



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

(In force as from 6 March 2018)

1. INTRODUCTION

- 1.1 On 3 April 2017, the Integrity Unit of the IAAF was established in accordance with the IAAF Constitution and the IAAF Integrity Unit Rules.
- 1.2 The role of the Integrity Unit is to protect the integrity of Athletics (as described in Article 16.2 of the Constitution).
- 1.3 The Integrity Code of Conduct came into effect on 3 April 2017. It applies to various persons and entities (called Applicable Persons) and sets out the Integrity Standards intended to protect the integrity, authenticity and reputation of Athletics.
- 1.4 These Rules set out the procedure for reporting, investigating and prosecuting charges for Non-Doping Violations against Applicable Persons under the Integrity Code of Conduct before the Disciplinary Tribunal.
- 1.5 The process for reporting, investigating and prosecuting charges for Doping Violations under the Integrity Code of Conduct before the Disciplinary Tribunal is set out in the Anti-Doping Rules.

2. COMMENCEMENT AND STATUS

- 2.1 These Rules were approved by Council and came into effect on 6 March 2018.
- 2.2 These Rules were made in accordance with Article 7.11(c) of the Constitution.
- 2.3 These Rules may be amended from time to time by Council.
- 2.4 To the extent of any inconsistency between these Rules and the Constitution, the relevant provision of the Constitution shall apply.
- 2.5 These Rules shall be governed by and interpreted in accordance with the laws of Monaco.

3. DEFINITIONS

- 3.1 The capitalised words and phrases used in these Rules shall have the meanings specified in the Constitution, unless specified otherwise. Other words and phrases shall have the following meaning:

“Anti-Doping Rules” means the IAAF Anti-Doping Rules which came into effect on 6 March 2018.

"Applicable Persons" means the persons defined in Rule 3 of the Integrity Code of Conduct.

“Business Day” means, for the purposes of Rule 10, unless otherwise stated, a business day in the jurisdiction where the recipient of any communication resides or is based.

“Constitution” means the constitution of the IAAF which came into effect on 1 January 2017, known as the 2017 Constitution, (unless stated otherwise) including any amendments to it made from time to time.

“Demand” has the meaning given to it in Rule 7.5.

“Disciplