6.2 decision on the suspension is by a unanimous vote;~~

~~1.2.3.6.3 all Associations are informed of the suspension providing reasons~~

Rationale:

To ensure ITTF Tribunal Regulations can be effectively applied by the ITTF Tribunal.

PROPOSITION 1 (CONTINUED)

To amend 1.2.5.1.2

To apply the ITTF Anti-Doping Rules, the ITTF Code of Ethics and the Anti-Harassment Policy and Procedures, **the ITTF Tribunal Regulations and the ITTF Tribunal decisions.**

Rationale:

To ensure that ITTF Tribunal Regulations can be effectively applied by the ITTF Tribunal.

To delete 1.5.4.1.4:

~~To impose disciplinary sanctions for inappropriate conducts.~~

Rationale:

To move the judicial power from the EC to the ITTF Tribunal.

To add a new 1.5.5 (and renumber current 1.5.5 to 1.5.11)

1.5.5. ITTF Integrity Unit

1.5.5.1. The ITTF Integrity Unit is an independent unit of the ITTF with the following responsibilities:

1.5.5.1.1. to investigate and prosecute infringement of the matters relating to compliance, discipline and integrity before the ITTF Tribunal or such other competent and recognised judicial body;

1.5.5.1.2. to educate table tennis parties on integrity matters; and

1.5.5.1.3. to otherwise protect and uphold the integrity of table tennis.

1.5.5.2. The ITTF Integrity Unit shall consist of the Head of Integrity and such other officers necessary for the ITTF Integrity Unit to carry out its responsibilities.

1.5.5.3. As an independent unit of the ITTF, the ITTF Integrity Unit shall directly report to the ITTF President, subject to Article 1.5.5.4.

1.5.5.4. Where a case under investigation or prosecution involves the ITTF President, the ITTF Integrity Unit shall report to the ITTF Board of Directors. Where a case under investigation or prosecution involves an ITTF Board of Directors member or an ITTF Executive Committee member other than the ITTF President, the ITTF Integrity Unit will report to the ITTF President and the ITTF AGM (or EGM).

Rationale:

To establish a prosecuting body in the ITTF.

PROPOSITION 1 (CONTINUED)

To amend 1.8.1 (and to amend the ITTF Code of Ethics accordingly)

1.8.1 JUDICIAL BODIES OF THE ITTF

1.8.1.1 The ~~following bodies of the ITTF have~~ judicial powers of the ITTF **shall include:**

1.8.1.1.1 The AGM and the EGM.

~~1.8.1.1.2 The Executive Committee.~~

1.8.1.1.2 The ITTF Tribunal

1.8.1.1.3 ~~6~~ The Eligibility Commission according to the ITTF Regulations for International Competitions.

1.8.1.1.4 The ITTF Protest Panel for Para Table Tennis Classifications.

1.8.1.1.5 **The International Testing Agency (ITA) and the Court of Arbitration of Sport Anti-Doping Division (CAS ADD)** ~~Doping Hearing Panel and/or the ad-hoc Doping Review Panel or the ITTF Anti-Doping Manager~~ depending on the circumstances and according to the ITTF Anti-Doping rules procedures.

~~1.8.1.1.4 The Disciplinary Panels appointed by the Executive Committee according to the ITTF Regulations for International Competitions.~~

~~1.8.1.1.5 The Illegal Betting and Corruption Hearing Panel according to the ITTF Code of Ethics.~~

1.8.1.1.6 The Board of Appeal of Classification of the International Paralympic Committee (IPC BAC) for Para Table Tennis classification matters.

Rationale:

To ensure consistency with the creation of the ITTF Tribunal.

To replace 1.8.2 and introduce Chapter 8:

~~1.8.2 PROCEDURAL RULES APPLICABLE TO THE JUDICIAL BODIES OF THE ITTF~~

~~1.8.2.1 The judicial bodies of the ITTF shall provide fair procedures to all parties involved and shall respect their fundamental rights. They recognise in particular:~~

~~1.8.2.1.1 That any person acting with the ITTF will not participate in any interaction which could influence an outcome or decision relative to any specific matter if the person has a conflict of interest according to the ITTF Code of Ethics;~~

~~1.8.2.1.2 The right of the person/Association charged to know what he/she/it is charged with and to examine his/her/its file;~~

~~1.8.2.1.3 The right to know the penalties which might be imposed;~~

~~1.8.2.1.4 The right to be heard, to present a defence, to produce evidence and to be assisted by counsel at their own expense.~~

~~1.8.2.1.5 The right to present an appeal to any judicial decision.~~

1.8.2 ITTF TRIBUNAL

1.8.2.1 The ITTF Tribunal is composed for up to eight members.

1.8.2.2 The ITTF Tribunal shall have a Chairperson, a Deputy Chairperson, and up to six members at large.

1.8.2.3 The organisation of the ITTF Tribunal is regulated through the chapter 8 of the ITTF Handbook.

Rationale:

To define the scope of the ITTF Tribunal and defer procedural rules to the new chapter 8 ITTF Tribunal Regulations.

PROPOSITION 1 (CONTINUED)

To amend 1.8.3:

1.8.3 COURT OF ARBITRATION FOR SPORT (CAS)

1.8.3.1 The ITTF recognises the independent Court of Arbitration for Sport (CAS) with headquarters in Lausanne (Switzerland) to resolve disputes arising from this Constitution or other ITTF rules and regulations, or decisions of the ITTF which cannot be settled by the ITTF internal or external appeals processes as established in these regulations except for ITTF Para Table Tennis classification matters, which final appeal body shall be the International Paralympic Committee Board of Appeal of Classification (IPC BAC). The parties concerned shall undertake to comply with the Statutes and procedural rules of this Court of Arbitration for Sport and to accept and enforce its decisions, which are final.

Rationale:

To ensure consistency with the creation of the ITTF Tribunal and the recognition of the ITA and the IPC BAC.

To amend 3.2.4.3.2:

The suspended player may appeal to the ~~Court of Arbitration for Sport~~ ITTF Tribunal within 21 days of the receiving of the letter of suspension; should such an appeal be submitted, the player's suspension would remain in force.

Rationale:

To adjust to the new judicial powers of the ITTF.

To amend 3.5.2.8:

The referee shall have power to disqualify a player from a match, an event or a competition for seriously unfair or offensive behaviour, whether reported by the umpire or not; as he or she does so he or she shall hold up a red card; for less serious offenses which do not justify disqualification, the referee may decide to report such an offense to ~~a Disciplinary Panel (3.5.2.13)~~ the ITTF Integrity Unit.

Rationale:

To adjust to the new judicial powers of the ITTF.

To amend 3.5.2.13:

~~A Disciplinary Panel appointed by the Executive Committee, consisting of 4 members and a chair, shall decide on appropriate sanctions for offences reported by the referee of an event within 14 days of the end of the event. Sanctions for offences under the provisions of Article 3.5.2 may be presented by the ITTF Integrity Unit to the ITTF Tribunal in accordance with the ITTF Tribunal Regulations. The Disciplinary Panel shall decide according to directives given by the Executive Committee.~~

Rationale:

To adjust to the new judicial powers of the ITTF.

PROPOSITION 1 (CONTINUED)

To delete 3.5.2.14

Rationale:

Appeals of ITTF Tribunal decisions are already addressed in the ITTF Tribunal Regulations.

To amend 3.5.3.4:

~~A Disciplinary Panel appointed by the Executive Committee, consisting of 4 members and a chair, shall decide on whether an infringement committed and if necessary on appropriate sanctions;~~ Sanctions for offences under the provisions of Article 3.5.3 may be commenced by the ITTF Integrity Unit before the ITTF Tribunal in accordance with the ITTF Tribunal Regulations. ~~this Disciplinary Panel shall decide according to directives given by the Executive Committee.~~

Rationale:

To adjust to the new judicial powers of the ITTF.

To delete 3.5.3.5

Rationale:

Appeals of ITTF Tribunal decisions are already addressed in the ITTF Tribunal Regulations.

To amend the preamble and Scope of application of chapter 6

PREAMBLE

The ITTF, all its ~~All~~ members (Member Associations), affiliated organisations (Continental Federations and other groups of associations) as well as all the aforesaid parties' officials, decision-making bodies, honorary members, officers, employees, services providers, delegated third parties and their employees, players, players' entourages and such other persons involved in the aforesaid parties' ITTF's operations (hereinafter "the Table Tennis parties") restate their commitment to the Olympic Charter and in particular its Fundamental Principles and reaffirm their loyalty to the Olympic ideal inspired by Pierre de Coubertin.

The Table Tennis parties undertake to disseminate the culture of ethics and integrity within their respective areas of competence and to serve as role models.

Scope of application

The Table Tennis parties undertake to comply and ensure compliance with the Code of Ethics in the following circumstances:

- the ITTF, its administration, each of its members (Member Associations), affiliated organisations (Continental Federations) and their officials, honorary members, officers, employees, services providers, delegated third parties and their employees, players, players' entourages and such other persons involved in their operations at all times and in all circumstances;

Rationale:

PROPOSITION 1 (CONTINUED)

To ensure the scope of the Code of Ethics is appropriate and to align and provide consistency with the creation of the ITTF Tribunal.

To amend 6.8.4.5 and 6.8.4.6

6.8.4.5 Disqualification, directions to remove oneself from a conflict of interest or such other restrictions shall be decided by the Ethics Commission. The Ethics Commission's decision may be appealed to the ITTF Tribunal

6.8.4.6 Specific provisions

6.8.4.6.1 The person concerned shall not himself take part in considering or deciding his own status.

~~6.8.4.6.2 Any disqualification shall not prevent the person from participating in elections.~~

Rationale:

To align and provide consistency with the creation of the ITTF Tribunal.

To amend 6.9.1.1

These rules shall apply to all participants Table Tennis parties (as defined in the Preamble of this Chapter 6) who participate or assist in an international competition and each participant shall be automatically bound by, and be required to comply with, these rules by virtue of such participation or assistance (abbreviated as "participant" in the provisions below).

Rationale:

To align with the adjustments proposed above.

To amend 6.9.1.3

Each participant submits to the exclusive jurisdiction of ~~any hearing panel convened under these rules~~ the ITTF Tribunal to hear and determine charges brought by the ITTF Integrity Unit and to the exclusive jurisdiction of CAS to determine any appeal from the ITTF Tribunal's ~~a hearing panel~~ decision.

Rationale:

To align with the proposed creation of the ITTF Tribunal.

To amend 6.9.2.5.3 to 6.9.2.5.5

6.9.2.5.3 Failing to disclose to the ITTF Integrity Unit or other competent authority (without undue delay) full details of any approaches or invitations received by the

PROPOSITION 1 (CONTINUED)

participant to engage in conduct or incidents that would amount to a violation of this rule.

- 6.9.2.5.4 Failing to disclose to the ITTF Integrity Unit or other competent authority (without undue delay) full details of any incident, fact or matter that comes to the attention of the participant that may evidence a violation under this rule by a third party, including (without limitation) approaches or invitations that have been received by any other party to engage in conduct that would amount to a violation of this rule;
- 6.9.2.5.5 Failing without compelling justification to cooperate with any reasonable investigation carried out by the ITTF Integrity Unit or other competent authority in relation to a possible breach of this rule, including failing to provide any information and/or documentation requested by the ITTF Integrity Unit or by the competent competition authority that may be relevant to such investigation.

Rationale:

To be consistent with the creation of the ITTF Integrity Unit.

To amend 6.9.3 to 6.9.8

6.9.3 BURDEN AND STANDARD OF PROOF

- 6.9.3.1 The ITTF Integrity Unit or other prosecuting authority shall have the burden of proving that a violation has occurred under these rules. The standard of proof shall be whether the ITTF Integrity Unit or other prosecuting authority has proved a violation to the comfortable satisfaction of the ITTF Tribunal hearing-panel, a standard which is greater than the mere balance of probability but less than proof beyond a reasonable doubt.
- 6.9.3.2 Where these rules place the burden of proof on the participant alleged to have committed a violation to prove facts or circumstances, the standard of proof shall be by a preponderance of the evidence.
- 6.9.3.3 The hearing-panel ITTF Tribunal shall not be bound by judicial rules governing the admissibility of evidence. Facts related to violations of rule 6.9.2 may be established by any reliable means, including but not limited to, admissions, evidence of third parties, witness statements, expert reports, documentary evidence and other analytical data or information.
- 6.9.3.4 The ITTF Tribunal hearing-panel shall have discretion to accept any facts established by a decision of a court or professional disciplinary tribunal of any competent jurisdiction which is not subject to a pending appeal as irrefutable evidence against the participant to whom the decision relates unless the participant establishes that the decision violated the principles of natural justice.
- 6.9.3.5 The ITTF Tribunal hearing-panel shall be entitled to draw an inference adverse against any participant who is accused of committing a violation if that participant fails to appear in front of the ITTF Tribunal hearing-panel if requested to do so a

PROPOSITION 1 (CONTINUED)

reasonable time in advance of the hearing, or fails to comply with any information request that has been submitted in accordance with these rules.

6.9.4 INVESTIGATING A BREACH

6.9.4.1 Any allegation or suspicion of a violation of any provision under rule 6.9.2 shall be reported to the ITTF Integrity Unit for investigation and possible charge in accordance with this rule. The ITTF Integrity Unit may conduct an investigation into the activities of any participant that it believes may have committed a violation of these rules and may appoint one or more persons for this purpose. Such investigation may be conducted in conjunction with relevant competent national or international authorities (including criminal, administrative, professional and/or judicial authorities) and all participants must co-operate fully with such investigations. The ITTF Integrity Unit shall have discretion, where it deems it appropriate, to stay its own investigation pending the outcome of investigations conducted by other competent authorities.

6.9.4.2 As part of any such investigation, if the ITTF Integrity Unit reasonably suspects that a participant has committed a violation of these rules, it may make a written demand to such participant for information that is related to the alleged violation and/or require the attendance of such participant for interview, or a combination of the two. Any interview shall be at a time and place to be determined by the ITTF Integrity Unit and the relevant participant shall be given reasonable notice in writing of the requirement to attend. Interviews shall be recorded and the participant shall be entitled to have legal counsel and an interpreter present.

6.9.4.3 By participation in a competition, each participant shall be deemed to have agreed for the purposes of applicable data protection laws and other laws, and for all other purposes, to have consented to the collection, processing, disclosure or any other use of information relating to his or her activities (including without limitation personal information) to the extent permitted under these rules and shall confirm such agreement in writing upon demand.

6.9.5 ISSUING A NOTICE OF CHARGE

6.9.5.1 Where following an investigation the ITTF Integrity Unit determines that there is a case for the participant to answer under rule 6.9.2, the ITTF Integrity Unit shall issue the participant with a written notice of charge setting out the following:

6.9.5.1.1 The specific violation(s) that the participant is alleged to have committed;

6.9.5.1.2 The facts upon which such allegation(s) are based;

6.9.5.1.3 The range of sanctions applicable under the rules for such violations;

6.9.5.1.4 Details relating to the participant's response to the notice of charge within a specified deadline; and

6.9.5.1.5 The participant's right to have the matter determined by a hearing.

PROPOSITION 1 (CONTINUED)

- 6.9.5.2 The notice of charge shall also specify that, if the participant wishes to exercise his or her right to a hearing, he or she must submit a written request for a hearing so that it is received by the ITTF **Integrity Unit** as soon as possible but in any event within 14 days of receipt of the notice of charge. The request must state how the participant responds to the charge and must explain (in summary form) the basis for such response.
- 6.9.5.3 If the participant fails to file a written request for a hearing by the specified deadline, he or she shall be deemed to have:
- 6.9.5.3.1 waived his or her right to a hearing;
- 6.9.5.3.2 admitted that he or she has committed the violation(s) specified in the notice of charge; and
- 6.9.5.3.3 acceded to the range of applicable sanctions specified in the notice of charge.
- 6.9.5.4 Where the participant requests a hearing in accordance with **rule 6.9.5.3.1**, the matter shall proceed to a hearing **in accordance with the ITTF Tribunal Regulations** ~~in accordance with 6.3~~. Where the participant is deemed to have waived his or her right to a hearing and to have admitted the violation(s) in accordance with **rule 6.9.5.3.2**, any hearing held at the ITTF **Tribunal's** discretion shall be limited to determining the applicable sanctions only.
- 6.9.5.5 In any case where the ITTF **Integrity Unit** decides to charge a participant with a violation under these rules, the ITTF **Integrity Unit** shall have discretion, in circumstances where it considers that the integrity of the sport could otherwise be seriously undermined, to provisionally suspend the participant pending the relevant tribunal's determination of whether the participant has committed a violation. A provisional suspension shall be effective from the date of notification to the participant in accordance with these rules. Alternatively, the participant may accept a voluntary suspension from competition provided that it is confirmed in writing to the ITTF **Integrity Unit**. A voluntary suspension shall be effective only from the date of receipt of the participant's written confirmation of such to the ITTF **Integrity Unit**.
- 6.9.5.6 A decision to impose a provisional suspension on a participant shall not be subject to appeal.
- 6.9.5.7 If a participant retires whilst a disciplinary procedure under these rules is underway, the ITTF **Tribunal** shall retain jurisdiction to complete the relevant procedure. If the participant retires before any disciplinary procedure has begun, the ITTF **Tribunal** shall nevertheless have jurisdiction to conduct the relevant procedure.
- 6.9.6 RIGHT TO A FAIR HEARING**
- 6.9.6.1 Where the ITTF **Integrity Unit** alleges that a participant has committed a violation of these rules and the participant denies the allegation and/or disputes the sanctions to be imposed for such violation, then the matter shall be referred to a hearing before the **ITTF Tribunal** ~~hearing panel~~.

PROPOSITION 1 (CONTINUED)

6.9.6.2 The ~~hearing panel~~ ITTF Tribunal shall be appointed by the ITTF in accordance with the ~~principles set out in 6.9.6.3 below, the members of the hearing panel shall have had no prior involvement with the case and shall not, unless otherwise agreed between the parties, be from the same country as the participant alleged to have violated these rules~~ ITTF Tribunal Regulations.

~~6.9.6.3 The hearing process shall respect the following principles: a timely hearing, a fair and impartial hearing panel, the right to be represented by counsel (at the participant's expense), the right to respond to the asserted anti corruption rule violation and range of resulting sanction; 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 evidence by telephone or written submission), the participant's right to an interpreter at the hearing (with the hearing panel 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 the sanction imposed.~~

~~6.9.6.4 Once the parties have made their submissions, the hearing panel shall determine whether a violation has been committed. Where the hearing panel determines that a violation has been committed and these rules specify a range of possible sanctions for such violation, the hearing panel shall also fix the appropriate sanction within that range after considering any submissions on the subject that the parties may wish to make.~~

~~6.9.6.5 The hearing panel shall issue a decision in writing, with reasons, as soon as possible after the conclusion of the hearing. The decision will set out and explain:~~

~~6.9.6.5.1 the hearing panel's findings as to whether any violation has been committed;~~

~~6.9.6.5.2 the hearing panel's findings as to what sanctions, if any, are to be imposed;~~

~~6.9.6.5.3 the date that any period of ineligibility shall commence; and~~

~~6.9.6.5.4 the rights of appeal described in 6.9.8.~~

6.9.7 SANCTIONS

6.9.7.1 A violation of rule 6.9.2 by an athlete occurring during or in connection with an event in which the athlete is participating shall lead to disqualification of the athlete and the annulment of all the athlete's results obtained in that event with all consequences, including forfeiture of all titles, medals, computer ranking points and prize and appearance money, in addition to possible sanctions under rule 6.9.7.3 as decided by the ITTF Tribunal.

6.9.7.2 If a member of a doubles pair or a team is found to have committed a violation under 6.9.2, the doubles pair or the team shall be automatically disqualified from the event in question and any title, medal, computer ranking points and prize shall be withdrawn, in addition to possible sanctions under rule 6.9.7.3 by the ITTF Tribunal.

6.9.7.3 Ineligibility and Financial Sanctions

PROPOSITION 1 (CONTINUED)

- 6.9.7.3.1 The ~~hearing-panel~~ ITTF Tribunal shall have discretion to impose a period of ineligibility on participants in accordance with the bands set out in 6.9.7.3.2. In imposing any period of ineligibility, the ~~hearing-panel~~ ITTF Tribunal shall be entitled to consider whether any aggravating and/or mitigating factors under Rule 6.9.7.4 or the ITTF Tribunal Regulations should be taken into account.
- 6.9.7.3.2 The respective period of ineligibility for a violation set out in:
 Rule 6.9.2.1 (betting), shall be a minimum of two [2] years and a maximum of four [4] years;
 Rule 6.9.2.2 (manipulation of results), shall be a minimum of two [2] years and a maximum of four [4] years;
 Rule 6.9.2.3 (corrupt conduct), shall be a minimum of two [2] years and a maximum of four [4] years;
 Rule 6.9.2.4 (misuse of inside information), shall be a minimum of two [2] years and a maximum of four [4] years;
 Rule 6.9.2.5 (other violations) shall be a minimum of two [2] years and a maximum of four [4] years.
- 6.9.7.3.3 The period of ineligibility shall commence on the date the decision of the ~~hearing-panel~~ ITTF Tribunal is published and shall end on date stated in the published decision. The ~~hearing-panel~~ ITTF Tribunal may at its sole discretion reduce the period of ineligibility imposed by any period of provisional suspension already served by the participant prior to the decision being reached.
- 6.9.7.3.4 No participant shall participate in any capacity in any event or competition during his or her period of ineligibility as imposed by the ITTF Tribunal ~~hearing-panel~~.
- 6.9.7.3.5 If a participant violates any prohibition on participation imposed in accordance with 6.9.7.3.2, such participant shall be disqualified immediately from the relevant event or competition and the period of ineligibility originally imposed in accordance with these rules shall recommence from the date of such violation.
- 6.9.7.3.6 These rules shall continue to apply to any ineligible participant and any violation committed during a period of ineligibility shall be treated as a distinct violation and separate proceedings shall be brought against the participant in accordance with these rules.
- 6.9.7.3.7 In addition to the imposition of a period of ineligibility as set out above, the ~~hearing-panel~~ ITTF Tribunal shall have discretion to impose a fine of up to a maximum amount of the value of any benefit received by the participant out of, or in relation to, the violation(s) of rule 6.9.2.
- 6.9.7.4 Aggravating and Mitigating Factors
- 6.9.7.4.1 In order to determine the appropriate sanction to be imposed in each case the ITTF Tribunal ~~hearing-panel~~ shall assess the relative seriousness of the violation, including identifying all relevant factors that it deems to aggravate or mitigate the nature of the violation committed.

PROPOSITION 1 (CONTINUED)

- 6.9.7.4.2 Aggravating factors which may be considered by the ~~hearing-panel~~ ITTF Tribunal shall include (without limitation and where applicable):
- 6.9.7.4.2.1 failure to co-operate by the participant with any investigation or requests for information;
- 6.9.7.4.2.2 any previous violations by the participant;
- 6.9.7.4.2.3 the participant receiving or being due to receive a significant Benefit in connection with the violation;
- 6.9.7.4.2.4 the violation having or having the potential to affect the course or result of an event or competition;
- 6.9.7.4.2.5 the participant displaying a lack of remorse (including, for example, refusing to take part in anti-corruption educational programs organised by the ITTF); and
- 6.9.7.4.2.6 any other aggravating factor the ITTF Tribunal ~~hearing-panel~~ deems relevant.
- 6.9.7.4.3 Mitigating factors which may be considered by the ITTF Tribunal ~~hearing-panel~~ shall include (without limitation and where applicable):
- 6.9.7.4.3.1 co-operation by the participant with any investigation or requests for information;
- 6.9.7.4.3.2 a timely admission of guilt by the participant;
- 6.9.7.4.3.3 the participant's clean disciplinary record;
- 6.9.7.4.3.4 the youth or inexperience of the participant;
- 6.9.7.4.3.5 the violation not having affected or not having the potential to affect the course or result of an event or competition;
- 6.9.7.4.3.6 the participant displaying remorse (including, for example, agreeing to take part in anti-corruption educational programs organised by the ITTF; and
- 6.9.7.4.3.7 any other mitigating factor the ITTF Tribunal ~~hearing-panel~~ deems relevant.
- 6.9.7.5 Reinstatement
- 6.9.7.5.1 Once the period of the participant's ineligibility has expired, he or she will become automatically re-eligible to participate provided that he or she has
- 6.9.7.5.1.1 completed to the ITTF's ~~or the ITTF Integrity Unit's~~ reasonable satisfaction any official betting and anti-corruption education or rehabilitation programme that might be imposed on him or her
- 6.9.7.5.1.2 has satisfied, in full, any fine imposed under this rule and/or award of costs made against him or her by any tribunal and
- 6.9.7.5.1.3 has agreed to subject himself/herself to any reasonable and proportionate monitoring of his or her future activities as the ITTF ~~or the ITTF Integrity Unit~~ may reasonably consider necessary given the nature and scope of the violation that he or she has committed.

6.9.8 APPEALS

PROPOSITION 1 (CONTINUED)

- 6.9.8.1 The following decisions made under these rules may be appealed either by the ITTF Integrity Unit or the participant who is the subject of the decision (as applicable) exclusively to CAS:
- 6.9.8.1.1 A decision that a charge of breach of rule 6.9.2 should be dismissed on procedural or jurisdictional grounds;
- 6.9.8.1.2 A decision that a violation of rule 6.9.2 has been committed;
- 6.9.8.1.3 A decision that a violation of rule 6.9.2 has not been committed;
- 6.9.8.1.4 A decision to impose a sanction, including a sanction that is not in accordance with these rules;
- 6.9.8.1.5 A decision not to impose a sanction;
- 6.9.8.1.6 Any other decision that is considered to be erroneous or procedurally unsound.
- 6.9.8.2 The time for filing an appeal to CAS shall be twenty-one days (21) from the date of receipt of the decision by the appealing party.
- 6.9.8.3 Any decision and any sanctions imposed shall remain in effect while subject to the appeal process, unless CAS directs otherwise.
- 6.9.8.4 The decision of CAS shall be final and binding on all parties and on all Member Associations and Continental Federations and there shall be no right of appeal from the CAS decision. No claim may be brought in any other court, tribunal or via any other dispute resolution procedure or mechanism.

Rationale:

To be consistent with the creation of the ITTF Integrity Unit and the ITTF Tribunal.

To amend 6.9.10.2

Subject to 6.9.10.1 above, the ITTF Integrity Unit may temporarily suspend any investigations under the rules to avoid prejudice to and/or to give precedence to, investigations conducted by the relevant authorities into the same or related matters.

Rationale:

To be consistent with the creation of the ITTF Integrity Unit.

To amend 6.11.1 and 6.11.2

6.11.1 Composition and Organisation

- 6.11.1.1 The Ethics Commission ~~is~~ shall be independent, as defined in the ITTF Constitution 1.5.7.4; ~~it is composed of three members among whom there must be:~~

~~6.11.1.1.1 a member of the Executive Committee~~

~~6.11.1.1.2 a member of the Athletes Commission~~

PROPOSITION 1 (CONTINUED)

~~6.11.1.1.3 the Chair of the Rules Committee, who will act as Chair of the Ethics Commission~~

~~6.11.1.1.4 and one officer, a~~ The staff member **will act** as secretary to the Commission **with** ~~who shall have~~ speaking rights but no voting rights

6.11.1.2 The members, shall be appointed by the Board of Directors upon recommendation of the nomination committee.

6.11.1.3 The Ethics Commission meets when convened by its Chair, at least once a year.

6.11.1.4 The required quorum for any recommendation decision is constituted if all three members are present. Each member will do whatever they can to be present at the meetings and participate in them. Teleconference meetings may be held.

6.11.1.5 The administrative organisation of the Ethics Commission, and support to it, are overseen by the Ethics Commission Officer.

6.11.2 Terms of reference of the commission

6.11.2.1 ~~In the framework of the competence as defined in Rule 22.1 of the Olympic Charter,~~ the terms of reference of the Ethics Commission are:

6.11.2.1.1 to define and update a framework of ethical principles, including a Code of Ethics, based upon the values and principles enshrined in the Olympic Charter, of which the said Code forms an integral part;

6.11.2.1.2 to **refer to the ITTF Integrity Unit any** ~~investigate~~ complaints raised in relation to the non-respect of such ethical principles, including breaches of the Code of Ethics ~~and, if necessary, propose sanctions to the Executive Committee.~~

Rationale:

To avoid redundancies with 1.5.7.4 and to align with the creation of the ITTF Integrity Unit.

To amend 6.11.4.4 and to delete 6.11.5

6.11.4.4 In the event of a breach of the present Regulations, an Ethics Commission member may be removed from office only by a specific vote by the BoD, the member concerned being heard by the **ITTF Tribunal** ~~Executive Committee.~~

~~6.11.5 Transitional provisions~~

~~6.11.5.1 During the 2017 World Championships in Düsseldorf, the inaugural members of the Ethics Commission shall be appointed by the Board of Directors.~~

Rationale:

To be consistent with the creation of the ITTF Tribunal and to remove redundancies.

PROPOSITION 1 (CONTINUED)

To amend 6.11.7.1

Such analysis will address the likelihood of a breach of the ethical principles of the Olympic Charter, the Code of Ethics or its implementing provisions, ~~and the jurisdiction of the Ethics Commission.~~

Rationale:

To provide consistency with the overall text.

To amend 6.11.8.6

6.11.8.6 The Ethics Commission freely assesses the evidence.

~~The Ethics Commission may take a decision regarding any provisional measures, as provided by article 6.11.8.9 below.~~

Regarding the measures or sanctions against the person concerned, the Ethics Commission makes recommendation to the ITTF ~~Executive Committee~~ Integrity Unit which takes a decision whether to bring a claim before the ITTF Tribunal, ~~pursuant to Rule 22 of the Olympic Charter and as provided by article 6.11.9.1 below.~~

Rationale:

To provide consistency with the creation of the Integrity Unit and the ITTF Tribunal.

To amend 6.11.8.9

6.11.8.9 The Ethics Commission recommends to the ~~Executive Committee~~ ITTF Integrity Unit the measures or sanctions provided under Rule 59 of the Olympic Charter or any other appropriate measures, in particular those provided by one of the implementing provisions of the Code of Ethics.

Such recommendation takes the form of a written decision signed by the Chair of the Commission.

The Ethics Commission Officer forwards the Ethics Commission's final recommendations ~~to the President for referral~~ to the ITTF Integrity Unit ~~Executive Committee.~~

Rationale:

To provide consistency with the creation of the Integrity Unit.

PROPOSITION 1 (CONTINUED)

To remove 6.11.9 and 6.12

~~6.11.9 Procedure before the Executive Committee following a recommendation by the Ethics Commission~~

~~6.11.9.1 — The person concerned is invited to exercise their right to be heard by the Executive Committee, if they so wish, in the form of written observations, which must be submitted by the deadline established by the ITTF.~~

~~6.11.9.2 — The Executive Committee will decide on the basis of the Ethics Commission's recommendations and the written observations from the person concerned.~~

~~If necessary, the President may ask the Chair of the Ethics Commission or the Ethics Commission Officer for any explanations.~~

~~Before a decision by the Executive Committee, the President may return the file to the Ethics Commission Officer or the Ethics Commission if new elements emerge.~~

~~6.11.9.3 — The decision by the Executive Committee is immediately notified to the person concerned.~~

~~6.11.9.4 — The Ethics Commission's recommendations may be published on the web site after notification of the decision by the Executive Committee to the person concerned. Any appeal process would be external, at the Court of Arbitration for Sport.~~

~~6.12 — Scope~~

~~The present Directives become effective as of July 1, 2017.~~

Rationale:

To provide consistency with the creation of the Integrity Unit and the removal of related attributions from the Executive Committee.

To amend three DEFINITIONS in chapter 6

"Hearing Panel" means the ~~panel appointed by the ITTF to perform the functions assigned to it in these rules~~ ITTF Tribunal.

"Sanction" means any sanction that the ~~hearing panel~~ ITTF Tribunal has the right to impose in ~~accordance with 6.7~~; and

"Violation" means a violation of these Rules ~~as set out in 6.9.2~~.

Rationale:

To align with the newly created ITTF Tribunal.

PROPOSITION 1 (CONTINUED)

To amend 7.2.1:

This policy applies to all members of the ITTF, its member associations, its affiliated continental federations and its recognised groups of associations such regional organisation, including but not limited to their board members, directors, honorary members, officers, employees, service providers, delegated third parties and their employees, ~~(Associations and continental federations)~~ as well as all officials, honorary members, players, players' entourage and support personnel and any other persons involved in the ITTF's operations.

Rationale:

To properly define the scope of application of the Anti-Harassment Policy and Procedures.

To amend 7.2.2:

This policy applies to harassment which may occur during the course of all ITTF business, activities, and events, as well as the business, activities, and events authorised, sanctioned, supported or otherwise recognised by ITTF. It also applies to harassment between individuals associated with the ITTF but outside the ITTF business, activities, and events when such harassment adversely affects relationships within the ITTF work and sport environment.

Rationale:

To properly define the scope of application of the Anti-Harassment Policy and Procedures.

To amend 7.5 to 7.10

7.5 — ~~PANEL OF HARASSMENT OFFICERS~~ ITTF INTEGRITY UNIT

7.5.1 The ITTF shall establish an Integrity Unit to deal with all matters related to Integrity, including Harassment complaints, ~~appoint at least two persons, who are themselves officials or employees of the organisation, to serve as harassment officers under this policy, provided that no member of the Executive Committee is appointed.~~

7.5.2 The ITTF Integrity Unit's role ~~of harassment officers~~ is to serve in a neutral, unbiased, independent capacity and to receive complaints, assist in informal resolution of complaints, maintain records and investigate and determine, at their sole discretion, whether to initiate proceedings before the ITTF Tribunal. In carrying out their duties under this policy, harassment ITTF Integrity Unit officers shall be directly responsible to the ITTF Integrity Unit Chair ~~Executive Committee~~.

7.5.3 The ITTF shall ensure that harassment ITTF Integrity Unit officers receive appropriate training and support for carrying out their responsibilities under this policy.

7.6 COMPLAINT PROCEDURE

7.6.1 A person who experiences harassment ~~is encouraged to~~ may seek the initial advice of the competition manager or an harassment ITTF Integrity Unit officer.

7.6.2 The competition manager or harassment ITTF Integrity officer, as the case may be,

PROPOSITION 1 (CONTINUED)

shall inform the complainant of the process of filing a complaint, as determined by the ITTF Integrity Unit.;

- 7.6.3 ~~the options for pursuing an informal resolution of his or her complaint which are:~~
- 7.6.4 ~~mediation where the harassment officer (or officers) will deal directly with the respondent in order to find a suitable solution.~~
- 7.6.5 ~~arbitration where the harassment officer (or officers) will hear the complainant and the respondent and facilitate a suitable solution.~~
- 7.6.6 ~~the right to lay a formal written complaint under this policy when an informal resolution is inappropriate or not possible.~~
- 7.6.7 ~~If a formal complaint is laid, the harassment officer (officers), within 15 days of receiving the formal written complaint, shall submit a report to the Executive Committee with the recommendation of further action/s to be taken.~~

7.7 DISCIPLINARY ACTION

- 7.7.1 Any person against whom a complaint of harassment is made out may be sanctioned by the ITTF Tribunal in accordance with the ITTF Tribunal Regulations.
- 7.7.2 For the purposes of this policy, retaliation against an individual ~~will not be tolerated~~ for having:
 - 7.7.2.1 filed a complaint under this policy; or
 - 7.7.2.2 participated in any procedure under this policy; or
 - 7.7.2.3 been associated with a person who filed a complaint or participated in any procedure under this policy, shall constitute an offence.
- 7.7.3 Any person against whom a complaint of retaliation is made out may be sanctioned by the ITTF Tribunal in accordance with the ITTF Tribunal Regulations.
- 7.7.4 Any ~~false~~ accusations pursuant to the complaint knowingly made or is reasonably determined to likely be known by a complainant or anyone participating in any procedure under this policy ~~will be viewed very seriously and disciplinary action will be recommended against individuals who bring such false charges~~ shall constitute an offence.
- 7.7.5 Any person against whom a complaint of false accusation is made out may be sanctioned by the ITTF Tribunal in accordance with the ITTF Tribunal Regulations.
- 7.7.6 ~~The Executive Committee can impose appropriate disciplinary sanctions from warnings, to fines, to suspension and expulsion when a complaint of harassment has been substantiated. The same disciplinary sanctions can be imposed if a false accusation has been substantiated.~~

7.8 APPEALS

- 7.8.1 ~~Both the complainant and respondent shall have the right to appeal the decision. A notice of intention to appeal, along with grounds for the appeal, must be provided to the Executive Committee within 14 days of the complainant or respondent receiving the formal notification of the outcome of the case.~~ An appeal of the ITTF Tribunal's decision may be made in accordance with the ITTF Tribunal Regulations.
- 7.8.2 ~~The Executive Committee shall forward the appeal to the Court of Arbitration of Sport.~~

7.9 REPORTING TO HARASSMENT OFFICER

- 7.9.1 Every member of the ITTF has a responsibility to play a part in ensuring that the sport environment is free from harassment

PROPOSITION 1 (CONTINUED)

7.9.2 ~~The ITTF encourages all incidents of harassment to be reported, regardless of who the offender may be.~~

7.10 RESPONSIBILITY

7.10.1 The ~~Executive Committee~~ ITTF Integrity Unit is responsible for the implementation of this policy. In addition, the ~~Executive Committee~~ ITTF Integrity Unit is responsible for:

7.10.1.1 discouraging and preventing harassment within the ITTF;

7.10.1.2 investigating formal complaints of harassment in a sensitive, responsible, and timely manner;

7.10.1.3 ~~imposing appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated based on the findings of the harassment officers, regardless of the position or authority of the offender;~~

7.10.1.4 ~~providing advice to persons who experience harassment;~~

7.10.1.5 ~~doing its utmost to support and assist any employee or member of the ITTF who experiences harassment by someone who is not an employee or member of the ITTF;~~

7.10.1.6 ~~making all individuals involved in the ITTF aware of the problem of all forms of harassment, and of the procedures contained in this policy;~~

7.10.1.7 informing both complainants and respondents of the procedures contained in this policy and of their rights under this policy and the law;

7.10.1.8 ~~regularly reviewing the terms of this policy to ensure that they adequately meet the organisation's legal obligations and public policy objectives;~~

7.10.1.9 appointing officers and providing the training and resources they need to fulfil their responsibilities under this policy.†

7.10.1.10 ~~rehabilitate publicly, persons who have been victims of harassment or who have been victims of a false accusation.~~

Rationale:

To introduce the scope of action of the ITTF Integrity Unit.

To introduce the new Chapter 8 – ITTF Tribunal Regulations

ITTF Tribunal Regulations

Part I: Preliminary

1. Citation and commencement

These Regulations may be cited as the ITTF Tribunal Regulations and shall come into operation on 01 January 2021.

2. Definitions

In these ITTF Tribunal Regulations, unless the context otherwise requires —

“**Administrative Fee**” has the meaning given to it in R25.2;

“**Absolute Majority**” means majority (more than 50%) of the total number of persons entitled to vote, including those absent and those present but not voting;

PROPOSITION 1 (CONTINUED)

"Claimant" means the party bringing a claim and for avoidance of doubt, includes the ITTF Integrity Unit or any of its authorised officers, including the Head of Integrity, or such other person authorised by the ITTF Integrity Unit;

"Hearing Panel" means a panel of the ITTF Tribunal formed in accordance with R26, which may comprise of a single ITTF Tribunal member;

"ITTF Tribunal" means the highest judicial body within ITTF to hear and decide cases at first instance or as an appellate body as set out in the ITTF Tribunal Regulations;

"Qualified Majority" means two-thirds majority of persons taking part in the vote, not counting abstentions;

"Request for Proceedings" has the meaning given to it in R25.1;

"Respondent" means the party whom a claim is brought against;

"Simple Majority" means majority (more than 50%) of persons taking part in the vote, not counting abstentions;

3. Purpose

3.1. The ITTF Tribunal is an independent judicial body of the ITTF established pursuant to Article 1.8.1.1.2 of the ITTF Constitution.

3.2. The ITTF Tribunal constitutes Hearing Panels to hear and decide cases at first instance or as an appellate body arising from the ITTF Handbook, in accordance with these ITTF Tribunal Regulations.

3.3. These ITTF Tribunal Regulations regulate the organisation and function of the ITTF Tribunal and describes the procedures to be followed before it regarding matters that it has jurisdiction over.

Part II: Organisation of the ITTF Tribunal

4. Membership of the ITTF Tribunal

4.1. The membership of the ITTF Tribunal is determined in accordance with Article 1.8.2 of the ITTF Constitution.

4.2. The ITTF Tribunal membership as a whole shall be fluent in English and have expertise and experience in legal, governance, integrity, table tennis, competition, officiating, athlete safeguarding, anti-harassment and such other relevant areas in sport, and each member shall be:

4.2.1. a qualified lawyer or former judicial office holder with substantial expertise and experience in legal issues affecting sport; or

4.2.2. a person with substantial experience in legal, governance, integrity, table tennis, competition, officiating, athlete safeguarding, anti-harassment or such other relevant areas in sport.

4.3. An ITTF Tribunal member may be suspended or removed from office:

4.3.1. by the ITTF Tribunal Chair if:

PROPOSITION 1 (CONTINUED)

4.3.1.1. that member is found to be not eligible under these ITTF Tribunal Regulations;

4.3.1.2. that member is found to have been in serious breach of the ITTF Constitution or any other ITTF regulations, including the ITTF Code of Ethics;

4.3.1.3. that member is unable or unwilling to perform their duties as an ITTF Tribunal member, has neglected their duties, or has engaged in any material misconduct;

4.3.2. by the AGM or EGM, if:

4.3.2.1. the person to be removed under R4.3.1 is the ITTF Tribunal Chair; or

4.3.2.2. the AGM or EGM considers that the ITTF Tribunal Chair's decision made pursuant to R4.3.1 should be reviewed.

4.4. Before an ITTF Tribunal member is removed, that member shall be given reasonable written notice of the proposal by the ITTF Tribunal Chair, the AGM or EGM (as applicable) to remove them as an ITTF Tribunal member, the basis for such proposal and the relevant facts supporting such proposal. That member may respond to that proposal within 14 days of being notified in writing of the proposal and that member's response must be taken into account by such decision maker.

4.5. If an ITTF Tribunal member resigns, dies, or is removed from office, the position shall either:

4.5.1. remain vacant until the next AGM or EGM; or

4.5.2. if the ITTF Tribunal Chair considers it necessary, the ITTF Board of Directors may appoint a replacement member to fill the vacancy on the ITTF Tribunal until the next AGM or EGM.

4.6. Each term of office the ITTF Tribunal member shall be four years and the ITTF Tribunal Member may be appointed by the AGM or EGM for a maximum of eight consecutive years, subject to R39.

4.7. The ITTF Tribunal and the Secretariat shall be allocated the necessary resources by ITTF to fulfil its functions.

5. ITTF Tribunal Chair

5.1. The ITTF Tribunal Chair must be a qualified lawyer who:

5.1.1. is fluent in English; and

5.1.2. has at least ten years of professional legal experience in litigation or arbitration and in governance, integrity, table tennis, competition, officiating, athlete safeguarding, anti-harassment or such other relevant areas in sport.

5.2. The ITTF Tribunal Chair is responsible for the matters including:

5.2.1. lead and represent the ITTF Tribunal in official matters within and outside of ITTF;

PROPOSITION 1 (CONTINUED)

- 5.2.2. propose resources necessary for the ITTF Tribunal to operate in accordance with these ITTF Tribunal Regulations;
- 5.2.3. propose amendments to these ITTF Tribunal Regulations or any other part of the ITTF Handbook for the effective and efficient administration of justice within ITTF;
- 5.2.4. perform or supervise the performance of operational tasks of the ITTF Tribunal;
- 5.2.5. prepare annual reports of the ITTF Tribunal for the AGM or EGM;
- 5.2.6. convene meetings ITTF Tribunal meetings, as they deem necessary;
- 5.2.7. appoint a deputy to fulfil their responsibilities in their absence, as they deem necessary;
- 5.2.8. manage the caseload of the ITTF Tribunal and assign (or reassign) cases to ITTF Tribunal members, according to their specific needs, such as subject-matter expertise;
- 5.2.9. monitor the performance and conduct of the ITTF Tribunal members and investigate (or assist in the investigation of) complaints made against them, in accordance with the ITTF Handbook;
- 5.2.10. work with the Secretariat and all other ITTF Tribunal members on all other matters necessary of the operation of the ITTF Tribunal; and
- 5.2.11. assume the responsibilities of the ITTF Tribunal members, as set out in R5.3.

5.3. Each ITTF Tribunal member is responsible for the matters including:

- 5.3.1. read and be familiar with the documents submitted by the parties in each case;
- 5.3.2. ensure that parties who are not represented by counsel are able to present their cases and have it considered fully and fairly;
- 5.3.3. manage and conduct proceedings fairly, effectively and efficiently;
- 5.3.4. maintain impartiality throughout proceedings and take adequate notes;
- 5.3.5. deciding issues of fact, law and procedure that may arise in each case;
- 5.3.6. make orders and interim reliefs in each case, in accordance with these ITTF Tribunal Regulations;
- 5.3.7. write and issue decisions after deliberating on the parties' submissions;
- 5.3.8. keep abreast of developments within table tennis or sport in general, particularly in the areas of legal, governance, integrity, competition, officiating, athlete safeguarding, anti-harassment and such other relevant areas; and
- 5.3.9. from time to time serve on a Committee, Commission, Working Group or such other bodies of the ITTF, where services of a judicial member are required, particularly in cases of substantial public interest.

6. Secretariat

6.1. The ITTF Tribunal shall be assisted by the Secretariat.

6.2. The Secretariat is responsible for matters including:

PROPOSITION 1 (CONTINUED)

- 6.2.1. communicating with ITTF Tribunal members relating to the proceedings in which they are appointed members of the Hearing Panel;
- 6.2.2. communicating with the parties to the proceedings on behalf of the Hearing Panel or the ITTF Tribunal Chair;
- 6.2.3. assisting the Hearing Panel or the ITTF Tribunal Chair in convening hearings or preliminary hearings;
- 6.2.4. assisting the Hearing Panel or the ITTF Tribunal Chair in preparing decisions;
- 6.2.5. managing matters relating to the proceedings filed with it;
- 6.2.6. attending the meetings of the ITTF Tribunal and assisting in the preparation of minutes, reports and other documents relating to such meetings; and
- 6.2.7. ensuring that the ITTF Tribunal is managed efficiently.

6.3. The Secretariat may be a natural person or legal person.

7. Meetings of the ITTF Tribunal

- 7.1. The ITTF Tribunal shall meet at least once a year and each ITTF Tribunal meeting shall be convened by the ITTF Tribunal Chair.
- 7.2. The ITTF Tribunal Chair shall set the agenda of the ITTF Tribunal meeting, taking into consideration any proposal regarding the agenda made by other ITTF Tribunal members.
- 7.3. The agenda of the ITTF Tribunal meeting shall be communicated to the ITTF Tribunal members prior to the ITTF Tribunal meeting in timely manner and whenever possible, at least 14 days before the date of the ITTF Tribunal meeting.
- 7.4. Any issue arising after the agenda of the ITTF Tribunal meeting has been communicated to the ITTF Tribunal members shall be resolved by a Qualified Majority.
- 7.5. The ITTF Tribunal meeting may be conducted remotely through, without limitation, telephone or videoconference, if requested by any ITTF Tribunal member.

8. Quorum of meetings of the ITTF Tribunal

- 8.1. The quorum ~~to convene a valid ITTF Tribunal meeting and~~ to pass resolutions ~~in an ITTF Tribunal meeting~~ is an Absolute Majority.
- 8.2. If any ITTF Tribunal meeting takes place without meeting the quorum, any Resolution proposed ~~and voted on~~ shall be:
 - 8.2.1. communicated to the ITTF Tribunal members ~~who were absent during the ITTF Tribunal meeting~~ within seven days of the date of the ITTF Tribunal meeting; and
 - 8.2.2. be voted on by the ITTF Tribunal members ~~who were absent during the ITTF Tribunal meeting~~ within a period specified by the ITTF Tribunal Chair.

PROPOSITION 1 (CONTINUED)

8.3. If the total number of votes during the ITTF Tribunal meeting and after the ITTF Tribunal meeting pursuant R8.2 exceed the number required to form a quorum, the vote cast according to R8.2 will be deemed as having been validly cast at the ITTF Tribunal meeting.

9. Voting and resolutions

9.1. For an in-person meeting, the passing of resolutions by the ITTF Tribunal requires the approval of a Simple Majority of the ITTF Tribunal members physically present.

9.2. For a remote meeting, the passing of resolutions by the ITTF Tribunal requires the approval of an Absolute Majority of the ITTF Tribunal members.

9.3. The use of electronic mail and other generally acceptable electronic communication means is permissible for the purposes of passing a resolution by correspondence.

10. Minutes of ITTF Tribunal meetings

10.1. The ITTF Tribunal shall keep minutes of its deliberations and resolutions at each ITTF Tribunal meeting.

10.2. The minutes shall contain:

- 10.2.1. a summary of the deliberations;
- 10.2.2. the proposed resolutions;
- 10.2.3. the result of resolutions with the number of votes; and
- 10.2.4. the declarations requested by any ITTF Tribunal member requests to be recorded.

10.3. The draft of the minutes shall be promptly communicated to the ITTF Tribunal members for their review and the approved minutes must be signed by the ITTF Tribunal Chair.

11. Indemnity

No ITTF Tribunal member will be personally liable for any act or omission when carrying out their duties and exercising their powers or authorities in good faith.

12. Expenses

Where applicable, the ITTF Tribunal members will receive compensation and reimbursement for their expenses incurred for their time spent on matters of the ITTF and such payments shall not be deemed to compromise their independence and impartiality.

13. Independence

13.1. No ITTF Tribunal member themselves and their immediate family members may:

- 13.1.1. hold any official function in ITTF, a member association of ITTF or an associated organisation of ITTF; and

PROPOSITION 1 (CONTINUED)

13.1.2. have any material business relationship with ITTF, a member association of ITTF or an associated organisation of ITTF, during their term of office as ITTF Tribunal member and for four years prior to their initial appointment to office.

13.2. Before assuming office, the ITTF Tribunal member shall first take an oath or affirm that they will discharge their judicial duties independently and impartially.

14. Confidentiality

14.1. Unless otherwise set out in these ITTF Tribunal Regulations, the ITTF Tribunal's affairs and all proceedings before a Hearing Panel are confidential.

14.2. The ITTF Tribunal members shall ensure that information disclosed to them during the course of their remains confidential and not make any disclosure to any third party in breach of confidentiality.

Part III: Proceedings before the ITTF Tribunal

Division 1 – General

15. Principles of fair procedure

15.1. The parties to the Proceedings have the right to a fair procedure and have their fundamental rights respected. In particular:

- 15.1.1. no ITTF Tribunal member who has a conflict of interest in a matter, according to the ITTF Code of Ethics, may be appointed to the Hearing Panel responsible for hearing and determining that matter;
- 15.1.2. the right of the person (whether legal or natural) charged to know what they are charged with;
- 15.1.3. the right to know the type of penalties which might be imposed;
- 15.1.4. the right to be heard, to present a defence, to produce evidence and to be assisted by counsel at their own expense; and
- 15.1.5. the right to appeal a decision of the ITTF Tribunal in accordance with R38.

16. Jurisdiction

16.1. Subject to R16.2 and R16.3, the ITTF Tribunal shall have jurisdiction to hear and decide any alleged infringement of any article under the ITTF Constitution or any other rule or regulation of the ITTF Handbook or any related document except:

- 16.1.1. any provision under Chapter 6 of the ITTF Handbook (ITTF Anti-Doping Rules); and
- 16.1.2. any provision under Chapter 5 of the ITTF Handbook (Classification Rules of ITTF Para Table Tennis).

PROPOSITION 1 (CONTINUED)

16.2. The ITTF Tribunal has the original jurisdiction to hear and decide any alleged infringement of any provision or such other claims arising from any provision under Chapters 1, 2, 6 and 7 of the ITTF Handbook.

16.3. The ITTF Tribunal has the appellate jurisdiction to hear and decide any appeal of any decision made by the appropriate decision-making body on alleged infringements of any provision or such other claims arising from any provision under Chapters 3 and 4 of the ITTF Handbook.

16.4. Where the ITTF Tribunal exercises its appellate jurisdiction pursuant to R16.3:

16.4.1. the provision of these ITTF Tribunal Regulations will apply in appeal proceedings before the ITTF Tribunal *mutatis mutandis*, unless they are inconsistent with or preempted by the provisions of R16;

16.4.2. unless otherwise specified in any provision of the ITTF Handbook, the Request for Proceedings of the appeal must be filed with the ITTF Tribunal no later than 21 days after the date that the appealing party receives the decision in question. The decision being appealed will remain in full force and effect pending determination of the appeal, unless the Hearing Panel (or the ITTF Tribunal Chair, if the Hearing Panel has yet to be formed) orders otherwise; and

16.4.3. the Hearing Panel has full power to hear the matter under appeal *de novo* and it will have all of the powers that the actual first instance decision-maker would have had under the applicable provision in the ITTF Handbook. Notwithstanding the foregoing, the Hearing Panel may remit the matter to the first instance decision-maker for re-hearing, if it deems appropriate.

17. Applicable law

17.1. The decisions shall be based on:

17.1.1. primarily, on the ITTF Constitution, the Laws of Table Tennis, the other chapters of the ITTF Handbook, and the decisions of any competent ITTF body; and

17.1.2. subsidiarily, on Swiss law and such other law that the Hearing Panel deems applicable.

18. Seat

The seat of the ITTF Tribunal and each Hearing Panel is Switzerland. Notwithstanding the foregoing, the Hearing Panel Chair may decide to hold any hearing outside Switzerland in the appropriate circumstances.

19. Language

19.1. Proceedings before the Hearing Panel shall be conducted in English, unless otherwise mutually agreed by the parties.

19.2. Any party wishing to rely on documents written in a language other than English must provide certified English translations at their own cost.

PROPOSITION 1 (CONTINUED)

19.3. Any party who wishes or whose witness wishes to give oral evidence in a language other than English must bring an independent and competent translator to translate that evidence into English, at their own cost.

19.4. Notwithstanding R19.2 and R19.3, the Hearing Panel may in appropriate circumstances order a party to pay some or all the translation costs of the other party.

20. Legal representation

In all proceedings before the Hearing Panel, each party is entitled, at their own expense, to be represented by legal counsel and/or other relevant representative(s), who may make submissions on their behalf.

21. Notices and communications

21.1. Any notice or other communication required to be given by a party pursuant to these ITTF Tribunal Regulations shall be made in writing and sent by courier or email.

21.2. Notices or other communications addressed to the ITTF Tribunal and/or the Hearing Panel shall be sent to:

21.3. ITTF Tribunal, MSI, Avenue de Rhodanie 54B, 21007 Lausanne, Switzerland, if sent by courier; or

21.3.1. tribunal@ittf.com, if sent by email.

21.4. Notices or other communications addressed to a party to a proceeding may be sent to their last-known residence, place of business or email address, unless that party notifies the Hearing Panel Chair (or the ITTF Tribunal Chair, if the Hearing Panel has yet to be formed) and all parties to that proceeding of a change to such address.

21.5. Notices or other communications to a person who is a member of a member association of ITTF or of an associated organisation of ITTF may be accomplished by delivering such notice or other communication to that member association of ITTF or that associated organisation of ITTF, respectively.

22. Time limits

22.1. Unless otherwise set out in these ITTF Tribunal Regulations, any time period to be calculated under these ITTF Tribunal Regulations shall begin to run the day following the date of receipt of a notice or other communication.

22.2. The time limits fixed under these ITTF Tribunal Regulations are respected if the communications by the parties are sent before midnight, time of the location of their own domicile or, if represented, of the domicile of their main legal representative, on the last day on which such time limits expire.

PROPOSITION 1 (CONTINUED)

22.3. Non-working days and official holidays are included in calculating time limits. Notwithstanding the foregoing, if the last day of the time limit is an official holiday or a non-business day in the location from where the document is to be sent, the time limit shall expire at the end of the next working day.

22.4. For the purpose of these ITTF Tribunal Regulations, a "working day" mean any day other than (i) Saturday or Sunday, or (ii) any day that is an official holiday in Lausanne, Switzerland.

22.5. Upon application on justified grounds and after consultation with the other party (or parties), the Hearing Panel Chair (or the ITTF Tribunal Chair, if the Hearing Panel has yet to be formed) may extend the any time limit provided in these ITTF Tribunal Regulations, if the circumstances so warrant.

23. Interim relief

23.1. The Hearing Panel (or the ITTF Tribunal Chair, in cases before the Hearing Panel is appointed) is entitled to grant interim relief.

23.2. If a party applies for interim relief, the Hearing Panel (or the ITTF Tribunal Chair, in cases before the Hearing Panel is appointed) shall invite the other party to express a position within ten days or a shorter time limit, if circumstances so require, and following which, the Hearing Panel (or the ITTF Tribunal Chair, in cases before the Hearing Panel is appointed) shall determine whether it has *prima facie* jurisdiction.

23.3. If, pursuant to R23.2, the Hearing Panel (or the ITTF Tribunal Chair, in cases before the Hearing Panel is appointed) determines that it lacks *prima facie* jurisdiction, it shall terminate the proceedings.

23.4. In considering whether to pronounce interim relief, the Hearing Panel (or the ITTF Tribunal Chair, in cases before the Hearing Panel is appointed) shall consider whether the measure necessary to protect the applicant from irreparable harm, the likelihood of success on the merits of the claim, and whether the interests of the applicant outweigh those of the respondent.

24. Limitation period

24.1. No claims may be commenced after the period of:

- 24.1.1. one year for claims based on any provision under Chapter 3 or Chapter 4 of the ITTF Handbook;
- 24.1.2. four years for all other claims.

24.2. The period stated in R24.1 commences:

- 24.2.1. from the date of the commission of the alleged infringement;
- 24.2.2. from the date of the most recent commission of the alleged infringement, if that infringement is recurrent;

PROPOSITION 1 (CONTINUED)

24.2.3. from the date on which the alleged infringement had ended, if that infringement lasted for a period of time.

24.3. Where, in the case of any claim for which a period of limitation is stated in R24 and the basis of the claim is concealed by the fraud of the Respondent (or their representative), the period of limitation shall not commence until the Claimant has discovered the fraud or could have discovered it with reasonable diligence.

Division 2 – Procedures

25. Commencement of the proceedings

25.1. To request to commence the proceedings, unless the procedure is otherwise specified in the applicable regulation, the Claimant shall file a written request with the ITTF Tribunal, with a copy to the Respondent, containing:

25.1.1. the name and full address of the Respondent;

25.1.2. the contact details of the parties;

25.1.3. the alleged infringement, specifying the rule, regulation, or principle alleged to have been infringed;

25.1.4. a statement of the facts upon which such allegation is based and a statement of issue submitted for the Hearing Panel to determine;

25.1.5. a copy of the provision in the ITTF Handbook or any other instrument conferring jurisdiction on the ITTF Tribunal to hear and determine the matter; and

25.1.6. any proposal regarding the conduct or venue of the proceedings, including whether any interim relief is requested;

(the “**Request for Proceedings**”).

25.2. Upon filing its Request for Proceedings, the Claimant shall pay the non-refundable fee of USD1,000 (the “**Administrative Fee**”), in the manner determined by the ITTF Tribunal.

25.3. If the Claimant fails to pay the Administrative Fees in accordance to R25.2, the ITTF Tribunal may not proceed with the claim.

25.4. If the ITTF Tribunal determines that the requirements set out in R25.1 and R25.2 are satisfied, it shall communicate to the Respondent the request to commence the proceedings and to file its answer (the “**Answer**”) to the request to commence the proceedings.

25.5. Unless the procedure is otherwise specified in the applicable regulation, the Respondent shall file its Answer with the ITTF Tribunal, with a copy to the Claimant, within a period determined by the ITTF Tribunal containing:

25.5.1. a copy of the Request for Proceedings;

25.5.2. its response admitting or denying the alleged infringement;

PROPOSITION 1 (CONTINUED)

- 25.5.3. a statement of defence;
- 25.5.4. any defence of the ITTF Tribunal's lack of jurisdiction; and
- 25.5.5. any counterclaim.

25.6. If the Respondent does not file an Answer, the Hearing Panel may draw an adverse inference against the Respondent.

26. Formation of the Hearing Panel

26.1. On the receipt of the Answer, the ITTF Tribunal Chair shall, at their sole discretion, appoint either one or three members of the ITTF Tribunal to hear and determine the alleged infringement set out in the Request for Proceedings as the Hearing Panel, subject to R26.3. If the Respondent fails to submit its Answer by the specified time limit, the Hearing Panel may nevertheless proceed with the case and issue a decision.

26.2. If the Hearing Panel consists of one ITTF Tribunal member, that member shall serve as the Hearing Panel Chair. If the Hearing Panel consists of three ITTF Tribunal Members, the ITTF Tribunal Chair shall nominate one of those three members as the Hearing Panel Chair.

26.3. No ITTF Tribunal member may sit on the Hearing Panel of the proceedings where:

- 26.3.1. they have any personal connection or interest, whether directly or indirectly, with any party or witness;
- 26.3.2. they have had any prior involvement with any matter or any facts arising in the proceedings (except if the involvement is a decision to impose an interim relief or a separate proceeding where some or all of the same facts are relevant);
- 26.3.3. they have same nationality as any party or witness involved in the proceedings, unless agreed by the parties;
- 26.3.4. they have a conflict of interest in any matter arising from the proceedings, according to the ITTF Code Ethics; or
- 26.3.5. their independence or impartiality could reasonably be disputed (as determined by the ITTF Tribunal Chair).

26.4. Upon their appointment to a Hearing Panel, each Hearing Panel member shall within reasonable time provide a written declaration to the parties, disclosing any facts or circumstances they know that may lead to their independence or impartiality being doubted legitimately. If any such facts or circumstances arise the written declaration was made, the Hearing Panel member must provide an updated declaration to the parties.

27. Objection to a Hearing Panel member

27.1. Any party to the proceedings may object to the appointment of an ITTF Tribunal member to the Hearing Panel by notifying the ITTF Tribunal Chair the facts or circumstances giving rise to the objection within seven days of:

PROPOSITION 1 (CONTINUED)

- 27.1.1. receiving the written declaration specified in R26.4, or
- 27.1.2. otherwise being aware of the facts or circumstances leading to the objection.

27.2. A failure to make an objection according to R27.1 shall be deemed a waiver of that objection.

27.3. The ITTF Tribunal Chair shall rule on any objection made according to R27.1 and their ruling is final and not subject to any appeal.

28. Replacement of a Hearing Panel member

If for any reason a Hearing Panel member is unable or unwilling to hear or continue hearing or to decide the proceeding, the ITTF Tribunal Chair may at their sole discretion appoint another ITTF Tribunal member to replace that member in that proceeding.

29. Powers of the Hearing Panel

- 29.1. The Hearing Panel (and in urgent cases, prior to the formation of the Hearing Panel, the ITTF Tribunal Chair) has all powers necessary for, and incidental to, the discharge of its responsibilities, including the power, whether on the application of a party or of its own motion:
- 29.1.1. to order that certain dispositive issues be determined before any other issues in the proceedings;
 - 29.1.2. to rule finally on its own jurisdiction;
 - 29.1.3. to determine the proceedings either in a preliminary decision or a decision on the merits;
 - 29.1.4. to determine whether the hearing (or any part thereof) should be conducted orally (whether in-person or remotely) or in writing;
 - 29.1.5. to expedite or adjourn, postpone or suspend its proceedings, upon such terms as it will determine;
 - 29.1.6. to extend or reduce any time limit specified in any regulation or by the ITTF Tribunal, except any appeal deadline or limitation period;
 - 29.1.7. to consolidate the proceedings with other substantially similar or related proceedings and/or order that such proceedings be held concurrently;
 - 29.1.8. to appoint independent experts to assist or advise it on specific issues, with the costs of such experts to be borne as directed by the Hearing Panel;
 - 29.1.9. to order any party to make any property, document or other thing in its possession or under its control available for inspection by the ITTF Tribunal or any other party;
 - 29.1.10. to allow third parties to intervene or be joined in the proceedings, to make all appropriate procedural directions in relation to such intervention or joinder, and thereafter to make a single final decision or separate decisions in respect of all parties;
 - 29.1.11. to impose interim relief or other provision measures as it deems fit prior to its final determination;

PROPOSITION 1 (CONTINUED)

- 29.1.12. to determine the manner in which it shall deliberate in order to make any determination related to the proceedings;
- 29.1.13. to make any other procedural direction or take any procedural step which it considers to be appropriate in pursuit of the efficient and proportionate management of the proceedings or any matter pending before it; and
- 29.1.14. to impose costs orders.

30. Conduct of proceedings

- 30.1. As soon as practicable after the Hearing Panel has been convened to determine a matter, the Hearing Panel Chair will issue directions to the parties regarding the procedure and timetable to be followed in the proceedings. The directions will:
 - 30.1.1. specify whether the hearing will be conducted orally or in writing;
 - 30.1.2. fix the date, time and venue of the hearing, if the hearing is to be conducted orally;
 - 30.1.3. specify the schedule to exchange additional written submissions and evidence before the hearing; and
 - 30.1.4. make any appropriate order relating to the disclosure of relevant documents and/or other materials in the possession or control of any party.
- 30.2. If the Hearing Panel Chair deems appropriate, they may hear from the parties (whether in person, by telephone or video-conference, or any other generally acceptable electronic communication means) prior to issuing the directions pursuant to R30.1.

31. Hearings

- 31.1. Where a hearing is directed, the Hearing Panel Chair direct, at their sole discretion, to hold the hearing by telephone or videoconference.
- 31.2. All hearings will be conducted in a private and confidential manner, attended only by the parties to the proceedings and their representatives, witnesses and experts, and permitted third parties (and their permitted representatives), unless the Hearing Panel directs otherwise for good cause.
- 31.3. Subject to R15, the Hearing Panel Chair has the sole discretion to decide the procedure to be followed at the hearing, which may include without limitation:
 - 31.3.1. making an introduction of the Hearing Panel and each party to the proceedings (and their representatives, if applicable);
 - 31.3.2. stating the purpose of the hearing;
 - 31.3.3. stating the procedure of the hearing;
 - 31.3.4. submitting on preliminary issues;
 - 31.3.5. making of opening statements;
 - 31.3.6. presenting of evidence;
 - 31.3.7. calling of witnesses and/or experts; and
 - 31.3.8. making of closing statements.

PROPOSITION 1 (CONTINUED)

32. Evidence

- 32.1. The Hearing Panel has the power to decide on the admissibility, relevance and weight of any evidence and shall not be bound by any judicial or evidential rules in relation to such matters. Facts may be established by any reliable means.
- 32.2. Subject to R15, the Hearing Panel has the sole discretion in:
- 32.2.1. deciding whether to receive evidence from witnesses and/or experts in person, by telephone, by video conference, or in writing;
 - 32.2.2. allowing, refusing or limiting any evidence or appearance of any witness and/or expert at the hearing;
 - 32.2.3. questioning witnesses and/or experts; and
 - 32.2.4. directing how a party may question witnesses and/or experts.
- 32.3. Subject to R32.2, the parties shall ensure the availability of the witnesses and/or experts whose statements and reports they have submitted before the hearing to be heard by the Hearing Panel and be responsible for the witnesses and/or experts' cost of attending the hearing.
- 32.4. If a witness who has been requested to attend the hearing fails to appear, any witness statement or declaration related to that witness will be disregarded, unless the Hearing Panel decides otherwise in exceptional circumstances. The Hearing Panel may draw adverse inference against the party offering the witness (or against that party, if the witness is the party) from the witness' failure to appear.
- 32.5. Where a witness appears at the hearing, before providing testimony, they shall first take an oath or affirm that they are telling the truth, in a manner directed by the Hearing Panel.
- 32.6. Where a witness appears at the hearing, the Hearing Panel may allow direct examination of that witness, cross-examination of that witness, and re-examination of that witness regarding the matters on which they were cross-examined.
- 32.7. Where a witness appears at the hearing but refuses or fails to answer questions put to them, the Hearing Panel may draw adverse inference against the party offering the witness (or against that party, if the witness is the party) from the witness' refusal or failure to answer.

33. Burden of proof

Unless otherwise stated in the ITTF Handbook, the Claimant has the burden of proving that the Respondent committed the infringement(s) alleged in the claim.

34. Standard of proof

Unless otherwise stated in the ITTF Handbook, the standard of proof on all questions to be determined by the Hearing Panel is to the comfortable satisfaction of the Hearing Panel.

PROPOSITION 1 (CONTINUED)

This standard of proof is higher than a mere balance of probability but lower than proving beyond a reasonable doubt.

35. Sanctions

- 35.1. If the Hearing Panel determines that an infringement of any article under the ITTF Constitution or any other rule or regulation of the ITTF Handbook or any related document, the Hearing Panel will impose the appropriate sanction(s) in accordance with R35.2, unless any specific sanction provisions set out in such rules or their associated documents for such infringement.
- 35.2. Taking into consideration the seriousness of the infringement, including the relevant aggravating factors in R35.3 and mitigating factors R35.4, the Hearing Panel has the power to impose any one or more of the following:
- 35.2.1. a censure, reprimand or warning as to future conduct;
 - 35.2.2. a fine of any amount;
 - 35.2.3. a compensation payment;
 - 35.2.4. to perform certain acts or refrain from performing certain acts;
 - 35.2.5. to participate or complete in any rehabilitation programme;
 - 35.2.6. a suspension or removal from office;
 - 35.2.7. a revocation of any award, title or other honour granted by ITTF;
 - 35.2.8. a disqualification of results and outcomes of such results, including a forfeiture of any related awards, titles, ranking points or prizes;
 - 35.2.9. a disqualification or expulsion from competitions or events; and,
 - 35.2.10. a period of ineligibility (which may be for life) from participating in any capacity in Table Tennis or in any activities organised, controlled, authorised, sanctioned, supported or recognised in any way by ITTF, any member association of ITTF or any other associated organisation of ITTF, other than permitted rehabilitation programmes.
- 35.3. In relation to determining the seriousness of an infringement, the Hearing Panel shall consider relevant aggravating factors, including:
- 35.3.1. any record of previous infringement;
 - 35.3.2. the holding any leadership role within ITTF, any member association of ITTF or any other associated organisation of ITTF;
 - 35.3.3. the vulnerability of a victim;
 - 35.3.4. any substantial harm was done or potentially done to the victim;
 - 35.3.5. any substantial damage done or potentially done to the commercial value, integrity or reputation of ITTF, any member association of ITTF, any other associated organisation of ITTF or table tennis in general;
 - 35.3.6. the failure to cooperate during investigations or the proceedings; and
 - 35.3.7. the lack of remorse.

PROPOSITION 1 (CONTINUED)

- 35.4. In relation to determining the seriousness of an infringement, the Hearing Panel shall consider relevant mitigating factors including:
- 35.4.1. the lack of any prior infringement;
 - 35.4.2. the minor role played in the infringement;
 - 35.4.3. the culpability of a victim;
 - 35.4.4. no substantial harm was done or potentially done to the victim;
 - 35.4.5. any substantial damage done or potentially done to the commercial value, integrity or reputation of ITTF, any member association of ITTF, any other associated organisation of ITTF and table tennis in general;
 - 35.4.6. physical or mental illness of the infringing person;
 - 35.4.7. prompt admission to the infringement;
 - 35.4.8. substantial cooperation was provided during investigations or the proceedings; and
 - 35.4.9. genuine remorse.

36. Decision

- 36.1. After the parties complete their submissions and all Hearing Panel members have deliberated, the Hearing Panel shall make its decision unanimously or by majority. No Hearing Panel member may abstain in making the decision.
- 36.2. The Hearing Panel shall issue a written decision, dated and signed by the Hearing Panel Chair, after the hearing and as soon as reasonably practicable.
- 36.3. The Hearing Panel may issue the operative part of its decision before providing the reasoning. In such case, the decision is enforceable immediately upon communicating the operative part to the parties.
- 36.4. Unless otherwise stated in the ITTF Handbook or ordered by the ITTF Tribunal, the ITTF may publish the decision (whether the operative part and/or the reasonings) on its website or through other means it deems appropriate, after the decision (the operative part or the reasonings, as applicable) has been communicated to the parties.
- 36.5. The decision shall be final and binding on all parties, and may not be challenged or appealed except as set out in R38. The parties irrevocably waive their right to any other form of appeal or review by any court or judicial authority.

37. Costs

- 37.1. The Hearing Panel may, at its sole discretion, order any party to the proceedings to pay some or all of the costs of the proceedings, including any one or more of the following:
- 37.1.1. the costs of holding the hearing; and
 - 37.1.2. the legal fees, the accommodation costs, travel costs or such other expenses incurred as a result of the proceedings for
 - 37.1.2.1. the Hearing Panel members;

PROPOSITION 1 (CONTINUED)

- 37.1.2.2. any party to the proceedings;
- 37.1.2.3. any witness; and
- 37.1.2.4. any independent expert.

37.2. Without limiting the Hearing Panel's discretion as stated in R37.1, the Hearing Panel may award costs against a party for advancing any claim that is frivolous, vexatious, or entirely without merit.

38. Appeals

38.1. Subject to R38.2, the ITTF Tribunal's decision may be appealed to the Court of Arbitration for Sports (**CAS**) by a party to the proceedings.

38.2. A preliminary or procedural ruling by Hearing Panel (or the ITTF Tribunal Chair, as applicable) may not be appealed, unless it amounts to a final resolution of the matter).

38.3. Appeals made pursuant to R38.1 shall

- 38.3.1. be filed no later than 21 days from the date of receiving the full decision by the appealing party;
- 38.3.2. have International Table Tennis Federation as the appellant or respondent to the appeal;
- 38.3.3. apply CAS' Code of Sports-related Arbitration (as published, modified and supplemented by CAS) and be governed by Swiss law; and
- 38.3.4. be conducted in English, unless otherwise agreed by the parties.

38.4. Unless ordered otherwise by CAS, the appealed decision remains in full force and effect pending the determination of the appeal.

38.5. The decision of CAS is final and binding on all parties, and all parties irrevocably waive their right to any other form of appeal or review of that decision, except as set out in Chapter 12 of Switzerland's Federal Code on Private International Law.

39. Transitional provisions

The term of office for the members of the inaugural ITTF Tribunal shall be two years or until an AGM or EGM appoints the members next ITTF Tribunal (whichever is earlier), and the members of the inaugural ITTF Tribunal shall be appointed by the ITTF Board of Directors.

Rationale: To remove the Judicial power from the ITTF Executive committee and create an independent ITTF Tribunal.

PROPOSITION 2 – PASSED

Proposition 2 – Effective 1st January 2021 (2/3 majority required)

Proposed by the ITTF Executive Committee.

To add a new 1.4.1 and renumber current 1.4.1 to 1.4.3

1.4.1 The ITTF defines the following Honorary positions. In order to obtain or maintain its Honorary positions, individuals may conduct or be subject to, under the request of the ITTF Ethics Commission, annual checks, including but not limited to the signature of conflict of interest declarations, and remain available for background checks as required by the ITTF Ethics Commission. In the occurrence of a lack of cooperation, the Ethics Commission may refer the case to the ITTF Integrity Unit for prosecution before the ITTF Tribunal. If the case of a lack of cooperation is made out, the ITTF Tribunal may issue sanctions in accordance with the ITTF Tribunal Regulations.

Rationale:

To ensure the highest levels of integrity among Honorary positions holders.

To amend current 1.4.1 (becoming 1.4.2):

1.4.2 HONORARY PRESIDENT

1.4.2.1

Any past President of the ITTF shall be automatically bestowed the title of "ITTF Honorary President" with a set of privileges decided by the Executive Committee from time to time. This title can **only** be revoked by a majority vote of the AGM **or by a decision of the ITTF Tribunal.**

Rationale:

To ensure the highest levels of integrity among Honorary positions holders.

To add 1.4.3.3:

1.4.3.3

PAC appointments can be revoked by decision of the ITTF Tribunal.

Rationale:

To ensure the highest levels of integrity among Honorary positions holders.

To add 1.4.3.4:

1.4.3.4

Personal Honorary Membership can be revoked by decision of the ITTF Tribunal.

Rationale:

To ensure the highest levels of integrity among Honorary positions holders.

PROPOSITION 3 – PASSED

Proposition 3 – Effective 1st January 2021 (2/3 majority required)

Proposed by the ITTF Executive Committee.

To amend 1.5.1.2.2:

to elect the ITTF President, the ITTF Executive Vice-Presidents and all members of the Board, at an AGM held ~~in the year following the year of the Olympic Games~~ every four years. All members elected shall serve for a four-year term or until the next elected members assume office (whichever is later) and shall be eligible for re-election not more than twice in the same role. After 3 full terms any member should have 1 waiting period term before opting for the same role.

Rationale:

To avoid misunderstandings in the interpretation of the term limits.

PROPOSITION 4 – PASSED

Proposition 4 – Effective immediately (2/3 majority required)

Proposed by the ITTF Executive Committee.

To amend 1.5.1.5.1 and add 1.5.1.5.2 and 1.5.2.4

1.5.1.5.1 An AGM shall be held at the place and date decided by the previous AGM or EGM, ~~and during the period of the World Championships or, if the World Championships is not held at the due time,~~ and in case of emergency at such other place and date as the Executive Committee may determine.

1.5.1.5.2 An AGM ~~or EGM~~ can be convened remotely (wholly or partly) if considered appropriate.

1.5.2.4 An EGM can be convened remotely (wholly or partly) if considered appropriate.

Rationale:

In consideration of the COVID-19 pandemic and the postponement of the World Championships and Olympic Games, the ITTF needs greater flexibility in determining the location of the AGM, plus in some cases where the World Championships Finals will be located, ITTF may encounter problems to secure visas for all participants, hence the importance of allowing remote participation, to secure the rights of its Members.

PROPOSITION 5 – PASSED

Proposition 5 – Effective 1st January 2021 (2/3 majority required)

Proposed by the ITTF Executive Committee.

To amend 1.5.1.8.1.13:

The announcement of the place and date of the next General Meeting (AGM or EGM);

Rationale:

To ensure continuity when the AGM date is not confirmed.

PROPOSITION 6 – PASSED

Proposition 6 – Effective immediately (2/3 majority required)

Proposed by the ITTF Executive Committee.

To add 1.5.2.1 and renumber current 1.5.2.1 to 1.5.2.3

1.5.2.1 The provisions that apply to the AGM will apply to the EGM mutatis mutandis, unless otherwise stated in the provisions below (i.e. with any amendments deemed to have been made that are necessary to take account of the different context).

Rationale:

To clarify the attributions of an EGM.

PROPOSITION 7 – PASSED

Proposition 7 – Effective immediately (2/3 majority required)

Proposed by the ITTF Executive Committee.

To amend 1.5.2.1 (that will become 1.5.2.2 if Proposition 6 is passed).

An Extraordinary General Meeting, "EGM" shall be convened either by resolution of the previous AGM or within 10 weeks of receipt by the Secretariat of a requisition in writing submitted by not less than 1/4 of the Associations not in arrears, representing at least 2 Continents, or in a case of emergency, by decision of the ITTF Executive Committee.

Rationale:

To allow the ITTF AGM to call for an ITTF EGM and in case of emergency, to also allow the ITTF EC to make such call.

PROPOSITION 8 – PASSED

Proposition 8 – Effective immediately (2/3 majority required)

Proposed by the ITTF Executive Committee.

To amend 1.5.3.7

The Board shall meet at the place and date decided during the last Board meeting as required during the period of the World Championships and in case of emergency, or if not decided during the last meeting, at such other place and date as the ITTF Executive Committee may determine, but shall otherwise conduct its business by correspondence. A Board meeting may be convened remotely if considered appropriate.

Rationale:

To allow the Board to meet with the necessary flexibility, including meeting remotely.

PROPOSITION 9 – PASSED

Proposition 9 – Effective immediately (2/3 majority required)

Proposed by the ITTF Executive Committee.

To amend 1.5.4.1.12

To, notwithstanding any other provisions within the ITTF Handbook, decide on ~~deal-with~~ all other current or urgent business in exceptional circumstances which cannot be decided by the appropriate body promptly, and to assume all responsibilities which are not expressly attributed to another body within the ITTF.

Rationale:

To allow the ITTF EC to take decisions in exceptional circumstances like natural disasters.

PROPOSITION 10 – PASSED

Proposition 10 – Effective immediately (2/3 majority required)

Proposed by the ITTF Executive Committee and Athletes Commission.

To amend 1.5.4.2

The Executive Committee shall consist of the President, the Chair of the Athletes Commission and 8 Executive Vice-Presidents of which one shall be appointed by the President as Deputy President and another one shall be appointed for finances. In addition, any IOC member may be an ex-officio ITTF Executive Committee member ~~without voting rights~~ by decision of the Executive Committee.

Rationale:

To allow the IOC members part of the ITTF Executive Committee having voting rights.

PROPOSITION 11 – PASSED

Proposition 11 – Effective immediately (2/3 majority required)

Proposed by the ITTF Executive Committee.

To introduce 1.5.9.2 (and renumber current 1.5.9.2 – 1.5.9.8):

Nominations for President, Executive Vice-Presidents, members of the Board and Permanent Committees should be made no later than 90 days before the date of the AGM where the elections are to be held.

Rationale:

To introduce clear deadlines, currently not existing in the ITTF Constitution.

PROPOSITION 12 – PASSED

Proposition 12 – **Effective immediately** **(2/3 majority required)**

Proposed by the ITTF Executive Committee.

To amend 1.5.10:

1.5.10 CONFLICT OF INTEREST

1.5.10.1 The ITTF, all its members (Member Associations), affiliated organisations (Continental Federations and other groups of associations) as well as all the aforesaid parties' officials, decision-making bodies, honorary members, officers, employees, services providers, delegated third parties and their employees, players, players' entourages and such other persons involved in the aforesaid parties' operations ~~Members of any ITTF decision-making body and ITTF Honorary Members~~ shall avoid any ~~situation that could lead to a~~ conflict of interest (as defined in the ITTF Code of Ethics) ~~or perceived conflict of interest~~. Any ~~actual, perceived or potential~~ type of conflict of interest must be declared, and ~~each action taken by the~~ individual ~~shall take action~~ to remove him/herself from the situation where a conflict may arise. It is the personal responsibility of each person to avoid any case of conflict of interest.

1.5.10.2 The ITTF conflicts of interest policy will set out the procedure for identifying and managing conflicts and potential conflicts of interests or duty affecting all persons involved in ~~the administration of~~ the ITTF and its business.

Rationale:

To ensure a proper scope for the Conflict of Interest policy.

PROPOSITION 13 – PASSED

Proposition 13 – **Effective immediately** **(2/3 majority required)**

Proposed by the ITTF Executive Committee.

To amend 1.5.11.3:

Amendments to the Constitution and the Laws of Table Tennis shall be made only at an AGM or EGM; amendments to other Regulations shall be made only at a meeting of the Board, **with the exception of amendments to the Anti-Doping Rules, that can be made also by the ITTF Executive Committee, if necessary, to maintain WADA compliance.**

Rationale:

To ensure the ITTF remains WADA compliant if a necessary change is due between AGM or BoD meetings.

PROPOSITION 14 – PASSED

Proposition 14 – **Effective immediately** **(2/3 majority required)**

Proposed by the ITTF Executive Committee.

To amend 1.6.2.1.1:

The Head Office of the ITTF shall be **proposed by the Executive Committee and shall be** in a place appointed by resolution of the AGM **or EGM**, or, in emergency, of the Board.

Rationale:

To ensure an Extraordinary General Meeting of the ITTF can decide the location of the future Home of Table Tennis / ITTF Head Office.

PROPOSITION 15 – PASSED

Proposition 15 – Effective 1st January 2021 (2/3 majority required)

Proposed by the ITTF Rules Committee.

To add a new sub-paragraph 1.5.1.6.1.7 in order to include Commissioners and Committee Chairs into the group of ITTF officials who shall receive a notice of the AGM according to 1.5.1.6.1.

"1.5.1.6.1 Notice of the meeting, giving details of the place, date and time and the business to be transacted, shall be sent by post or e-mail to:

1.5.1.6.1.7 The Committee Chairs and Commissioners."

Rationale:

Some years ago, Committee Chairs were full members of the Board, hence they were automatically included in the above list.

Nowadays these persons are no more ex officio Board members (although they have the right to attend Board meetings without voting right). Nevertheless, it has to be assumed that they should receive AGM documents.

PROPOSITION 16 – DEFEATED

Proposition 16 – Effective 1st January 2022 (3/4 majority required)

Proposed by the Japan Table Tennis Association.

To amend 2.6.2:

The server shall then project the ball near vertically upwards, without imparting spin, so that it rises at least ~~16cm~~ above their head height after leaving the palm of the free hand and then falls without touching anything before being struck.

Rationale:

To make clearer the point of decision on fault services. But this rule will not apply for players of elderly person or players of age below 9 years of age, different rule shall be applied.

PROPOSITION 17 – PASSED

Proposition 17 – Effective 1st January 2021 (Simple majority required)

Proposed by the Executive Committee.

To adopt the new anti-doping code 2021.

Rationale:

The ITTF has worked with the Independent Testing Agency (ITA) and the World Anti-Doping Agency (WADA) to adapt the model rules to table tennis. The text below complies with the requirements as requested by WADA.

**INTERNATIONAL TABLE TENNIS
FEDERATION (ITTF)
ANTI-DOPING RULES**

**To be adopted on 28 September 2020
Takes effect on 1 January 2021**

PROPOSITION 17 (CONTINUED)

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ITTF ANTI-DOPING RULES

INTRODUCTION

Preface

These Anti-Doping Rules are adopted and implemented in accordance with ITTF's responsibilities under the *Code*, and in furtherance of ITTF's continuing efforts to eradicate doping in sport.

These Anti-Doping Rules are sport rules governing the conditions under which sport is played. Aimed at enforcing anti-doping rules in a global and harmonized manner, they are distinct in nature from criminal and civil laws. They are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings, although they are intended to be applied in a manner which respects the principles of proportionality and human rights. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of these Anti-Doping Rules, which implement the *Code*, and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport.

As provided in the *Code*, ITTF shall be responsible for conducting all aspects of *Doping Control*. Any aspect of *Doping Control* or anti-doping *Education* may be delegated by ITTF to a *Delegated Third Party*, such as the International Testing Agency (ITA), however, ITTF shall require the *Delegated Third Party* to perform such aspects in compliance with the *Code*, *International Standards*, and these Anti-Doping Rules. ITTF has delegated its adjudication responsibilities and parts of the *Results Management* to the CAS Anti-Doping Division.

When ITTF has delegated its responsibilities to implement part or all of *Doping Control* to the ITA or to other *Delegated Third Party*, any reference to ITTF in these *Rules* should be intended as a reference to the ITA or to the other *Delegated Third Party*, where applicable and within the context of the aforementioned delegation. ITTF shall always remain fully responsible for ensuring that any delegated aspects are performed in compliance with the *Code*.

Italicized terms in these Anti-Doping Rules are defined terms in Appendix 1.

Unless otherwise specified, references to Articles are references to Articles of these Anti-Doping Rules.

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

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

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

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

The spirit of sport is the celebration of the human spirit, body and mind. It is the essence of Olympism and is reflected in the values we find in and through sport, including:

- Health
- Ethics, fair play and honesty
- *Athletes'* rights as set forth in the *Code*
- Excellence in performance
- Character and *Education*
- Fun and joy
- Teamwork

PROPOSITION 17 (CONTINUED)

- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participants*
- Courage
- Community and solidarity

The spirit of sport is expressed in how we play true.

Doping is fundamentally contrary to the spirit of sport.

Scope of these Anti-Doping Rules

These Anti-Doping Rules shall apply to:

- (a) ITTF, including its board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*;
- (b) *Continental and Regional Federations* recognized by the ITTF, including their including its board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*;
- (c) each of its *Member Associations*, including their board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*;
- (d) the following *Athletes, Athlete Support Personnel* and other *Persons*:
 - (i) all *Athletes* and *Athlete Support Personnel* who are members of ITTF, or of any *Member Association*, or of any member or affiliate organization of any *Member Association* (including any clubs, teams, associations, or leagues);
 - (ii) all *Athletes* and *Athlete Support Personnel* who participate in such capacity in *Events, Competitions* and other activities organized, convened, authorized or recognized by ITTF, or any *Member Association*, or by any member or affiliate organization of any *Member Association* (including any clubs, teams, associations, or leagues), wherever held;
 - (iii) any other *Athlete* or *Athlete Support Personnel* or other *Person* who, by virtue of an accreditation, a license or other contractual arrangement, or otherwise, is subject to the authority of ITTF, or of any *Member Association*, or of any member or affiliate organization of any *Member Association* (including any clubs, teams, associations, or leagues), for purposes of anti-doping; and
 - (iv) *Athletes* who are not regular members of ITTF or of one of its *Member Associations* but who want to be eligible to compete in a particular *International Event*.

Each of the abovementioned *Persons* is deemed, as a condition of his or her participation or involvement in the sport, to have agreed to and be bound by these Anti-Doping Rules, and to have submitted to the authority of ITTF to enforce these Anti-Doping Rules, including any *Consequences* for the breach thereof, and to the jurisdiction of the hearing panels specified in Article 8 and Article 13 to hear and determine cases and appeals brought under these Anti-Doping Rules.¹

¹ [Comment: Where the Code requires a Person other than an Athlete or Athlete Support Person to be bound by the Code, such Person would of course not be subject to Sample collection or Testing, and would not be subject to an anti-doping rule violation under the Code for Use or Possession of a Prohibited Substance or Prohibited Method. Rather, such Person would only be subject to discipline for a violation of Code Articles 2.5 (Tampering), 2.7 (Trafficking), 2.8 (Administration), 2.9 (Complicity), 2.10 (Prohibited Association) and 2.11 (Retaliation). Furthermore, such Person would be subject to the additional roles and responsibilities according to Code Article 21.3. Also, the obligation to require an employee to be bound by the Code is subject to applicable law.

ITTF shall ensure that, as per Article 19 of these Anti-Doping Rules, any arrangements with their board members, directors, officers, and specified employees, as well as with the *Delegated Third Parties* and their employees – either employment,

PROPOSITION 17 (CONTINUED)

Within the overall pool of *Athletes* set out above who are bound by and required to comply with these Anti-Doping Rules, the following *Athletes* shall be considered to be *International-Level Athletes* for the purposes of these Anti-Doping Rules, and, therefore, the specific provisions in these Anti-Doping Rules applicable to *International-Level Athletes* (e.g., *Testing*, *TUEs*, whereabouts, and *Results Management*) shall apply to such *Athletes*:

- (a) *For each year, the first 250 Men and 200 Women in the January General List of ITTF World Ranking, available at ranking.ittf.com*
- (b) *For each year, the first 8 Men and 8 Women in each Class in the January Para Table Tennis rating, available on ipttc.org/rating.*
- (c) All *Athletes* included in the ITTF *Registered Testing Pool* and any *Testing Pool* established by the ITTF
- (d) Any other *Athletes* who, at any moment of the year, reach the top 100 in the General World Ranking, or the top 4 in the Para Table Tennis Ranking. The aforesaid rankings are published on ITTF's website.

ARTICLE 1 DEFINITION OF DOPING

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

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

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

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

The following constitute anti-doping rule violations:

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

2.1.1 It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.²

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

contractual or otherwise – have explicit provisions incorporated according to which such *Persons* are bound by, agree to comply with these Anti-Doping Rules, and agree on the ITTF's authority to solve the anti-doping cases.]

² [Comment to Article 2.1.1: An anti-doping rule violation is committed under this Article without regard to an *Athlete's Fault*. This rule has been referred to in various CAS decisions as "Strict Liability". An *Athlete's Fault* is taken into consideration in determining the Consequences of this anti-doping rule violation under Article 10. This principle has consistently been upheld by CAS.]

PROPOSITION 17 (CONTINUED)

the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or where the *Athlete's A* or *B Sample* is split into two (2) parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.³

2.1.3 Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List*, *International Standards* or *Technical Documents* may establish special criteria for reporting or the evaluation of certain *Prohibited Substances*.

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method⁴

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

2.2.2 The success or failure of the *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping rule violation to be committed.⁵

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

Evading *Sample* collection; or refusing or failing to submit to *Sample* collection without compelling justification after notification by a duly authorized *Person*.⁶

³ [Comment to Article 2.1.2: The Anti-Doping Organization with Results Management responsibility may, at its discretion, choose to have the *B Sample* analyzed even if the *Athlete* does not request the analysis of the *B Sample*.]

⁴ [Comment to Article 2.2: It has always been the case that *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* may be established by any reliable means. As noted in the Comment to Article 3.2, unlike the proof required to establish an anti-doping rule violation under Article 2.1, *Use* or *Attempted Use* may also be established by other reliable means such as admissions by the *Athlete*, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the *Athlete Biological Passport*, or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a *Prohibited Substance* under Article 2.1.

For example, *Use* may be established based upon reliable analytical data from the analysis of an *A Sample* (without confirmation from an analysis of a *B Sample*) or from the analysis of a *B Sample* alone where the Anti-Doping Organization provides a satisfactory explanation for the lack of confirmation in the other *Sample*.]

⁵ [Comment to Article 2.2.2: Demonstrating the "Attempted Use" of a *Prohibited Substance* or a *Prohibited Method* requires proof of intent on the *Athlete's* part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the Strict Liability principle established for violations of Article 2.1 and violations of Article 2.2 in respect of *Use* of a *Prohibited Substance* or *Prohibited Method*.

An *Athlete's Use* of a *Prohibited Substance* constitutes an anti-doping rule violation unless such substance is not prohibited Out-of-Competition and the *Athlete's Use* takes place Out-of-Competition. (However, the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Sample* collected In-Competition is a violation of Article 2.1 regardless of when that substance might have been administered.)]

⁶ [Comment to Article 2.3: ¡Error! solo el documento principal. For example, it would be an anti-doping rule violation of "evading *Sample* collection" if it were established that an *Athlete* was deliberately avoiding a Doping Control official to evade notification or Testing. A violation of "failing to submit to *Sample* collection" may be based on either intentional or negligent conduct of the *Athlete*, while "evading" or "refusing" *Sample* collection contemplates intentional conduct by the *Athlete*.]

PROPOSITION 17 (CONTINUED)

2.4 Whereabouts Failures by an Athlete

Any combination of three (3) missed tests and/or filing failures, as defined in the *International Standard for Results Management*, within a twelve (12) month period by an *Athlete* in a *Registered Testing Pool*.

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

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

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

2.6.2 Possession by an *Athlete Support Person In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or Possession by an *Athlete Support Person Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* in connection with an *Athlete*, *Competition* or training, unless the *Athlete Support Person* establishes that the Possession is consistent with a *TUE* granted to an *Athlete* in accordance with Article 4.4 or other acceptable justification.⁷

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

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

2.9 Complicity or Attempted Complicity by an Athlete or Other Person

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or *Attempted* complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation or violation of Article 10.14.1 by another *Person*.⁸

2.10 Prohibited Association by an Athlete or Other Person

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

⁷ [Comment to Articles 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or Possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician's prescription, e.g., buying Insulin for a diabetic child.]

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

⁸ [Comment to Article 2.9: Complicity or Attempted Complicity may include either physical or psychological assistance.]

PROPOSITION 17 (CONTINUED)

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

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

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

2.10.2 To establish a violation of Article 2.10, an *Anti-Doping Organization* must establish that the *Athlete* or other *Person* knew of the *Athlete Support Person's* disqualifying status.

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

Anti-Doping Organizations that are aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to WADA.⁹

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

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

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

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

⁹ [Comment to Article 2.10: Athletes and other Persons must not work with coaches, trainers, physicians or other Athlete Support Personnel who are ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other Athlete who is acting as a coach or Athlete Support Person while serving a period of Ineligibility. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the Athlete Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation.]

While Article 2.10 does not require the Anti-Doping Organization to notify the Athlete or other Person about the Athlete Support Person's disqualifying status, such notice, if provided, would be important evidence to establish that the Athlete or other Person knew about the disqualifying status of the Athlete Support Person.]

PROPOSITION 17 (CONTINUED)

For purposes of Article 2.11, retaliation, threatening and intimidation include an act taken against such *Person* either because the act lacks a good faith basis or is a disproportionate response.¹⁰

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

ITTF shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether ITTF 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 Anti-Doping Rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.¹¹

3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions.¹² The following rules of proof shall be applicable in doping cases:

- 3.2.1** Analytical methods or *Decision Limits* approved by WADA after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. The initial hearing body, appellate body or CAS, on its own initiative, may also inform WADA of any such challenge. Within ten (10) days of WADA's receipt of such notice and the case file related to such challenge, WADA shall also have the right to intervene as a party, appear as amicus curiae or otherwise provide evidence in such proceeding. In cases before CAS, at WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.¹³

¹⁰ [Comment to Article 2.11.2: This Article is intended to protect Persons who make good faith reports, and does not protect Persons who knowingly make false reports.]

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

¹¹ [Comment to Article 3.1: This standard of proof required to be met by ITTF is comparable to the standard which is applied in most countries to cases involving professional misconduct.]

¹² [Comment to Article 3.2: For example, ITTF may establish an anti-doping rule violation under Article 2.2 based on the Athlete's admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Article 2.2, or conclusions drawn from the profile of a series of the Athlete's blood or urine Samples, such as data from the Athlete Biological Passport.]

¹³ [Comment to Article 3.2.1: For certain Prohibited Substances, WADA may instruct WADA-accredited laboratories not to report Samples as an Adverse Analytical Finding if the estimated concentration of the Prohibited Substance or its Metabolites or Markers is below a Minimum Reporting Level. WADA's decision in determining that Minimum Reporting Level or in determining which Prohibited Substances should be subject to Minimum Reporting Levels shall not be subject to challenge. Further, the laboratory's estimated concentration of such Prohibited Substance in a Sample may only be an estimate. In no event shall the possibility that the exact concentration of the Prohibited Substance in the Sample may be below the Minimum Reporting Level constitute a defense to an anti-doping rule violation based on the presence of that Prohibited Substance in the Sample.]

PROPOSITION 17 (CONTINUED)

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

If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then ITTF shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.¹⁴

3.2.3 Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or these Anti-Doping Rules shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation,¹⁵ provided, however, if the *Athlete* or other *Person* establishes that a departure from one of the specific *International Standard* provisions listed below could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or whereabouts failure, then ITTF shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the whereabouts failure:

- (i) a departure from the *International Standard* for *Testing* and Investigations related to *Sample* collection or *Sample* handling which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case ITTF shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- (ii) a departure from the *International Standard* for *Results Management* or *International Standard* for *Testing* and Investigations related to an *Adverse Passport Finding* which could reasonably have caused an anti-doping rule violation, in which case ITTF shall have the burden to establish that such departure did not cause the anti-doping rule violation;
- (iii) a departure from the *International Standard* for *Results Management* related to the requirement to provide notice to the *Athlete* of the B *Sample* opening which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case ITTF shall have the burden to

¹⁴ [Comment to Article 3.2.2: **Error! solo el documento principal.** The burden is on the *Athlete* or other *Person* to establish, by a balance of probability, a departure from the *International Standard* for Laboratories that could reasonably have caused the *Adverse Analytical Finding*. Thus, once the *Athlete* or other *Person* establishes the departure by a balance of probability, the *Athlete* or other *Person*'s burden on causation is the somewhat lower standard of proof – "could reasonably have caused." If the *Athlete* or other *Person* satisfies these standards, the burden shifts to ITTF to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the *Adverse Analytical Finding*.]

¹⁵ [Comment to Article 3.2.3: Departures from an *International Standard* or other rule unrelated to *Sample* collection or handling, *Adverse Passport Finding*, or *Athlete* notification relating to whereabouts failure or B *Sample* opening – e.g., the *International Standards* for Education, Data Privacy or TUEs – may result in compliance proceedings by WADA but are not a defense in an anti-doping rule violation proceeding and are not relevant on the issue of whether the *Athlete* committed an anti-doping rule violation. Similarly, ITTF's violation of the document referenced in Article 20.7.7 of the *Code* shall not constitute a defense to an anti-doping rule violation.]

PROPOSITION 17 (CONTINUED)

establish that such departure did not cause the *Adverse Analytical Finding*.¹⁶

- (iv) a departure from the *International Standard for Results Management* related to *Athlete* notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case ITTF shall have the burden to establish that such departure did not cause the whereabouts failure.

3.2.4 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.

3.2.5 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or ITTF.

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*.

Unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three (3) months after publication by WADA, without requiring any further action by ITTF or its *Member Associations*. All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

ITTF shall provide its *Member Associations* with the most recent version of the *Prohibited List*. Each *Member Association* shall in turn ensure that its members, and the constituents of its members, are also provided with the most recent version of the *Prohibited List*.¹⁷

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

4.2.1 *Prohibited Substances and Prohibited Methods*

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Competitions*

¹⁶ [Comment to Article 3.2.3 (iii): ITTF would meet its burden to establish that such departure did not cause the *Adverse Analytical Finding* by showing that, for example, the B Sample opening and analysis were observed by an independent witness and no irregularities were observed.]

¹⁷ [Comment to Article 4.1: The current *Prohibited List* is available on WADA's website at <https://www.wada-ama.org>. The *Prohibited List* will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new *Prohibited List* will be published every year whether or not changes have been made.]

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or their masking potential, and those substances and methods which are prohibited *In-Competition* only. The *Prohibited List* may be expanded by WADA for a particular sport. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.¹⁸

4.2.2 Specified Substances or Specified Methods

For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* shall be a *Specified Method* unless it is specifically identified as a *Specified Method* on the *Prohibited List*.¹⁹

4.2.3 Substances of Abuse

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

4.3 WADA's Determination of the *Prohibited List*

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

4.4 Therapeutic Use Exemptions ("TUEs")

4.4.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession* or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method*, shall not be considered an anti-doping rule violation if it is consistent with the provisions of a *TUE* granted in accordance with the *International Standard for Therapeutic Use Exemptions*.

4.4.2 TUE Applications

4.4.2.1 *Athletes* who are not *International-Level Athletes* shall apply to their *National Anti-Doping Organization* for a *TUE*. If the *National Anti-Doping Organization* denies the application, the *Athlete* may appeal exclusively to the national-level appeal body described in Article 13.2.2.

4.4.2.2 *Athletes* who are *International-Level Athletes* shall apply to ITTF.

¹⁸ [Comment to Article 4.2.1: Out-of-Competition Use of a substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the substance or its Metabolites or Markers is reported for a Sample collected In-Competition.]

¹⁹ [Comment to Article 4.2.2: The Specified Substances and Methods identified in Article 4.2.2 should not in any way be considered less important or less dangerous than other doping substances or methods. Rather, they are simply substances and methods which are more likely to have been consumed or used by an Athlete for a purpose other than the enhancement of sport performance.]

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4.4.3 TUE Recognition²⁰

4.4.3.1 Where the *Athlete* already has a *TUE* granted by their *National Anti-Doping Organization* pursuant to Article 4.4 of the *Code* for the substance or method in question and provided that such *TUE* has been reported in accordance with Article 5.5 of the *International Standard for Therapeutic Use Exemptions*, ITTF will automatically recognize it for purposes of international-level *Competition* without the need to review the relevant clinical information.

4.4.3.2 If ITTF chooses to test an *Athlete* who is not an *International-Level Athlete*, ITTF must recognize a *TUE* granted to that *Athlete* by their *National Anti-Doping Organization* unless the *Athlete* is required to apply for recognition of the *TUE* pursuant to Articles 5.8 and 7.0 of the *International Standard for Therapeutic Use Exemptions*.

4.4.4 TUE Application Process ²¹

4.4.4.1 If the *Athlete* does not already have a *TUE* granted by their *National Anti-Doping Organization* for the substance or method in question, the *Athlete* must apply directly to ITTF.

4.4.4.2 An application to ITTF for grant or recognition of a *TUE* must be made as soon as possible, save where Articles 4.1 or 4.3 of the *International Standard for Therapeutic Use Exemptions* apply. The application shall be made in accordance with Article 6 of the *International Standard for Therapeutic Use Exemptions* as posted on ITTF's website.

4.4.4.3 ITTF shall establish a *Therapeutic Use Exemption Committee* ("TUEC") to consider applications for the grant or recognition of *TUEs* in accordance with Article 4.4.4.3(a)-(d) below:

- (a) The TUEC shall consist of a minimum of five (5) members with experience in the care and treatment of *Athletes* and sound knowledge of clinical, sports and exercise medicine.
- (b) Before serving as a member of the TUEC, each member must sign a conflict of interest and confidentiality declaration. The appointed members shall not be employees of ITTF.
- (c) When an application to ITTF for the grant or recognition of a *TUE* is made, three (3) members (which may include the Chair) shall be appointed to consider the application.

²⁰ [Comment to Article 4.4.3: If ITTF refuses to recognize a *TUE* granted by a *National Anti-Doping Organization* only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the *International Standard for Therapeutic Use Exemptions*, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to ITTF.]

[Comment to Article 4.4.3: ITTF may agree with a *National Anti-Doping Organization* that the *National Anti-Doping Organization* will consider *TUE* applications on behalf of ITTF.]

²¹ [Comment to Article 4.4.4: The submission of falsified documents to a TUEC or ITTF, offering or accepting a bribe to a *Person* to perform or fail to perform an act, procuring false testimony from any witness, or committing any other fraudulent act or any other similar intentional interference or Attempted interference with any aspect of the *TUE* process shall result in a charge of Tampering or Attempted Tampering under Article 2.5.

An *Athlete* should not assume that their application for the grant or recognition of a *TUE* (or for renewal of a *TUE*) will be granted. Any Use or Possession or Administration of a *Prohibited Substance* or *Prohibited Method* before an application has been granted is entirely at the *Athlete's* own risk.]

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- (d) Before considering a *TUE* application, each member shall disclose any circumstances likely to affect their impartiality with respect to the *Athlete* making the application. If a member is unwilling or unable to assess the *Athlete's TUE* application, for any reason, a replacement or a new TUEC shall be appointed (e.g. from the pool of members appointed under point (a) above). The Chair cannot serve as a member of the TUEC if there are any circumstances which are likely to affect the impartiality of the *TUE* decision.

4.4.4.4 The TUEC shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the *International Standard for Therapeutic Use Exemptions* and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete application. Where the application is made in a reasonable time prior to an *Event*, the TUEC must use its best endeavors to issue its decision before the start of the *Event*.

4.4.4.5 The TUEC decision shall be the final decision of ITTF and may be appealed in accordance with Article 4.4.7. ITTF TUEC decision shall be notified in writing to the *Athlete*, and to WADA and other *Anti-Doping Organizations* in accordance with the *International Standard for Therapeutic Use Exemptions*. It shall also promptly be reported into ADAMS.

4.4.4.6 If ITTF (or the *National Anti-Doping Organization*, where it has agreed to consider the application on behalf of ITTF) denies the *Athlete's* application, it must notify the *Athlete* promptly, with reasons. If ITTF grants the *Athlete's* application, it must notify not only the *Athlete* but also their *National Anti-Doping Organization*. If the *National Anti-Doping Organization* considers that the *TUE* granted by ITTF does not meet the criteria set out in the *International Standard for Therapeutic Use Exemptions*, it has twenty-one (21) days from such notification to refer the matter to WADA for review in accordance with Article 4.4.7.

If the *National Anti-Doping Organization* refers the matter to WADA for review, the *TUE* granted by ITTF remains valid for international-level *Competition* and *Out-of-Competition Testing* (but is not valid for national-level *Competition*) pending WADA's decision. If the *National Anti-Doping Organization* does not refer the matter to WADA for review, the *TUE* granted by ITTF becomes valid for national-level *Competition* as well when the twenty-one (21) day review deadline expires.

4.4.5 Retroactive TUE Applications

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

4.4.6 Expiration, Withdrawal or Reversal of a TUE

4.4.6.1 A *TUE* granted pursuant to these Anti-Doping Rules: (a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality; (b) will be withdrawn if the *Athlete* does not promptly comply with

PROPOSITION 17 (CONTINUED)

any requirements or conditions imposed by the TUEC upon grant of the TUE; (c) may be withdrawn by the TUEC if it is subsequently determined that the criteria for grant of a TUE are not in fact met; or (d) may be reversed on review by WADA or on appeal.

- 4.4.6.2** In such event, the *Athlete* shall not be subject to any *Consequences* based on their *Use* or *Possession* or *Administration* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the TUE prior to the effective date of expiry, withdrawal, or reversal of the TUE. The review pursuant to Article 5.1.1.1 of the *International Standard for Results Management* of an *Adverse Analytical Finding*, reported shortly after the TUE expiry, withdrawal or reversal, shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Prohibited Method* prior to that date, in which event no anti-doping rule violation shall be asserted.

4.4.7 Reviews and Appeals of TUE Decisions

- 4.4.7.1** WADA must review ITTF's decision not to recognize a TUE granted by the *National Anti-Doping Organization* that is referred to WADA by the *Athlete* or the *Athlete's National Anti-Doping Organization*. In addition, WADA must review ITTF's decision to grant a TUE that is referred to WADA by the *Athlete's National Anti-Doping Organization*. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.²²
- 4.4.7.2** Any TUE decision by ITTF (or by a *National Anti-Doping Organization* where it has agreed to consider the application on behalf of ITTF) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the *Athlete* and/or the *Athlete's National Anti-Doping Organization*, exclusively to CAS.²³
- 4.4.7.3** A decision by WADA to reverse a TUE decision may be appealed by the *Athlete*, the *National Anti-Doping Organization* and/or ITTF, exclusively to CAS.
- 4.4.7.4** A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a TUE or for review of a TUE decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

ARTICLE 5 TESTING AND INVESTIGATIONS

²² [Comment to Article 4.4.7.1: WADA shall be entitled to charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Article 4.4.7; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]

²³ [Comment to Article 4.4.7.2: In such cases, the decision being appealed is the ITTF's TUE decision, not WADA's decision not to review the TUE decision or (having reviewed it) not to reverse the TUE decision. However, the time to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given notice of the appeal so that it may participate if it sees fit.]

PROPOSITION 17 (CONTINUED)

5.1 Purpose of Testing and Investigations²⁴

5.1.1 *Testing* and investigations may be undertaken for any anti-doping purpose. They shall be conducted in conformity with the provisions of the *International Standard for Testing and Investigations* and the eventual specific protocols of ITTF supplementing that *International Standard*.

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

5.2 Authority to Test

5.2.1 Subject to the limitations for *Event Testing* set out in Article 5.3, ITTF shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* specified in the Introduction to these Anti-Doping Rules (Section "Scope of these Anti-Doping Rules").

5.2.2 ITTF may require any *Athlete* over whom it has *Testing* authority (including any *Athlete* serving a period of *Ineligibility*) to provide a *Sample* at any time and at any place.²⁵

5.2.3 WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.10 of the *Code*.

5.2.4 If ITTF delegates or contracts any part of *Testing* to a *National Anti-Doping Organization* directly or through a *Member Association*, that *National Anti-Doping Organization* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *National Anti-Doping Organization's* expense. If additional *Samples* are collected or additional types of analysis are performed, ITTF shall be notified.

5.3 Event Testing

5.3.1 Except as otherwise provided below, only a single organization shall have authority to conduct *Testing* at *Event Venues* during an *Event Period*. At *International Events*, ITTF (or other international organization which is the ruling body for an *Event*) shall have authority to conduct *Testing*. At *National Events*, the *National Anti-Doping Organization* of that country shall have authority to conduct *Testing*. At the request of ITTF (or other international organization which is the ruling body for an *Event*), any *Testing* during the *Event Period* outside of the *Event Venues* shall be coordinated with ITTF (or the relevant ruling body of the *Event*).

5.3.2 If an *Anti-Doping Organization*, which would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at an *Event*, desires to conduct *Testing* of *Athletes* at the *Event Venues* during the *Event*

²⁴ [Comment to Article 5.1: Where *Testing* is conducted for anti-doping purposes, the analytical results and data may be used for other legitimate purposes under the Anti-Doping Organization's rules. See, e.g., Comment to Article 23.2.2 of the *Code*.]

²⁵ [Comment to Article 5.2.2: ITTF may obtain additional authority to conduct *Testing* by means of bilateral or multilateral agreements with other Signatories. Unless the *Athlete* has identified a sixty (60) minute *Testing* window between the hours of 11:00 p.m. and 6:00 a.m., or has otherwise consented to *Testing* during that period, ITTF will not test an *Athlete* during that period unless it has a serious and specific suspicion that the *Athlete* may be engaged in doping. A challenge to whether ITTF had sufficient suspicion for *Testing* during this time period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]

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Period, the Anti-Doping Organization shall first confer with ITTF (or other international organization which is the ruling body of the Event) to obtain permission to conduct and coordinate such *Testing*. If the Anti-Doping Organization is not satisfied with the response from ITTF (or other international organization which is the ruling body of the Event), the Anti-Doping Organization may, in accordance with the procedures described in the *International Standard for Testing and Investigations*, ask WADA for permission to conduct *Testing* and to determine how to coordinate such *Testing*. WADA shall not grant approval for such *Testing* before consulting with and informing ITTF (or other international organization which is the ruling body for the Event). WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct *Testing*, such tests shall be considered *Out-of-Competition* tests. *Results Management* for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.²⁶

5.4 Testing Requirements

- 5.4.1 ITTF shall conduct test distribution planning and *Testing* as required by the *International Standard for Testing and Investigations*.
- 5.4.2 Where reasonably feasible, *Testing* shall be coordinated through ADAMS in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.

5.5 Athlete Whereabouts Information

- 5.5.1 ITTF shall establish a *Registered Testing Pool* of those *Athletes* who are required to provide whereabouts information in the manner specified in the *International Standard for Testing and Investigations* and who shall be subject to *Consequences* for Article 2.4 violations as provided in Article 10.3.2. ITTF shall coordinate with *National Anti-Doping Organizations* to identify such *Athletes* and to collect their whereabouts information.
- 5.5.2 ITTF shall make available through ADAMS a list which identifies those *Athletes* included in its *Registered Testing Pool* by name. ITTF shall regularly review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall periodically (but not less than quarterly) review the list of *Athletes* in its *Registered Testing Pool* to ensure that each listed *Athlete* continues to meet the relevant criteria. *Athletes* shall be notified before they are included in the *Registered Testing Pool* and when they are removed from that pool. The notification shall contain the information set out in the *International Standard for Testing and Investigations*.
- 5.5.3 Where an *Athlete* is included in an international *Registered Testing Pool* by ITTF and in a national *Registered Testing Pool* by their *National Anti-Doping Organization*, the *National Anti-Doping Organization* and ITTF shall agree between themselves which of them shall accept that *Athlete's* whereabouts filings; in no case shall an *Athlete* be required to make whereabouts filings to more than one of them.

²⁶ [Comment to Article 5.3.2: Before giving approval to a National Anti-Doping Organization to initiate and conduct *Testing* at an International Event, WADA shall consult with the international organization which is the ruling body for the Event. Before giving approval to an International Federation to initiate and conduct *Testing* at a National Event, WADA shall consult with the National Anti-Doping Organization of the country where the Event takes place. The Anti-Doping Organization initiating and directing *Testing* may, if it chooses, enter into agreements with a Delegated Third Party to which it delegates responsibility for Sample collection or other aspects of the Doping Control process.]

PROPOSITION 17 (CONTINUED)

- 5.5.4** In accordance with the *International Standard for Testing and Investigations*, each *Athlete* in the *Registered Testing Pool* shall do the following: (a) advise ITTF of his/her whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make himself or herself available for *Testing* at such whereabouts.
- 5.5.5** For purposes of Article 2.4, an *Athlete's* failure to comply with the requirements of the *International Standard for Testing and Investigations* shall be deemed a filing failure or a missed test, as defined in Annex B of the *International Standard for Results Management*, where the conditions set forth in Annex B are met.
- 5.5.6** An *Athlete* in ITTF's *Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set in the *International Standard for Testing and Investigations* unless and until (a) the *Athlete* gives written notice to ITTF that he or she has retired or (b) ITTF has informed him or her that he or she no longer satisfies the criteria for inclusion in ITTF's *Registered Testing Pool*.
- 5.5.7** Whereabouts information provided by an *Athlete* while in the *Registered Testing Pool* will be accessible through ADAMS to WADA and to other *Anti-Doping Organizations* having authority to test that *Athlete* as provided in Article 5.2. Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information relevant to the *Athlete Biological Passport* or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with the *International Standard for the Protection of Privacy and Personal Information*.
- 5.5.8** ITTF may, in accordance with the *International Standard for Testing and Investigations*, collect whereabouts information from *Athletes* who are not included within a *Registered Testing Pool*. If it chooses to do so, an *Athlete's* failure to provide requested whereabouts information on or before the date required by ITTF or the *Athlete's* failure to provide accurate whereabouts information may result in consequences defined in Article 5.5.12 below.
- 5.5.9** In accordance with the *International Standard for Testing and Investigations*, ITTF may establish a *Testing Pool*, which includes *Athletes* who are subject to less stringent whereabouts requirements than *Athletes* included in ITTF's *Registered Testing Pool*.
- 5.5.10** ITTF shall notify *Athletes* before they are included in the *Testing Pool* and when they are removed. Such notification shall include the whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Articles 5.5.11 and 5.5.12.
- 5.5.11** *Athletes* included in the *Testing Pool* shall provide ITTF at least with the following whereabouts information so that they may be located and subjected to *Testing*:
- (a) An overnight address;
 - (b) Competition / Event schedule; and
 - (c) Regular training activities.
- Such whereabouts information should be filed in ADAMS to enable better *Testing* coordination with other *Anti-Doping Organizations*.

PROPOSITION 17 (CONTINUED)

- 5.5.12** An *Athlete's* failure to provide whereabouts information on or before the date required by ITTF or the *Athlete's* failure to provide accurate whereabouts information might result in ITTF elevating the *Athlete* to ITTF's *Registered Testing Pool* and additional appropriate and proportionate non-Code Article 2.4 consequences, established by ITTF if any.

5.6 Retired Athletes Returning to Competition

- 5.6.1** If an *International-Level Athlete* or *National-Level Athlete* in ITTF's *Registered Testing Pool* retires and then wishes to return to active participation in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has made himself or herself available for *Testing*, by giving six (6) months prior written notice to ITTF and their *National Anti-Doping Organization*.

WADA, in consultation with ITTF and the *Athlete's National Anti-Doping Organization*, may grant an exemption to the six (6) month written notice rule where the strict application of that rule would be unfair to the *Athlete*. This decision may be appealed under Article 13.²⁷

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

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

5.7 Independent Observer Program

ITTF and the organizing committees for ITTF's *Events*, as well as the *Member Associations* and the organizing committees for *National Events*, shall authorize and facilitate the *Independent Observer Program* at such *Events*.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited, Approved Laboratories and Other Laboratories

- 6.1.1** For purposes of directly establishing an *Adverse Analytical Finding* under Article 2.1, *Samples* shall be analyzed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the *Sample* analysis shall be determined exclusively by ITTF.²⁸

²⁷ [Comment to Article 5.6.1: WADA has developed a protocol and exemption application form that *Athletes* must use to make such requests, and a decision template that the *International Federations* must use. Both documents are available on WADA's website at <https://www.wada-ama.org>.]

²⁸ [Comment to Article 6.1: Violations of Article 2.1 may be established only by *Sample* analysis performed by a WADA-accredited laboratory or another laboratory approved by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

PROPOSITION 17 (CONTINUED)

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

6.2 Purpose of Analysis of Samples and Data

Samples and related analytical data or *Doping Control* information shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the monitoring program described in Article 4.5 of the *Code*, or to assist ITTF in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.²⁹

6.3 Research on Samples and Data

Samples, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Athlete's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples* and related analytical data or *Doping Control* information being traced back to a particular *Athlete*. Any research involving *Samples* and related analytical data or *Doping Control* information shall adhere to the principles set out in Article 19 of the *Code*.³⁰

6.4 Standards for Sample Analysis and Reporting

In accordance with Article 6.4 of the *Code*, ITTF shall ask laboratories to analyze *Samples* in conformity with the *International Standard* for Laboratories and Article 4.7 of the *International Standard* for Testing and Investigations.

Laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by ITTF. Results from any such analysis shall be reported to ITTF and have the same validity and *Consequences* as any other analytical result.³¹

6.5 Further Analysis of a Sample Prior to or During Results Management or Hearing Process

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

²⁹ [Comment to Article 6.2: For example, relevant *Doping Control*-related information could be used to direct *Target Testing* or to support an anti-doping rule violation proceeding under Article 2.2, or both.]

³⁰ [Comment to Article 6.3: As is the case in most medical or scientific contexts, use of *Samples* and related information for quality assurance, quality improvement, method improvement and development or to establish reference populations is not considered research. *Samples* and related information used for such permitted non-research purposes must also first be processed in such a manner as to prevent them from being traced back to the particular *Athlete*, having due regard to the principles set out in Article 19 of the *Code*, as well as the requirements of the *International Standard* for Laboratories and *International Standard* for the Protection of Privacy and Personal Information.]

³¹ [Comment to Article 6.4: The objective of this Article is to extend the principle of "Intelligent Testing" to the *Sample* analysis menu so as to most effectively and efficiently detect doping. It is recognized that the resources available to fight doping are limited and that increasing the *Sample* analysis menu may, in some sports and countries, reduce the number of *Samples* which can be analyzed.]

PROPOSITION 17 (CONTINUED)**6.6 Further Analysis of a Sample After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge**

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

6.7 Split of A or B Sample

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

6.8 WADA's Right to Take Possession of Samples and Data

WADA may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* and related analytical data or information in the possession of a laboratory or *Anti-Doping Organization*. Upon request by *WADA*, the laboratory or *Anti-Doping Organization* in possession of the *Sample* or data shall immediately grant access to and enable *WADA* to take physical possession of the *Sample* or data. If *WADA* has not provided prior notice to the laboratory or *Anti-Doping Organization* before taking possession of a *Sample* or data, it shall provide such notice to the laboratory and each *Anti-Doping Organization* whose *Samples* or data have been taken by *WADA* within a reasonable time after taking possession. After analysis and any investigation of a seized *Sample* or data, *WADA* may direct another *Anti-Doping Organization* with authority to test the *Athlete* to assume *Results Management* responsibility for the *Sample* or data if a potential anti-doping rule violation is discovered.³²

ARTICLE 7 RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS

Results Management under these Anti-Doping Rules establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner.

7.1 Responsibility for Conducting Results Management

- 7.1.1** Except as otherwise provided in Articles 6.6, 6.8 and Code Article 7.1, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of the *Anti-Doping Organization* that initiated and

³² [Comment to Article 6.8: Resistance or refusal to *WADA* taking physical possession of *Samples* or data could constitute Tampering, Complicity or an act of non-compliance as provided in the *International Standard* for Code Compliance by Signatories, and could also constitute a violation of the *International Standard* for Laboratories. Where necessary, the laboratory and/or the *Anti-Doping Organization* shall assist *WADA* in ensuring that the seized *Sample* or data are not delayed in exiting the applicable country.

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

PROPOSITION 17 (CONTINUED)

directed *Sample* collection (or, if no *Sample* collection is involved, the *Anti-Doping Organization* which first provides notice to an *Athlete* or other *Person* of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation).

- 7.1.2 In circumstances where the rules of a *National Anti-Doping Organization* do not give the *National Anti-Doping Organization* authority over an *Athlete* or other *Person* who is not a national, resident, license holder, or member of a sport organization of that country, or the *National Anti-Doping Organization* declines to exercise such authority, *Results Management* shall be conducted by the applicable International Federation or by a third party with authority over the *Athlete* or other *Person* as directed by the rules of the applicable International Federation.
- 7.1.3 In the event the *Major Event Organization* assumes only limited *Results Management* responsibility relating to a *Sample* initiated and taken during an *Event* conducted by a *Major Event Organization*, or an anti-doping rule violation occurring during such *Event*, the case shall be referred by the *Major Event Organization* to the applicable International Federation for completion of *Results Management*.
- 7.1.4 *Results Management* in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by ITTF or the *National Anti-Doping Organization* with whom the *Athlete* in question files whereabouts information, as provided in the *International Standard for Results Management*. If ITTF determines a filing failure or a missed test, it shall submit that information to WADA through ADAMS, where it will be made available to other relevant *Anti-Doping Organizations*.
- 7.1.5 Other circumstances in which ITTF shall take responsibility for conducting *Results Management* in respect of anti-doping rule violations involving *Athletes* and other *Persons* under its authority shall be determined by reference to and in accordance with Article 7 of the *Code*.
- 7.1.6 WADA may direct ITTF to conduct *Results Management* in particular circumstances. If ITTF refuses to conduct *Results Management* within a reasonable deadline set by WADA, such refusal shall be considered an act of non-compliance, and WADA may direct another *Anti-Doping Organization* with authority over the *Athlete* or other *Person*, that is willing to do so, to take *Results Management* responsibility in place of ITTF or, if there is no such *Anti-Doping Organization*, any other *Anti-Doping Organization* that is willing to do so. In such case, ITTF shall reimburse the costs and attorney's fees of conducting *Results Management* to the other *Anti-Doping Organization* designated by WADA, and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

ITTF shall carry out the review and notification with respect to any potential anti-doping rule violation in accordance with the *International Standard for Results Management*.

7.3 Identification of Prior Anti-Doping Rule Violations

Before giving an *Athlete* or other *Person* notice of a potential anti-doping rule violation as provided above, ITTF shall refer to ADAMS and contact WADA and other relevant *Anti-Doping Organizations* to determine whether any prior anti-doping rule violation exists.

PROPOSITION 17 (CONTINUED)

7.4 *Provisional Suspensions*³³

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

If ITTF receives an *Adverse Analytical Finding* or an *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* review process) for a *Prohibited Substance* or a *Prohibited Method* that is not a *Specified Substance* or a *Specified Method*, ITTF shall impose a *Provisional Suspension* on the *Athlete* promptly upon or after the review and notification required by Article 7.2.

A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to the CAS Anti-Doping Division (CAS ADD) that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under Article 10.2.4.1.

The CAS ADD's decision not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

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

ITTF may impose a *Provisional Suspension* for anti-doping rule violations not covered by Article 7.4.1 prior to the analysis of the *Athlete's* B *Sample* or final hearing as described in Article 8.

An optional *Provisional Suspension* may be lifted at the discretion of ITTF at any time prior to the CAS ADD's decision under Article 8, unless provided otherwise in the *International Standard for Results Management*.

7.4.3 *Opportunity for Hearing or Appeal*

Notwithstanding Articles 7.4.1 and 7.4.2, a *Provisional Suspension* may not be imposed unless the *Athlete* or other *Person* is given: (a) an opportunity for a *Provisional Hearing*, either before or on a timely basis after the imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after the imposition of the *Provisional Suspension*.

The imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, may be appealed in an expedited process in accordance with Article 13.2.

7.4.4 *Voluntary Acceptance of Provisional Suspension*

Athletes on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B *Sample* (or waiver of the B *Sample*) or ten (10) days from the notice of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notice.

³³ [Comment to Article 7.4: Before a *Provisional Suspension* can be unilaterally imposed by ITTF, the internal review specified in these Anti-Doping Rules and the *International Standard for Results Management* must first be completed.]

PROPOSITION 17 (CONTINUED)

Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within ten (10) days from the notice of the anti-doping rule violation.

Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.4.1 or 7.4.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

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

7.5 Results Management Decisions

Results Management decisions or adjudications by ITTF must not purport to be limited to a particular geographic area or the ITTF's sport and shall address and determine without limitation the following issues: (i) whether an anti-doping rule violation was committed or a *Provisional Suspension* should be imposed, the factual basis for such determination, and the specific Articles that have been violated, and (ii) all *Consequences* flowing from the anti-doping rule violation(s), including applicable *Disqualifications* under Articles 9 and 10.10, any forfeiture of medals or prizes, any period of *Ineligibility* (and the date it begins to run) and any *Financial Consequences*.³⁴

7.6 Notification of Results Management Decisions

ITTF shall notify *Athletes*, other *Persons*, *Signatories* and WADA of *Results Management* decisions as provided in Article 14.2 and in the *International Standard for Results Management*.

7.7 Retirement from Sport³⁵

If an *Athlete* or other *Person* retires while the ITTF's *Results Management* process is underway, ITTF retains authority to complete its *Results Management* process. If an *Athlete* or other *Person* retires before any *Results Management* process has begun, and ITTF would have had

³⁴ [Comment to Article 7.5: *Results Management* decisions include *Provisional Suspensions*.

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

³⁵ [Comment to Article 7.7: Conduct by an *Athlete* or other *Person* before the *Athlete* or other *Person* was subject to the authority of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the *Athlete* or other *Person* membership in a sports organization.]

PROPOSITION 17 (CONTINUED)

Results Management authority over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, ITTF has authority to conduct *Results Management*.

ARTICLE 8 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION

For any *Person* who is asserted to have committed an anti-doping rule violation, ITTF shall provide a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in compliance with the *Code* and the *International Standard for Results Management*.

8.1 Fair Hearings

8.1.1 Fair, Impartial and *Operationally Independent* Hearing Panel

ITTF has delegated its Article 8 responsibilities (first instance hearings, waiver of hearings and decisions) to the CAS Anti-Doping Division (CAS ADD) as an appropriate independent forum. The procedural rules of the arbitration shall be governed by the rules of the CAS ADD. CAS ADD will always ensure that the *Athlete* or other *Person* is provided with a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in compliance with the *Code* and the *International Standard for Results Management*.

8.1.2 Hearing Process

8.1.2.1 When ITTF sends a notice to an *Athlete* or other *Person* notifying them of a potential anti-doping rule violation, and the *Athlete* or other *Person* does not waive a hearing in accordance with Article 8.3.1 or Article 8.3.2, then the case shall be referred to CAS ADD for hearing and adjudication, which shall be conducted in accordance with its procedural rules and the principles described in Articles 8 and 9 of the *International Standard for Results Management*.

8.1.2.2 Hearings held in connection with *Events* in respect to *Athletes* and other *Persons* who are subject to these Anti-Doping Rules may be conducted by an expedited process where permitted by CAS ADD.³⁶

8.1.2.3 WADA, the *Member Association* and the *National Anti-Doping Organization* of the *Athlete* or other *Person* may attend the hearing as observers. In any event, ITTF shall keep them fully apprised as to the status of pending cases and the result of all hearings.

8.2 Notice of Decisions

8.2.1 At the end of the hearing, or promptly thereafter, CAS ADD shall issue a written decision that conforms with Article 9 of the *International Standard for Results Management* and which includes the full reasons for the decision, the period of *Ineligibility* imposed, the *Disqualification* of results under Article 10.10 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.

³⁶ [Comment to Article 8.1.2.4: For example, a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Athlete's eligibility to participate in the Event, or during an Event where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.]

PROPOSITION 17 (CONTINUED)

8.2.2 ITTF shall notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3, and shall promptly report it into ADAMS. The decision may be appealed as provided in Article 13.

8.3 Waiver of Hearing

8.3.1 An *Athlete* or other *Person* against whom an anti-doping violation is asserted may waive a hearing expressly and agree with the *Consequences* proposed by ITTF.

8.3.2 However, if the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted fails to dispute that assertion within twenty (20) days or the deadline otherwise specified in the notice sent by the ITTF asserting the violation, then they shall be deemed to have waived a hearing, to have admitted the violation, and to have accepted the proposed *Consequences*.

8.3.3 In cases where Article 8.3.1 or 8.3.2 applies, a hearing before CAS ADD shall not be required. Instead ITTF shall promptly issue a written decision that conforms with Article 9 of the *International Standard for Results Management* and which includes the full reasons for the decision, the period of *Ineligibility* imposed, the *Disqualification* of results under Article 10.10 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.

8.3.4 ITTF shall notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3, and shall promptly report it into ADAMS. ITTF shall *Publicly Disclose* that decision in accordance with Article 14.3.2.

8.4 Single Hearing Before CAS

Anti-doping rule violations asserted against *International-Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, ITTF (where it has *Results Management* responsibility in accordance with Article 7) and WADA, be heard in a single hearing directly at CAS.³⁷

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

An anti-doping rule violation in *Individual Sports* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any medals, points and prizes.³⁸

ARTICLE 10 SANCTIONS ON INDIVIDUALS

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

³⁷ [Comment to Article 8.4: An Anti-Doping Organization may participate in the CAS hearing as an observer. Nothing set out in Article 8.4 precludes the *Athlete* or other *Person* and ITTF (where it has *Results Management* responsibility) to waive their right to appeal by agreement. Such waiver, however, only binds the parties to such agreement and not any other entity with a right of appeal under the Code.]

³⁸ [Comment to Article 9: For Team Sports, any awards received by individual players will be *Disqualified*. However, *Disqualification* of the team will be as provided in Article 11. In sports which are not Team Sports but where awards are given to teams, *Disqualification* or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the International Federation.]

PROPOSITION 17 (CONTINUED)

- 10.1.1** An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.2.

Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.³⁹

- 10.1.2** 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 *Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method*

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

- 10.2.1** The period of *Ineligibility*, subject to Article 10.2.4, shall be four (4) years where:

10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance* or a *Specified Method*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.⁴⁰

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

- 10.2.2** If Article 10.2.1 does not apply, subject to Article 10.2.4.1, the period of *Ineligibility* shall be two (2) years.

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

³⁹ [Comment to Article 10.1.1: Whereas Article 9 Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the 100 meter backstroke), this Article may lead to Disqualification of all results in all races during the Event (e.g., the swimming World Championships).]

⁴⁰ [Comment to Article 10.2.1.1: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

PROPOSITION 17 (CONTINUED)

the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.⁴¹

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

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

In addition, the period of *Ineligibility* calculated under this Article 10.2.4.1 may be reduced to one (1) month if the *Athlete* or other *Person* satisfactorily completes a *Substance of Abuse* treatment program approved by ITTF. The period of *Ineligibility* established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.⁴²

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

10.3 *Ineligibility for Other Anti-Doping Rule Violations*

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

10.3.1 For violations of Article 2.3 or 2.5, the period of *Ineligibility* shall be four (4) years except: (i) in the case of failing to submit to *Sample* collection, if the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional, the period of *Ineligibility* shall be two (2) years; (ii) in all other cases, if the *Athlete* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two (2) years to four (4) years depending on the *Athlete* or other *Person*'s degree of *Fault*; or (iii) in a case involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete*'s degree of *Fault*.

10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete*'s degree of *Fault*. The flexibility between two (2) years and one (1) year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.

⁴¹ [Comment to Article 10.2.3: Article 10.2.3 provides a special definition of "intentional" which is to be applied solely for purposes of Article 10.2.]

⁴² [Comment to Article 10.2.4.1: The determinations as to whether the treatment program is approved and whether the *Athlete* or other *Person* has satisfactorily completed the program shall be made in the sole discretion of ITTF. This Article is intended to give ITTF the leeway to apply their own judgment to identify and approve legitimate and reputable, as opposed to "sham", treatment programs. It is anticipated, however, that the characteristics of legitimate treatment programs may vary widely and change over time such that it would not be practical for WADA to develop mandatory criteria for acceptable treatment programs.]

PROPOSITION 17 (CONTINUED)

10.3.3 For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Protected Person* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.⁴³

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

10.3.5 For violations of Article 2.10, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.⁴⁴

10.3.6 For violations of Article 2.11, the period of *Ineligibility* shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation by the *Athlete* or other *Person*.⁴⁵

10.4 Aggravating Circumstances which may Increase the Period of Ineligibility

If ITTF establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (*Trafficking or Attempted Trafficking*), 2.8 (*Administration or Attempted Administration*), 2.9 (*Complicity*) or 2.11 (*Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting*) that *Aggravating Circumstances* are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased by an additional period of *Ineligibility* of up to two (2) years depending on the seriousness of the violation and the nature of the *Aggravating Circumstances*, unless the *Athlete* or other *Person* can establish that he or she did not knowingly commit the anti-doping rule violation.⁴⁶

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

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Fault or Negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.⁴⁷

⁴³ [Comment to Article 10.3.3: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to *Ineligibility* for accreditation, membership and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.]

⁴⁴ [Comment to Article 10.3.5: Where the "other Person" referenced in Article 2.10 is an entity and not an individual, that entity may be disciplined as provided in Article 12.]

⁴⁵ [Comment to Article 10.3.6: Conduct that is found to violate both Article 2.5 (*Tampering*) and Article 2.11 (*Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities*) shall be sanctioned based on the violation that carries the more severe sanction.]

⁴⁶ [Comment to Article 10.4: Violations under Articles 2.7 (*Trafficking or Attempted Trafficking*), 2.8 (*Administration or Attempted Administration*), 2.9 (*Complicity or Attempted Complicity*) and 2.11 (*Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities*) are not included in the application of Article 10.4 because the sanctions for these violations already build in sufficient discretion up to a lifetime ban to allow consideration of any *Aggravating Circumstance*.]

⁴⁷ [Comment to Article 10.5: This Article and Article 10.6.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances.]

PROPOSITION 17 (CONTINUED)

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

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

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

10.6.1.1 *Specified Substances or Specified Methods*

Where the anti-doping rule violation involves a *Specified Substance* (other than a *Substance of Abuse*) or *Specified Method*, and the *Athlete* or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years of *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.

10.6.1.2 *Contaminated Products*

In cases where the *Athlete* or other *Person* can establish both *No Significant Fault or Negligence* and that the detected *Prohibited Substance* (other than a *Substance of Abuse*) came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Athlete* or other *Person's* degree of *Fault*.⁴⁶

10.6.1.3 *Protected Persons or Recreational Athletes*

Where the anti-doping rule violation not involving a *Substance of Abuse* is committed by a *Protected Person* or *Recreational Athlete*, and the *Protected Person* or *Recreational Athlete* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.

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

⁴⁶ [Comment to Article 10.6.1.2: In order to receive the benefit of this Article, the *Athlete* or other *Person* must establish not only that the detected *Prohibited Substance* came from a *Contaminated Product*, but must also separately establish *No Significant Fault or Negligence*. It should be further noted that *Athletes* are on notice that they take nutritional supplements at their own risk. The sanction reduction based on *No Significant Fault or Negligence* has rarely been applied in *Contaminated Product* cases unless the *Athlete* has exercised a high level of caution before taking the *Contaminated Product*. In assessing whether the *Athlete* can establish the source of the *Prohibited Substance*, it would, for example, be significant for purposes of establishing whether the *Athlete* actually Used the *Contaminated Product*, whether the *Athlete* had declared the product which was subsequently determined to be contaminated on the Doping Control form.

This Article should not be extended beyond products that have gone through some process of manufacturing. Where an Adverse Analytical Finding results from environment contamination of a "non-product" such as tap water or lake water in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, typically there would be *No Fault or Negligence* under Article 10.5.]

PROPOSITION 17 (CONTINUED)

10.6.2 Application of *No Significant Fault or Negligence* beyond the Application of Article 10.6.1

If an *Athlete* or other *Person* establishes in an individual case where Article 10.6.1 is not applicable that he or she bears *No Significant Fault or Negligence*, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight (8) years.⁴⁹

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

10.7.1 *Substantial Assistance* in Discovering or Establishing Code Violations⁵⁰

10.7.1.1 ITTF may, prior to an appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the *Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in: (i) the *Anti-Doping Organization* discovering or bringing forward an anti-doping rule violation by another *Person*; or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to ITTF or other *Anti-Doping Organization* with *Results Management* responsibility; or (iii) which results in WADA initiating a proceeding against a *Signatory*, WADA-accredited laboratory, or *Athlete* passport management unit (as defined in the *International Standard Laboratories*) for non-compliance with the *Code*, *International Standard* or *Technical Document*; or (iv) with the approval by WADA, which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping. After an appellate decision under Article 13 or the expiration of time to appeal, ITTF may only suspend a part of the otherwise applicable *Consequences* 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 *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport, non-compliance with the *Code* and/or sport integrity violations. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this

⁴⁹ [Comment to Article 10.6.2: Article 10.6.2 may be applied to any anti-doping rule violation except those Articles where intent is an element of the anti-doping rule violation (e.g., Article 2.5, 2.7, 2.8, 2.9 or 2.11) or an element of a particular sanction (e.g., Article 10.2.1) or a range of *Ineligibility* is already provided in an Article based on the *Athlete* or other *Person's* degree of *Fault*.]

⁵⁰ [Comment to Article 10.7.1: The cooperation of *Athletes*, *Athlete Support Personnel* and other *Persons* who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.]

PROPOSITION 17 (CONTINUED)

Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.9.3.2 of these Anti-Doping Rules.

If so requested by an *Athlete* or other *Person* who seeks to provide *Substantial Assistance*, ITTF shall allow the *Athlete* or other *Person* to provide the information to it subject to a *Without Prejudice Agreement*.

If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of *Consequences* was based, ITTF shall reinstate the original *Consequences*. If ITTF decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that decision may be appealed by any *Person* entitled to appeal under Article 13.

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

10.7.1.3 If ITTF suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3 as provided in Article 14.2. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize ITTF to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

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

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of

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admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.⁵¹

10.7.3 Application of Multiple Grounds for Reduction of a Sanction

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

10.8 Results Management Agreements

10.8.1 One (1) Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

Where an *Athlete* or other *Person*, after being notified by ITTF of a potential anti-doping rule violation that carries an asserted period of *Ineligibility* of four (4) or more years (including any period of *Ineligibility* asserted under Article 10.4), admits the violation and accepts the asserted period of *Ineligibility* no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the *Athlete* or other *Person* may receive a one (1) year reduction in the period of *Ineligibility* asserted by ITTF. Where the *Athlete* or other *Person* receives the one (1) year reduction in the asserted period of *Ineligibility* under this Article 10.8.1, no further reduction in the asserted period of *Ineligibility* shall be allowed under any other Article.⁵²

10.8.2 Case Resolution Agreement

Where the *Athlete* or other *Person* admits an anti-doping rule violation after being confronted with the anti-doping rule violation by ITTF and agrees to *Consequences* acceptable to ITTF and WADA, at their sole discretion, then: (a) the *Athlete* or other *Person* may receive a reduction in the period of *Ineligibility* based on an assessment by ITTF and WADA of the application of Articles 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the *Athlete* or other *Person*'s degree of *Fault* and how promptly the *Athlete* or other *Person* admitted the violation; and (b) the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the agreed-upon period of *Ineligibility* going forward from the earlier of the date the *Athlete* or other *Person* accepted the imposition of a sanction or a *Provisional Suspension* which was subsequently respected by the *Athlete* or other *Person*. The decision by WADA and ITTF to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of, the period of *Ineligibility* are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

⁵¹ [Comment to Article 10.7.2: This Article is intended to apply when an *Athlete* or other *Person* comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the *Athlete* or other *Person* believes he or she is about to be caught. The amount by which *Ineligibility* is reduced should be based on the likelihood that the *Athlete* or other *Person* would have been caught had he or she not come forward voluntarily.]

⁵² [Comment to Article 10.8.1: For example, if ITTF alleges that an *Athlete* has violated Article 2.1 for Use of an anabolic steroid and asserts the applicable period of *Ineligibility* is four (4) years, then the *Athlete* may unilaterally reduce the period of *Ineligibility* to three (3) years by admitting the violation and accepting the three (3) year period of *Ineligibility* within the time specified in this Article, with no further reduction allowed. This resolves the case without any need for a hearing.]

PROPOSITION 17 (CONTINUED)

If so requested by an *Athlete* or other *Person* who seeks to enter into a case resolution agreement under this Article, ITTF shall allow the *Athlete* or other *Person* to discuss an admission of the anti-doping rule violation with it subject to a *Without Prejudice Agreement*.⁵³

10.9 Multiple Violations**10.9.1 Second or Third Anti-Doping Rule Violation**

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

- (a) A six (6) month period of *Ineligibility*; or
- (b) A period of *Ineligibility* in the range between:
 - (i) the sum of the period of *Ineligibility* imposed for the first anti-doping rule violation plus the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and
 - (ii) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

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

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

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

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

10.9.3 Additional Rules for Certain Potential Multiple Violations

10.9.3.1 For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be considered a second violation if ITTF can establish that the *Athlete* or other *Person* committed the additional anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7, or after ITTF made reasonable efforts

⁵³ [Comment to Article 10.8: Any mitigating or aggravating factors set forth in this Article 10 shall be considered in arriving at the Consequences set forth in the case resolution agreement, and shall not be applicable beyond the terms of that agreement.]

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to give notice of the first anti-doping rule violation. If ITTF cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of *Aggravating Circumstances*. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 10.10.⁵⁴

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

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

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

10.9.4 Multiple Anti-Doping Rule Violations during Ten (10) Year Period

For purposes of Article 10.9, each anti-doping rule violation must take place within the same ten (10) year period in order to be considered multiple violations.

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

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

⁵⁴ [Comment to Article 10.9.3.1: The same rule applies where, after the imposition of a sanction, ITTF discovers facts involving an anti-doping rule violation that occurred prior to notification for a first anti-doping rule violation – e.g., ITTF shall impose a sanction based on the sanction that could have been imposed if the two (2) violations had been adjudicated at the same time, including the application of *Aggravating Circumstances*.]

PROPOSITION 17 (CONTINUED)

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.⁵⁵

10.11 Forfeited Prize Money

If ITTF recovers prize money forfeited as a result of an anti-doping rule violation, it shall take reasonable measures to allocate and distribute this prize money to the *Athletes* who would have been entitled to it had the forfeiting *Athlete* not competed.⁵⁶

10.12 Financial Consequences

10.12.1 Where an *Athlete* or other *Person* commits an anti-doping rule violation, ITTF may, in its discretion and subject to the principle of proportionality, elect to (a) recover from the *Athlete* or other *Person* costs associated with the anti-doping rule violation, regardless of the period of *Ineligibility* imposed and/or (b) fine the *Athlete* or other *Person* in an amount up to two thousand (2,000.00) U.S. Dollars, etc., only in cases where the maximum period of *Ineligibility* otherwise applicable has already been imposed.

10.12.2 The imposition of a financial sanction or the ITTF's recovery of costs shall not be considered a basis for reducing the *Ineligibility* or other sanction which would otherwise be applicable under these Anti-Doping Rules.

10.13 Commencement of Ineligibility Period

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

10.13.1 Delays Not Attributable to the Athlete or other Person

Where there have been substantial delays in the hearing process or other aspects of *Doping Control*, and the *Athlete* or other *Person* can establish that such delays are not attributable to the *Athlete* or other *Person*, ITTF or CAS ADD, if applicable, may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.⁵⁷

10.13.2 Credit for Provisional Suspension or Period of Ineligibility Served

10.13.2.1 If a *Provisional Suspension* is respected by the *Athlete* or other *Person*, then the *Athlete* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of

⁵⁵ [Comment to Article 10.10: Nothing in these Anti-Doping Rules precludes clean *Athletes* or other *Persons* who have been damaged by the actions of a *Person* who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such *Person*.]

⁵⁶ [Comment to Article 10.11: This Article is not intended to impose an affirmative duty on ITTF to take any action to collect forfeited prize money. If ITTF elects not to take any action to collect forfeited prize money, it may assign its right to recover such money to the *Athlete(s)* who should have otherwise received the money. "Reasonable measures to allocate and distribute this prize money" could include using collected forfeited prize money as agreed upon by ITTF and its *Athletes*.]

⁵⁷ [Comment to Article 10.13.1: In cases of anti-doping rule violations other than under Article 2.1, the time required for an Anti-Doping Organization to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the *Athlete* or other *Person* has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used.]

PROPOSITION 17 (CONTINUED)

Ineligibility which may ultimately be imposed. If the *Athlete* or other *Person* does not respect a *Provisional Suspension*, then the *Athlete* or other *Person* shall receive no credit for any period of *Provisional Suspension* served. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Athlete* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.

10.13.2.2 If an *Athlete* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from ITTF and thereafter respects the *Provisional Suspension*, the *Athlete* or other *Person* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete* or other *Person*'s voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.⁵⁸

10.13.2.3 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension* regardless of whether the *Athlete* elected not to compete or was suspended by a team.

10.14 Status During *Ineligibility* or *Provisional Suspension*

10.14.1 Prohibition Against Participation During *Ineligibility* or *Provisional Suspension*

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

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

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing* and any requirement by ITTF to provide whereabouts information.⁵⁹

⁵⁸ [Comment to Article 10.13.2.2: An *Athlete's* voluntary acceptance of a *Provisional Suspension* is not an admission by the *Athlete* and shall not be used in any way to draw an adverse inference against the *Athlete*.]

⁵⁹ [Comment to Article 10.14.1: For example, subject to Article 10.14.2 below, *Ineligible Athletes* cannot participate in a training camp, exhibition or practice organized by their Member Association or a club which is a member of that Member Association or which is funded by a governmental agency. Further, an *Ineligible Athlete* may not compete in a non-*Signatory* professional

PROPOSITION 17 (CONTINUED)

10.14.2 Return to Training

As an exception to Article 10.14.1, an *Athlete* may return to train with a team or to use the facilities of a club or other member organization of ITTF's or other *Signatory's* member organization during the shorter of: (1) the last two months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.⁶⁰

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

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

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

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

10.14.4 Withholding of Financial Support during *Ineligibility*

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

10.15 Automatic Publication of Sanction

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

ARTICLE 11 CONSEQUENCES TO TEAMS

league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory International Event organization or a non-Signatory national-level Event organization without triggering the Consequences set forth in Article 10.14.3. The term "activity" also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organization described in this Article. Ineligibility imposed in one sport shall also be recognized by other sports (see Article 15.1, Automatic Binding Effect of Decisions). An *Athlete* or other *Person* serving a period of *Ineligibility* is prohibited from coaching or serving as an *Athlete Support Person* in any other capacity at any time during the period of *Ineligibility*, and doing so could also result in a violation of Article 2.10 by another *Athlete*. Any performance standard accomplished during a period of *Ineligibility* shall not be recognized by ITTF or its *Member Associations* for any purpose.]

⁶⁰ [Comment to Article 10.14.2: In many Team Sports and some individual sports (e.g., ski jumping and gymnastics), *Athletes* cannot effectively train on their own so as to be ready to compete at the end of the *Athlete's* period of *Ineligibility*. During the training period described in this Article, an *Ineligible Athlete* may not compete or engage in any activity described in Article 10.14.1 other than training.]

PROPOSITION 17 (CONTINUED)

11.1 Testing of Teams

Where one (1) member of a team or *Doubles Pair* (outside of *Team Sports*) has been notified of an anti-doping rule violation under Article 7 in connection with an *Event*, the ruling body for the *Event* shall conduct appropriate *Target Testing* of all members of the team during the *Event Period*.

11.2 Consequences for Teams

11.2.1 An anti-doping rule violation committed by a member of a team or *Doubles Pair* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained by the team in that *Competition*, with all resulting *Consequences* for the team or *Doubles Pair* and its members, including forfeiture of any medals, points and prizes.

11.2.2 An anti-doping rule violation committed by a member of a team or *Doubles Pair* occurring during or in connection with an *Event* may lead to *Disqualification* of all of the results obtained by the team or *Doubles Pair* in that *Event* with all *Consequences* for the team or *Doubles Pair* and its members, including forfeiture of all medals, points and prizes, except as provided in Article 11.2.3.

11.2.3 Where an *Athlete* who is a member of a team or *Doubles Pair* committed an anti-doping rule violation during or in connection with one (1) *Competition* in an *Event*, if the other member(s) of the team or *Doubles Pair* establish(es) that he or she/they bear(s) *No Fault* or *Negligence* for that violation, the results of the team or *Doubles Pair* in any other *Competition(s)* in that *Event* shall not be *Disqualified* unless the results of the team or *Doubles Pair* in the *Competition(s)* 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.

ARTICLE 12 SANCTIONS BY ITTF AGAINST OTHER SPORTING BODIES

When ITTF becomes aware that a *Member Association* or any other sporting body over which it has authority has failed to comply with, implement, uphold, and enforce these Anti-Doping Rules within that organization's or body's area of competence, ITTF has the authority and may take the following additional disciplinary actions:

12.1 Exclude all, or some group of, members of that organization or body from specified future *Events* or all *Events* conducted within a specified period of time.

12.2 Take additional disciplinary actions with respect to that organization's or body's recognition, the eligibility of their members to participate in ITTF's activities, and/or fine that organization or body based on the following:

12.2.1 Four (4) or more violations of these Anti-Doping Rules (other than violations involving Article 2.4) are committed by *Athletes* or other *Persons* affiliated with that organization or body during a twelve (12) month period. In such event: (a) all or some group of members of that organization or body may be banned from participation in any ITTF activities for a period of up to two (2) years and/or (b) that organization or body may be fined in an amount up to fifty thousand (50,000.00) U.S. Dollars.

12.2.2 Four (4) or more violations of these Anti-Doping Rules (other than violations involving Article 2.4) are committed in addition to the violations described in Article 12.2.1 by *Athletes* or other *Persons* affiliated with that organization or

PROPOSITION 17 (CONTINUED)

body during a twelve (12) month period. In such event, that organization or body may be suspended for a period of up to four (4) years.

12.2.3 More than one *Athlete* or other *Person* affiliated with that organization or body commits an anti-doping rule violation during an *International Event*. In such event, that organization or body may be fined in an amount up to twenty thousand (20,000.00) U.S. Dollars.

12.2.4 That organization or body has failed to make diligent efforts to keep ITTF informed about an *Athlete's* whereabouts after receiving a request for that information from ITTF. In such event, that organization or body may be fined in an amount up to five thousand (5,000.00) U.S. Dollars per *Athlete*, in addition to reimbursement of all of the ITTF costs incurred in *Testing* that organization's or body's *Athletes*.

12.3 Withhold some or all funding or other financial and non-financial support to that organization or body.

12.4 Oblige that organization or body to reimburse ITTF for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that organization or body.

ARTICLE 13 RESULTS MANAGEMENT: APPEALS ⁶¹

13.1 Decisions Subject to Appeal

Decisions made under the *Code* or these Anti-Doping Rules may be appealed as set forth below in Articles 13.2 through 13.7 or as otherwise provided in these Anti-Doping Rules, the *Code* or the *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

13.1.1 Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.⁶²

13.1.2 CAS Shall Not Defer to the Findings Being Appealed

In making its decision, CAS shall not give deference to the discretion exercised by the body whose decision is being appealed.⁶³

⁶¹ [Comment to Article 13: The object of the *Code* is to have anti-doping matters resolved through fair and transparent internal processes with a final appeal. Anti-doping decisions by Anti-Doping Organizations are made transparent in Article 14. Specified Persons and organizations, including WADA, are then given the opportunity to appeal those decisions. Note that the definition of interested Persons and organizations with a right to appeal under Article 13 does not include Athletes, or their federations, who might benefit from having another competitor Disqualified.]

⁶² [Comment to Article 13.1.1: The revised language is not intended to make a substantive change to the 2015 *Code*, but rather for clarification. For example, where an *Athlete* was charged in the first instance hearing only with Tampering but the same conduct could also constitute Complicity, an appealing party could pursue both Tampering and Complicity charges against the *Athlete* in the appeal.]

⁶³ [Comment to Article 13.1.2: CAS proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.]

PROPOSITION 17 (CONTINUED)

13.1.3 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 ITTF's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in ITTF's process.⁶⁴

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

A decision that an anti-doping rule violation was committed; a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation; or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six (6) months' notice requirement for a retired *Athlete* to return to competition under Article 5.6.1; a decision by WADA assigning *Results Management* under Article 7.1 of the *Code*; a decision by ITTF not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation; or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the *International Standard for Results Management*; a decision to impose, or lift, a *Provisional Suspension* as a result of a *Provisional Hearing*; ITTF's failure to comply with Article 7.4; a decision that ITTF lacks authority to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, *Consequences* or to reinstate, or not reinstate, *Consequences* under Article 10.7.1; failure to comply with Articles 7.1.4 and 7.1.5 of the *Code*; failure to comply with Article 10.8.1; a decision under Article 10.14.3; a decision by ITTF not to implement another *Anti-Doping Organization's* decision under Article 15; and a decision under Article 27.3 of the *Code* may be appealed exclusively as provided in this Article 13.2.

13.2.1 Appeals Involving *International-Level Athletes* or *International Events*

In cases arising from participation in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to CAS.⁶⁵

13.2.2 Appeals Involving Other *Athletes* or Other *Persons*

In cases where Article 13.2.1 is not applicable, the decision may be appealed to an appellate body, in accordance with rules adopted by the *National Anti-Doping Organization* having authority over the *Athlete* or other *Person*.

The rules for such appeal shall respect the following principles: a timely hearing; a fair, impartial, *Operationally Independent* and *Institutionally Independent* hearing panel; the right to be represented by counsel at the *Person's* own expense; and a timely, written, reasoned decision.

If no such body as described above is in place and available at the time of the appeal, the decision may be appealed to CAS in accordance with the applicable procedural rules.

13.2.3 *Persons* Entitled to Appeal

⁶⁴ [Comment to Article 13.1.3: Where a decision has been rendered before the final stage of ITTF's process (for example, a first hearing) and no party elects to appeal that decision to the next level of ITTF's process (e.g., the Managing Board), then WADA may bypass the remaining steps in ITTF's internal process and appeal directly to CAS.]

⁶⁵ [Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

PROPOSITION 17 (CONTINUED)**13.2.3.1 Appeals Involving *International-Level Athletes* or *International Events***

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) ITTF; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

13.2.3.2 Appeals Involving Other *Athletes* or Other *Persons*

In cases under Article 13.2.2, the parties having the right to appeal to the national-level appeal body shall be as provided in the *National Anti-Doping Organization's* rules but, at a minimum, shall include the following parties: (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) ITTF; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and ITTF shall also have the right to appeal to CAS with respect to the decision of the national-level appeal body.

Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the *Anti-Doping Organization* whose decision is being appealed and the information shall be provided if CAS so directs.

13.2.3.3 Duty to Notify

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

13.2.3.4 Appeal from Imposition of *Provisional Suspension*

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

13.2.3.5 Appeal from Decisions under Article 12

Decisions by ITTF pursuant to Article 12 may be appealed exclusively to CAS by the *Member Association* or other body.

13.2.4 Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the *Code* are specifically permitted. Any party with a right to appeal under

PROPOSITION 17 (CONTINUED)

this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.⁶⁶

13.3 Failure to Render a Timely Decision by ITTF

Where, in a particular case, ITTF fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if ITTF had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by ITTF.⁶⁷

13.4 Appeals Relating to TUEs

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

13.5 Notification of Appeal Decisions

ITTF shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.2.

13.6 Time for Filing Appeals⁶⁸

13.6.1 Appeals to CAS

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 that led to the decision being appealed:

- (a) Within fifteen (15) days from the notice of the decision, such party/ies shall have the right to request a copy of the full case file pertaining to the decision from the *Anti-Doping Organization* that had *Results Management* authority;
- (b) If such a request is made within the fifteen (15) 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 filed by WADA shall be the later of:

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

⁶⁶ [Comment to Article 13.2.4: This provision is necessary because since 2011, CAS rules no longer permit an *Athlete* the right to cross appeal when an *Anti-Doping Organization* appeals a decision after the *Athlete's* time for appeal has expired. This provision permits a full hearing for all parties.]

⁶⁷ [Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and *Results Management* process, it is not feasible to establish a fixed time period for ITTF to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with ITTF and give ITTF an opportunity to explain why it has not yet rendered a decision.]

⁶⁸ [Comment to Article 13.6: Whether governed by CAS rules or these *Anti-Doping Rules*, a party's deadline to appeal does not begin running until receipt of the decision. For that reason, there can be no expiration of a party's right to appeal if the party has not received the decision.]

PROPOSITION 17 (CONTINUED)

13.6.2 Appeals Under Article 13.2.2

The time to file an appeal to an independent and impartial body in accordance with rules established by the *National Anti-Doping Organization* shall be indicated by the same rules of the *National Anti-Doping Organization*.

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

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

ARTICLE 14 CONFIDENTIALITY AND REPORTING

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

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

Notice to *Athletes* or other *Persons* of anti-doping rule violations asserted against them shall occur as provided under Articles 7 and 14.

If at any point during *Results Management* up until the anti-doping rule violation charge, ITTF decides not to move forward with a matter, it must notify the *Athlete* or other *Person*, (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*).

Notice shall be delivered or emailed to *Athletes* or other *Persons*. *Athletes* and other *Persons* shall be deemed to be validly notified if any notifications or notices under these Anti-Doping Rules are delivered to their *Member Association*. It shall be the responsibility of the *Member Association* to notify the *Athlete* or other *Person*. If the notification takes place via a *Member Association*, the *Member Association* shall confirm to the ITTF that they have delivered the notification to the *Athlete* or other *Person*.

14.1.2 Notice of Anti-Doping Rule Violations to *National Anti-Doping Organizations* and *WADA*

Notice of the assertion of an anti-doping rule violation to the *Athlete's* or other *Person's National Anti-Doping Organization* and *WADA* shall occur as provided under Articles 7 and 14, simultaneously with the notice to the *Athlete* or other *Person*.

If at any point during *Results Management* up until the anti-doping rule violation charge, ITTF decides not to move forward with a matter, it must give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under Article 13.2.3.

Notice shall be delivered or emailed.

14.1.3 Content of an Anti-Doping Rule Violation Notice

Notification of an anti-doping rule violation shall include: the *Athlete's* or other *Person's* name, country, sport and discipline within the sport, the *Athlete's* competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory, and other information as

PROPOSITION 17 (CONTINUED)

required by the *International Standard for Testing and Investigations* and *International Standard for Results Management*.

Notification of anti-doping rule violations other than under Article 2.1 shall also include the rule violated and the basis of the asserted violation.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 14.1.1, the *Athlete's* or other *Person's National Anti-Doping Organization* and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee, Member Association*, until ITTF has made *Public Disclosure* as permitted by Article 14.3.

14.1.6 Protection of Confidential Information by an Employee or Agent of the ITTF

ITTF shall ensure that information concerning *Adverse Analytical Findings, Atypical Findings*, and other asserted anti-doping rule violations remains confidential until such information is *Publicly Disclosed* in accordance with Article 14.3. ITTF shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and *Delegated Third Parties* are subject to fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information.

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

14.2.1 Anti-doping rule violation decisions or decisions related to violations of *Ineligibility* or *Provisional Suspension* rendered pursuant to Article 7.6, 8.2, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, ITTF shall provide an English or French summary of the decision and the supporting reasons.

14.2.2 An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

14.3 Public Disclosure

14.3.1 After notice has been provided to the *Athlete* or other *Person* in accordance with the *International Standard for Results Management*, and to the applicable *Anti-Doping Organizations* in accordance with Article 14.1.2, the identity of any *Athlete* or other *Person* who is notified of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and the nature of the violation involved, and whether the *Athlete* or other *Person* is subject to a *Provisional Suspension* may be *Publicly Disclosed* by ITTF.

14.3.2 No later than twenty (20) days after it has been determined in an appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or

PROPOSITION 17 (CONTINUED)

a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, or a new period of *Ineligibility*, or reprimand, has been imposed under Article 10.14.3, ITTF must *Publicly Disclose* the disposition of the anti-doping matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any) and the *Consequences* imposed. ITTF must also *Publicly Disclose* within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.⁶⁹

14.3.3 After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 13.2.1 or 13.2.2 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, ITTF may make public such determination or decision and may comment publicly on the matter.

14.3.4 In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the fact that the decision has been appealed may be *Publicly Disclosed*. However, the decision itself and the underlying facts may not be *Publicly Disclosed* except with the consent of the *Athlete* or other *Person* who is the subject of the decision. ITTF shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.

14.3.5 Publication shall be accomplished at a minimum by placing the required information on the ITTF's website and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*.

14.3.6 Except as provided in Articles 14.3.1 and 14.3.3, no *Anti-Doping Organization*, *Member Association*, or WADA-accredited laboratory, or any official of any such body, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by, the *Athlete*, other *Person* or their entourage or other representatives.

14.3.7 The mandatory *Public Disclosure* required in Article 14.3.2 shall not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*, *Protected Person* or *Recreational Athlete*. Any optional *Public Disclosure* in a case involving a *Minor*, *Protected Person* or *Recreational Athlete* shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting

ITTF shall, at least annually, publish publicly a general statistical report of its *Doping Control* activities, with a copy provided to WADA. ITTF may also publish reports showing the name of each *Athlete* tested and the date of each *Testing*.

14.5 Doping Control Information Database and Monitoring of Compliance

⁶⁹ [Comment to Article 14.3.2: Where *Public Disclosure* as required by Article 14.3.2 would result in a breach of other applicable laws, ITTF's failure to make the *Public Disclosure* will not result in a determination of non-compliance with Code as set forth in Article 4.1 of the International Standard for the Protection of Privacy and Personal Information.]

PROPOSITION 17 (CONTINUED)

To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable *Doping Control* information among *Anti-Doping Organizations*, ITTF shall report to WADA through ADAMS *Doping Control*-related information, including, in particular:

- (a) *Athlete Biological Passport* data for *International-Level Athletes* and *National-Level Athletes*;
- (b) Whereabouts information for *Athletes* including those in *Registered Testing Pools*;
- (c) *TUE* decisions, and
- (d) *Results Management* decisions,

as required under the applicable *International Standard(s)*.

14.5.1 To facilitate coordinated test distribution planning, avoid unnecessary duplication in *Testing* by various *Anti-Doping Organizations*, and to ensure that *Athlete Biological Passport* profiles are updated, ITTF shall report all *In-Competition* and *Out-of-Competition* tests to WADA by entering the *Doping Control* forms into ADAMS in accordance with the requirements and timelines contained in the *International Standard for Testing and Investigations*.

14.5.2 To facilitate WADA's oversight and appeal rights for *TUEs*, ITTF shall report all *TUE* applications, decisions and supporting documentation using ADAMS in accordance with the requirements and timelines contained in the *International Standard for Therapeutic Use Exemptions*.

14.5.3 To facilitate WADA's oversight and appeal rights for *Results Management*, ITTF shall report the following information into ADAMS in accordance with the requirements and timelines outlined in the *International Standard for Results Management*: (a) notifications of anti-doping rule violations and related decisions for *Adverse Analytical Findings*; (b) notifications and related decisions for other anti-doping rule violations that are not *Adverse Analytical Findings*; (c) whereabouts failures; and (d) any decision imposing, lifting or reinstating a *Provisional Suspension*.

14.5.4 The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the *Athlete*, the *Athlete's National Anti-Doping Organization*, and any other *Anti-Doping Organizations* with *Testing* authority over the *Athlete*.

14.6 Data Privacy

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

14.6.2 Without limiting the foregoing, ITTF shall:

- (a) Only process personal information in accordance with a valid legal ground;
- (b) Notify any *Participant* or *Person* subject to these *Anti-Doping Rules*, in a manner and form that complies with applicable laws and the *International Standard for the Protection of Privacy and Personal Information*, that their personal information may be processed by ITTF

PROPOSITION 17 (CONTINUED)

and other *Persons* for the purpose of the implementation of these Anti-Doping Rules;

- (c) Ensure that any third-party agents (including any *Delegated Third Party*) with whom ITTF shares the personal information of any *Participant* or *Person* is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

14.7 Means of Notice

14.7.1 Any notice given under these Anti-Doping Rules shall be deemed to have been duly given as follows:

- (a) if delivered personally by hand against receipt, on the date of delivery;
- (b) if sent by registered post with acknowledgment of receipt or equivalent, on the date mentioned on the receipt (in accordance with local law);
- (c) if sent by email, on the day after the email is sent, provided that ITTF must first ensure that the email address known for the recipient (*Athlete* or other *Person*) is valid and current, such as by verifying that it is the email address directly provided by the *Athlete* or other *Person* (e.g. through the DCF related to the Sample that is the subject of the notification or any other recent correspondence), or via the *Athlete* or other *Person's* member federation. ITTF shall also request a delivery receipt when sending the email and, if possible, and depending on the recipient email, a "read receipt".

ARTICLE 15 IMPLEMENTATION OF DECISIONS

15.1 Automatic Binding Effect of Decisions by *Signatory Anti-Doping Organizations*

15.1.1 A decision of an anti-doping rule violation made by a *Signatory Anti-Doping Organization*, an appellate body (Article 13.2.2 of the *Code*) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon ITTF and its *Member Associations*, as well as every *Signatory* in every sport with the effects described below:

15.1.1.1 A decision by any of the above-described bodies imposing a *Provisional Suspension* (after a *Provisional Hearing* has occurred or the *Athlete* or other *Person* has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1) in all sports within the authority of any *Signatory* during the *Provisional Suspension*.

15.1.1.2 A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1) in all sports within the authority of any *Signatory* for the period of *Ineligibility*.

15.1.1.3 A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all *Signatories*.

PROPOSITION 17 (CONTINUED)

15.1.1.4 A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 for a specified period automatically *Disqualifies* all results obtained within the authority of any *Signatory* during the specified period.

15.1.2 ITTF and its *Member Associations* shall recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date ITTF receives actual notice of the decision or the date the decision is placed into ADAMS.

15.1.3 A decision by an *Anti-Doping Organization*, a national appellate body or CAS to suspend, or lift, *Consequences* shall be binding upon ITTF and its *Member Associations* without any further action required, on the earlier of the date ITTF receives actual notice of the decision or the date the decision is placed into ADAMS.

15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a *Major Event Organization* made in an expedited process during an *Event* shall not be binding on ITTF or its *Member Associations* unless the rules of the *Major Event Organization* provide the *Athlete* or other *Person* with an opportunity to an appeal under non-expedited procedures.⁷⁰

15.2 Implementation of Other Decisions by Anti-Doping Organizations

ITTF and its *Member Associations* may decide to implement other anti-doping decisions rendered by *Anti-Doping Organizations* not described in Article 15.1.1 above, such as a *Provisional Suspension* prior to a *Provisional Hearing* or acceptance by the *Athlete* or other *Person*.⁷¹

15.3 Implementation of Decisions by Body that is not a Signatory

An anti-doping decision by a body that is not a *Signatory* to the *Code* shall be implemented by ITTF and its *Member Associations*, if ITTF finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the *Code*.⁷²

⁷⁰ [Comment to Article 15.1.4: By way of example, where the rules of the *Major Event Organization* give the *Athlete* or other *Person* the option of choosing an expedited CAS appeal or a CAS appeal under normal CAS procedure, the final decision or adjudication by the *Major Event Organization* is binding on other *Signatories* regardless of whether the *Athlete* or other *Person* chooses the expedited appeal option.]

⁷¹ [Comment to Articles 15.1 and 15.2: *Anti-Doping Organization* decisions under Article 15.1 are implemented automatically by other *Signatories* without the requirement of any decision or further action on the *Signatories'* part. For example, when a *National Anti-Doping Organization* decides to Provisionally Suspend an *Athlete*, that decision is given automatic effect at the *International Federation* level. To be clear, the "decision" is the one made by the *National Anti-Doping Organization*, there is not a separate decision to be made by the *International Federation*. Thus, any claim by the *Athlete* that the *Provisional Suspension* was improperly imposed can only be asserted against the *National Anti-Doping Organization*. Implementation of *Anti-Doping Organizations'* decisions under Article 15.2 is subject to each *Signatory's* discretion. A *Signatory's* implementation of a decision under Article 15.1 or Article 15.2 is not appealable separately from any appeal of the underlying decision. The extent of recognition of TUE decisions of other *Anti-Doping Organizations* shall be determined by Article 4.4 and the *International Standard for Therapeutic Use Exemptions*.]

⁷² [Comment to Article 15.3: Where the decision of a body that has not accepted the *Code* is in some respects *Code* compliant and in other respects not *Code* compliant, ITTF, other *Signatories* and *Member Associations* should attempt to apply the decision in harmony with the principles of the *Code*. For example, if in a process consistent with the *Code* a non-*Signatory* has found an *Athlete* to have committed an anti-doping rule violation on account of the presence of a *Prohibited Substance* in the *Athlete's* body but the period of *Ineligibility* applied is shorter than the period provided for in the *Code*, then ITTF and all other *Signatories* should recognize the finding of an anti-doping rule violation and the *Athlete's* *National Anti-Doping Organization* should conduct a hearing consistent with Article 8 to determine whether the longer period of *Ineligibility* provided in the *Code* should be imposed. ITTF or other *Signatory's* implementation of a decision, or their decision not to implement a decision under Article 15.3, is appealable under Article 13.]

PROPOSITION 17 (CONTINUED)

ARTICLE 16 STATUTE OF LIMITATIONS

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

ARTICLE 17 EDUCATION

ITTF shall plan, implement, evaluate and promote *Education* in line with the requirements of Article 18.2 of the *Code* and the *International Standard for Education*.

ITTF may decide to request that *Athletes* to complete *Educational* activities before and/or during their participation in select *Event* (e.g.: World Youth Championships) as a condition of such participation. The list of *Events* for which *Athletes* will be required to complete *Educational* activities as a condition of participation will be published on ITTF's website.

Failure by the *Athlete* to complete *Educational* activities as requested by ITTF may result in the imposition of sanction under ITTF's disciplinary rules, unless the *Athlete* provides to ITTF a justification for such failure, which shall be assessed by ITTF on a case by case basis.

ARTICLE 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF MEMBER ASSOCIATIONS

- 18.1 All *Member Associations* and their members shall comply with the *Code*, *International Standards*, and these Anti-Doping Rules. All *Member Associations* and other members shall include in their policies, rules and programs the provisions necessary to ensure that ITTF may enforce these Anti-Doping Rules (including carrying out *Testing*) directly in respect of *Athletes* (including *National-Level Athletes*) and other *Persons* under their anti-doping authority as specified in the Introduction to these Anti-Doping Rules (Section "Scope of these Anti-Doping Rules").
- 18.2 Each *Member Association* shall incorporate these Anti-Doping Rules either directly or by reference into its governing documents, constitution and/or rules as part of the rules of sport that bind their members so that the *Member Association* may enforce them itself directly in respect of *Athletes* (including *National-Level Athletes*) and other *Persons* under its anti-doping authority.
- 18.3 By adopting these Anti-Doping Rules and incorporating them into their governing documents and rules of sport, *Member Associations* shall cooperate with and support ITTF in that function. They shall also recognize, abide by and implement the decisions made pursuant to these Anti-Doping Rules, including the decisions imposing sanctions on *Persons* under their authority.
- 18.4 All *Member Associations* shall take appropriate action to enforce compliance with the *Code*, *International Standards*, and these Anti-Doping Rules by *inter alia*:
 - (i) conducting *Testing* only under the documented authority of ITTF and using their *National Anti-Doping Organization* or other *Sample* collection authority to collect *Samples* in compliance with the *International Standard for Testing and Investigations*;
 - (ii) recognizing the authority of the *National Anti-Doping Organization* in their country in accordance with Article 5.2.1 of the *Code* and assisting as appropriate with the *National Anti-Doping Organization's* implementation of the national *Testing* program for their sport;

PROPOSITION 17 (CONTINUED)

(iii) analyzing all *Samples* collected using a WADA-accredited or WADA-approved laboratory in accordance with Article 6.1; and

(iv) ensuring that any national level anti-doping rule violation cases discovered by *Member Associations* are adjudicated by an *Operationally Independent* hearing panel in accordance with Article 8.1 and the *International Standard for Results Management*.

18.5 All *Member Associations* shall establish rules requiring all *Athletes* preparing for or participating in a *Competition* or activity authorized or organized by a *Member Association* or one of its member organizations, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to be bound by these Anti-Doping Rules and to submit to the *Results Management* authority of the *Anti-Doping Organization* in conformity with the *Code* as a condition of such participation.

18.6 All *Member Associations* shall report any information suggesting or relating to an anti-doping rule violation to ITTF and to their *National Anti-Doping Organizations* and shall cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.

18.7 All *Member Associations* shall have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* under the authority of ITTF or the *Member Association*.

18.8 All *Member Associations* shall conduct anti-doping *Education* in coordination with their *National Anti-Doping Organizations*.

ARTICLE 19 ADDITIONAL ROLES AND RESPONSIBILITIES OF ITTF

19.1 In addition to the roles and responsibilities described in Article 20.3 of the *Code* for International Federations, ITTF shall report to WADA on ITTF's compliance with the *Code* and the *International Standards* in accordance with Article 24.1.2 of the *Code*.

19.2 Subject to applicable law, and in accordance with Article 20.3.4 of the *Code*, all ITTF board members, directors, officers, employees and those of appointed *Delegated Third Parties* who are involved in any aspect of *Doping Control*, must sign a form provided by ITTF, agreeing to be bound by these Anti-Doping Rules as *Persons* in conformity with the *Code* for direct and intentional misconduct.

19.3 Subject to applicable law, and in accordance with Article 20.3.5 of the *Code*, any ITTF employee who is involved in *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) must sign a statement provided by ITTF confirming that they are not *Provisionally Suspended* or serving a period of *Ineligibility* and have not been directly or intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to them.

ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES

20.1 To be knowledgeable of and comply with these Anti-Doping Rules.

20.2 To be available for *Sample* collection at all times.⁷³

20.3 To take responsibility, in the context of anti-doping, for what they ingest and *Use*.

⁷³ [Comment to Article 20.2: With due regard to an *Athlete's* human rights and privacy, legitimate anti-doping considerations sometimes require *Sample* collection late at night or early in the morning. For example, it is known that some *Athletes* Use low doses of EPO during these hours so that it will be undetectable in the morning.]

PROPOSITION 17 (CONTINUED)

- 20.4** 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 these Anti-Doping Rules.
- 20.5** To disclose to ITTF and their *National Anti-Doping Organization* any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten (10) years.
- 20.6** To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
Failure by any *Athlete* to cooperate in full with *Anti-Doping Organizations* investigating anti-doping rule violations may result in a charge of misconduct under ITTF's disciplinary rules.
- 20.7** To disclose the identity of their *Athlete Support Personnel* upon request by ITTF or a *Member Association*, or any other *Anti-Doping Organization* with authority over the *Athlete*.
- 20.8** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by an *Athlete*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under ITTF's disciplinary rules.

ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETE SUPPORT PERSONNEL

- 21.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 21.2** To cooperate with the *Athlete Testing* program.
- 21.3** To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.
- 21.4** To disclose to ITTF and their *National Anti-Doping Organization* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 21.5** To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
Failure by any *Athlete Support Personnel* to cooperate in full with *Anti-Doping Organizations* investigating anti-doping rule violations may result in a charge of misconduct under ITTF's disciplinary rules.
- 21.6** *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.
Any such *Use* or *Possession* may result in a charge of misconduct under ITTF's disciplinary rules.
- 21.7** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by *Athlete Support Personnel*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under ITTF's disciplinary rules.

ARTICLE 22 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ANTI-DOPING RULES

- 22.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 22.2** To disclose to ITTF and their *National Anti-Doping Organization* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.

PROPOSITION 17 (CONTINUED)

22.3 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.

Failure by any other *Person* subject to these Anti-Doping Rules to cooperate in full with *Anti-Doping Organizations* investigating anti-doping rule violations may result in a charge of misconduct under ITTF's disciplinary rules.

22.4 Not to *Use or Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

22.5 Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a *Person*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under ITTF's disciplinary rules.

ARTICLE 23 INTERPRETATION OF THE CODE

23.1 The official text of the *Code* 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.

23.2 The comments annotating various provisions of the *Code* shall be used to interpret the *Code*.

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

23.4 The headings used for the various Parts and Articles of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.

23.5 Where the term "days" is used in the *Code* or an *International Standard*, it shall mean calendar days unless otherwise specified.

23.6 The *Code* shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as "First violations" or "Second violations" for purposes of determining sanctions under Article 10 for subsequent post-*Code* violations.

23.7 The Purpose, Scope and Organization of the World Anti-Doping Program and the *Code* and Appendix 1, Definitions, and Appendix 2, Examples of the Application of Article 10, shall be considered integral parts of the *Code*.

ARTICLE 24 FINAL PROVISIONS

24.1 Where the term "days" is used in these Anti-Doping Rules, it shall mean calendar days unless otherwise specified.

24.2 These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

24.3 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and the *International Standards* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code* and the *International Standards*. The *Code* and the *International Standards* shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.

PROPOSITION 17 (CONTINUED)

- 24.4** The Introduction and Appendix 1 shall be considered integral parts of these Anti-Doping Rules.
- 24.5** The comments annotating various provisions of these Anti-Doping Rules shall be used to interpret these Anti-Doping Rules.
- 24.6** These Anti-Doping Rules shall enter into force on 1 January 2021 (the "Effective Date"). They repeal previous versions of ITTF's Anti-Doping Rules.
- 24.7** These Anti-Doping Rules shall not apply retroactively to matters pending before the Effective Date. However:
- 24.7.1** Anti-doping rule violations taking place prior to the Effective Date count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 for violations taking place after the Effective Date.
- 24.7.2** Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in these Anti-Doping Rules, unless the panel hearing the case determines the principle of "lex mitior" appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.4 and the statute of limitations set forth in Article 16 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these Anti-Doping Rules (provided, however, that Article 16 shall only be applied retroactively if the statute of limitation period has not already expired by the Effective Date).
- 24.7.3** Any Article 2.4 whereabouts failure (whether a filing failure or a missed test, as those terms are defined in the *International Standard for Results Management*) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the *International Standard for Results Management*, but it shall be deemed to have expired twelve (12) months after it occurred.
- 24.7.4** With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to ITTF or other *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these Anti-Doping Rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 13.2. These Anti-Doping Rules shall have no application to any case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.
- 24.7.5** For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.9.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of *Ineligibility*

PROPOSITION 17 (CONTINUED)

which would have been assessed for that first violation had these Anti-Doping Rules been applicable, shall be applied.⁷⁴

- 24.7.6** Changes to the *Prohibited List* and *Technical Documents* relating to substances or methods on the *Prohibited List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* or a *Prohibited Method* has been removed from the *Prohibited List*, an *Athlete* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* or *Prohibited Method* may apply to ITTF or other *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of the removal of the substance or method from the *Prohibited List*.

⁷⁴ [Comment to Article 24.7.5: Other than the situation described in Article 24.7.5, where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date and the period of Ineligibility imposed has been completely served, these Anti-Doping Rules may not be used to re-characterize the prior violation.]

PROPOSITION 17 (CONTINUED)

APPENDIX 1 DEFINITIONS⁷⁵

ADAMS: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method* used for genuine and legal therapeutic purposes 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 that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the *International Standard for Laboratories*, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Aggravating Circumstances: Circumstances involving, or actions by, an *Athlete* or other *Person* which may justify the imposition of a period of *Ineligibility* greater than the standard sanction. Such circumstances and actions shall include, but are not limited to: the *Athlete* or other *Person Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods*, *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of *Ineligibility*; the *Athlete* or *Person* engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the *Athlete* or other *Person* engaged in *Tampering* during *Results Management*. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of *Ineligibility*.

Anti-Doping Activities: Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *TUE* applications, *Results Management*, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or on behalf of an *Anti-Doping Organization*, as set out in the *Code* and/or the *International Standards*.

Anti-Doping Organization: WADA or 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*, International Federations, and *National Anti-Doping Organizations*.

Athlete: Any *Person* who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of "Athlete". In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the *Code*

⁷⁵ [Comment to Definitions: Defined terms shall include their plural and possessive forms, as well as those terms used as other parts of speech.]

PROPOSITION 17 (CONTINUED)

must be applied. For purposes of Article 2.8 and Article 2.9 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 organization accepting the Code is an *Athlete*.⁷⁶

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard for Testing and Investigations* and *International Standard for Laboratories*.

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* 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*.

Atypical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory 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*.

Atypical Passport Finding: A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport 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 ITTF. A *Competition* is an event for Singles, *Doubles Pairs* or Teams.

Continental and Regional Federations: Groups of ITTF Member Associations recognized by the ITTF to which the ITTF can delegate the organization of certain Continental or Regional events.

Consequences of Anti-Doping Rule Violations ("Consequences"): 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 on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Decision Limit: The value of the result for a threshold substance in a *Sample*, above which an *Adverse Analytical Finding* shall be reported, as defined in the *International Standard for Laboratories*.

⁷⁶ [Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International- or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International- and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.]

PROPOSITION 17 (CONTINUED)

Delegated Third Party: Any Person to which ITTF delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping *Educational* programs for ITTF, or individuals serving as independent contractors who perform *Doping Control* services for ITTF (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include CAS.

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 and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management*, and investigations or proceedings relating to violations of Article 10.14 (*Status During Ineligibility or Provisional Suspension*).

Doubles Pair: Set of two table tennis players associated to compete together according to the table tennis rules for doubles events.

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, World Championships of an International Federation, or Pan American Games).

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*. For ITTF, the *Event Period* is considered the period which starts at 11:59 p.m. of the day before the *Event* and finishes at 11:59 p.m. of the day on which the *Event* ends.

Event Venues: Those venues so designated by the ruling body for the *Event*. For ITTF, it means that part of the event building used for Table Tennis and its related activities (including official training), facilities and public areas.

Fault: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete's* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Protected Person*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.6.1 or 10.6.2.⁷⁷

Financial Consequences: See *Consequences of Anti-Doping Rule Violations* above.

In-Competition: The period commencing at 11:59 p.m. on the day 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*.⁷⁸

Independent Observer Program: A team of observers and/or auditors, under the supervision of WADA, who observe and provide guidance on the *Doping Control* process prior to or during certain *Events* and report on their observations as part of WADA's compliance monitoring program.

⁷⁷ [Comment to *Fault*: The criteria for assessing an *Athlete's* degree of *Fault* is the same under all Articles where *Fault* is to be considered. However, under Article 10.6.2, no reduction of sanction is appropriate unless, when the degree of *Fault* is assessed, the conclusion is that No Significant *Fault* or *Negligence* on the part of the *Athlete* or other *Person* was involved.]

⁷⁸ [Comment to *In-Competition*: Having a universally accepted definition for *In-Competition* provides greater harmonization among *Athletes* across all sports, eliminates or reduces confusion among *Athletes* about the relevant timeframe for *In-Competition Testing*, avoids inadvertent *Adverse Analytical Findings* in between *Competitions* during an *Event* and assists in preventing any potential performance enhancement benefits from substances prohibited *Out-of-Competition* being carried over to the *Competition* period.]

PROPOSITION 17 (CONTINUED)

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

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

Institutional Independence: Hearing panels on appeal shall be fully independent institutionally from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

International Event: An *Event* or *Competition* where the International Olympic Committee, the International Paralympic Committee, an International Federation, 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 who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard* for *Testing* and *Investigations*. For the sport of table tennis, *International-Level Athletes* are defined as set out in the *Scope* section of the Introduction to these Anti-Doping Rules.⁷⁹

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 Organizations: 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 variable(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Metabolite: Any substance produced by a biotransformation process.

Minimum Reporting Level: The estimated concentration of a *Prohibited Substance* or its *Metabolite(s)* or *Marker(s)* in a *Sample* below which WADA-accredited laboratories should not report that *Sample* as an *Adverse Analytical Finding*.

Minor: A natural *Person* who has not reached the age of eighteen (18) years.

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 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* or *Competition* involving *International-* or *National-Level Athletes* that is not an *International Event*.

Member Association: A national or regional entity which is a member of or is recognized by ITTF as the entity governing ITTF's sport in that nation or region.

⁷⁹ [Comment to *International-Level Athlete*: Consistent with the *International Standard* for *Testing* and *Investigations*, ITTF is free to determine the criteria it will use to classify Athletes as *International-Level Athletes*, e.g., by ranking, by participation in particular *International Events*, by type of license, etc. However, it must publish those criteria in clear and concise form, so that Athletes are able to ascertain quickly and easily when they will become classified as *International-Level Athletes*. For example, if the criteria include participation in certain *International Events*, then the *International Federation* must publish a list of those *International Events*.]

PROPOSITION 17 (CONTINUED)

National-Level Athlete: Athletes who compete in sport at the national level, as defined by each *National Anti-Doping Organization*, consistent with the *International Standard for Testing and Investigations*.

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 Fault or Negligence: The *Athlete* or other *Person's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method* or otherwise violated an anti-doping rule. Except in the case of a *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

No Significant Fault or Negligence: The *Athlete* or other *Person's* establishing that any *Fault* or *Negligence*, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping rule violation. Except in the case of a *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

Out-of-Competition: Any period which is not *In-Competition*.

Participant: Any *Athlete* or *Athlete Support Person*.

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 or intends to exercise control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the *Person* knew about the presence of the *Prohibited Substance* or *Prohibited 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* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. 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.⁸⁰

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

⁸⁰ [Comment to Possession: Under this definition, anabolic steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, ITTF must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, ITTF must establish that the Athlete knew the anabolic steroids were in the cabinet and that the Athlete intended to exercise control over them. The act of purchasing a Prohibited Substance alone constitutes Possession, even where, for example, the product does not arrive, is received by someone else, or is sent to a third party address.]

PROPOSITION 17 (CONTINUED)

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

Prohibited Substance: Any substance, or class of substances, so described on the *Prohibited List*.

Protected Person: An *Athlete* or other natural *Person* who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (ii) has not reached the age of eighteen (18) years and is not included in any *Registered Testing Pool* and has never competed in any *International Event* in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national legislation.⁸¹

Provisional Hearing: For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.⁸²

Provisional Suspension: See *Consequences of Anti-Doping Rule Violations* above.

Publicly Disclose: See *Consequences of Anti-Doping Rule Violations* above.

Recreational Athlete: A natural *Person* who is so defined by the relevant *National Anti-Doping Organization*; provided, however, the term shall not include any *Person* who, within the five (5) years prior to committing any anti-doping rule violation, has been an *International-Level Athlete* (as defined by each International Federation consistent with the *International Standard for Testing and Investigations*) or *National-Level Athlete* (as defined by each *National Anti-Doping Organization* consistent with the *International Standard for Testing and Investigations*), has represented any country in an *International Event* in an open category or has been included within any *Registered Testing Pool* or other whereabouts information pool maintained by any International Federation or *National Anti-Doping Organization*.⁸³

Regional Anti-Doping Organization: A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of *Samples*, the management of results, the review of *TUEs*, the conduct of hearings, and the conduct of *Educational* programs at a regional level.

Registered Testing Pool: The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 and the *International Standard for Testing and Investigations*.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, whereabouts failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

⁸¹ [Comment to *Protected Person*: The Code treats *Protected Persons* differently than other *Athletes* or *Persons* in certain circumstances based on the understanding that, below a certain age or intellectual capacity, an *Athlete* or other *Person* may not possess the mental capacity to understand and appreciate the prohibitions against conduct contained in the Code. This would include, for example, a Paralympic *Athlete* with a documented lack of legal capacity due to an intellectual impairment. The term "open category" is meant to exclude competition that is limited to junior or age group categories.]

⁸² [Comment to *Provisional Hearing*: A *Provisional Hearing* is only a preliminary proceeding which may not involve a full review of the facts of the case. Following a *Provisional Hearing*, the *Athlete* remains entitled to a subsequent full hearing on the merits of the case. By contrast, an "expedited hearing", as that term is used in Article 7.4.3, is a full hearing on the merits conducted on an expedited time schedule.]

⁸³ [Comment to *Recreational Athlete*: The term "open category" is meant to exclude competition that is limited to junior or age group categories.]

PROPOSITION 17 (CONTINUED)

Sample or Specimen: Any biological material collected for the purposes of *Doping Control*.⁸⁴

Signatories: Those entities accepting the Code and agreeing to implement the Code, as provided in Article 23 of the Code.

Specified Method: See Article 4.2.2.

Specified Substance: See Article 4.2.2.

Strict Liability: The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, *Fault*, *Negligence*, or knowing *Use* on the *Athlete's* part be demonstrated by the *Anti-Doping Organization* in order to establish an anti-doping rule violation.

Substance of Abuse: See Article 4.2.3.

Substantial Assistance: For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.⁸⁵

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

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

Technical Document: A document adopted and published by WADA from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

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

Testing Pool: The tier below the *Registered Testing Pool* which includes *Athletes* from whom some whereabouts information is required in order to locate and *Test* the *Athlete Out-of-Competition*.

Therapeutic Use Exemption (TUE): A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to *Use* a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard for Therapeutic Use Exemptions* are met.

⁸⁴ [Comment to *Sample or Specimen*: It has sometimes been claimed that the collection of blood *Samples* violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

⁸⁵ [Comment to *Tampering*: For example, this Article would prohibit altering identification numbers on a *Doping Control* form during *Testing*, breaking the B bottle at the time of B *Sample* analysis, altering a *Sample* by the addition of a foreign substance, or intimidating or attempting to intimidate a potential witness or a witness who has provided testimony or information in the *Doping Control* process. *Tampering* includes misconduct which occurs during the *Results Management* process. See Article 10.9.3.3. However, actions taken as part of a *Person's* legitimate defense to an anti-doping rule violation charge shall not be considered *Tampering*. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* which does not otherwise constitute *Tampering* shall be addressed in the disciplinary rules of sport organizations.]

PROPOSITION 17 (CONTINUED)

Trafficking: Selling, giving, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Person* or any other *Person* subject to the authority of an *Anti-Doping Organization* 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 or are intended to enhance sport performance.

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

WADA: The World Anti-Doping Agency.

Without Prejudice Agreement: For purposes of Articles 10.7.1.1 and 10.8.2, a written agreement between an *Anti-Doping Organization* and an *Athlete* or other *Person* that allows the *Athlete* or other *Person* to provide information to the *Anti-Doping Organization* in a defined time-limited setting with the understanding that, if an agreement for *Substantial Assistance* or a case resolution agreement is not finalized, the information provided by the *Athlete* or other *Person* in this particular setting may not be used by the *Anti-Doping Organization* against the *Athlete* or other *Person* in any *Results Management* proceeding under the *Code*, and that the information provided by the *Anti-Doping Organization* in this particular setting may not be used by the *Athlete* or other *Person* against the *Anti-Doping Organization* in any *Results Management* proceeding under the *Code*. Such an agreement shall not preclude the *Anti-Doping Organization*, *Athlete* or other *Person* from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.

RESOLUTION A – PASSED

Resolution A

(Simple majority required)

Proposed by the ITTF Executive Committee.

To confirm the relocation of the ITTF Headquarters from Renens (Chemin de la Roche, 11) to Lausanne (Avenue de Rhodanie 54, Maison du Sport International).

Rationale:

Since July 2018, the ITTF Headquarters are back in Lausanne. However, in order to confirm the change formally at the Chamber of Commerce the approval of the AGM is required.

RESOLUTION B – PASSED

Resolution B

(Simple majority required)

Proposed by the ITTF Executive Committee.

To call for an ITTF Extraordinary General Meeting during the World Table Tennis Championships in Busan in the first part of 2021, with -at least- the following main points in the agenda:

- Governance review. To incorporate a set of electoral rules developed in accordance with the principles of good governance
- To ratify the composition of the Disciplinary Tribunal
- Determine (if possible) the future Home of Table Tennis / ITTF Head Office.

Rationale:

To ensure having enough time for debate and eventual adoption and a proper timing for the important decisions to be taken.

RESOLUTION C – PASSED

Resolution C

(Simple majority required)

Proposed by the ITTF Executive Committee.

To work towards achieving the highest levels of Governance, with the goal to score over 80% on the next ASOIF Governance review.

Rationale:

To ensure the entire ITTF, including its members, adopt Good Governance principles.

RESOLUTION D – PASSED

Resolution D

(Simple majority required)

Proposed by the Brazilian Table Tennis Federation.

To create a control system for international transfers between clubs, to guarantee athletes fair and honest treatment at the time of contract and its termination. Eventually, registering the contracts with the ITTF, which should secure the possibilities for athletes represent their national associations without being punished by their clubs.

Rationale:

Some athletes have already reported cases in which their contracts were terminated without notice or they were banned from participating in official competitions on the ITTF calendar representing their National Association. This harm both national associations and the athletes themselves. The creation of a clearer and more official system can be important for the consolidation of a global system.

RESOLUTION E – WITHDRAWN

Resolution E

(Simple majority required)

Proposed by the German Table Tennis Association

Request the ITTF Executive Committee to include in the agenda of the ITTF AGM to be held on 28 September 2020 the following item:

- WTT Structure & Finances

Rationale:

WTT has been set up following a decision of the ITTF Executive Committee. However, limited information has been shared with the Associations who have an interest of knowing and receiving the details of the WTT financial structure, which includes details of the financial and commercial structure (buy-out), disclosure of the Master Rights Agreement, the reports and presentations prepared by Whithers and Deloitte, disclosure of the report on the integrity and financial due diligence process conducted on the successful company and its representatives, the budget allocated to WTT, the revenue share ITTF-WTT-Associations resulting from the sale of the ITTF commercial rights. It is primordial that information be shared between ITTF and its associations for the sake of transparency and good governance as set out in the Strategic Plan 2018-2024.

RESOLUTION F – WITHDRAWN

Resolution F

(Simple majority required)

Proposed by the Swiss Table Tennis Association

Request the ITTF Executive Committee to include in the agenda of the ITTF AGM to be held on 28 September 2020 the following item:

The WTT Financial and Commercial Structure has to be presented and approved by the AGM effective immediately.

Rationale:

WTT has been set up following a decision of the ITTF Executive Committee. However, limited information has been shared with the Associations who have an interest of knowing and receiving the details of the WTT financial structure, which includes details of the financial and commercial structure (buy-out), disclosure of the Master Rights Agreement, the reports and presentations prepared by Whithers and Deloitte, disclosure of the report on the integrity and financial due diligence process conducted on the successful company and its representatives, the budget allocated to WTT, the revenue share ITTF-WTT-Associations resulting from the sale of the ITTF commercial rights. It is primordial that information be shared between ITTF and its associations for the sake of transparency and good governance as set out in the Strategic Plan 2018-2024.

RESOLUTION G – PASSED

Resolution G

(Simple majority required)

Proposed by the Swiss Table Tennis Association

The ITTF Ethics Commission is made up of truly independent people from outside table tennis, that have ethics and good governance experience in other sports.

Rationale:

ITTF Constitution 1.5.7.4.1 states that "The Ethics Commission shall be composed of at least 3 independent members appointed by the Board plus one ITTF staff (without vote)". There are many scenarios whereby whoever is selected from within table tennis cannot be truly independent. This is particularly the case when a complaint is made against one of the governing bodies, elected officials or staff of ITTF where any table tennis members would feel pressure to judge the complaint negatively.

[2020 ITTF AGM section on ITTF.com](#)



2020 ITTF Annual General Meeting – Working Documents



[Working Documents](#)

[English \(original\) version](#)

[Arabic version](#)

[Working Documents](#)



[Working Documents](#)

[French version](#)

[Spanish version](#)

[Working Documents](#)



[2020 ITTF Annual General Meeting video](#)



[2019 Audited Financial Statements](#)

[2019 Annual Report](#)



[2020 ITTF AGM Draft Minutes](#)

APPENDIX 3: USEFUL LINKS

2020 ITTF AGM Videoconference series

1st September 2020

[ITTF Foundation](#)



[High Performance and Development](#)

4th September 2020

7th September 2020

[Governance \(Prop. & Res. to AGM\)](#)



[Finance Forum](#)

10th September 2020

14th September 2020

[World Table Tennis \(WTT\)](#)



[World Championships 2023 bids](#)

21st September 2020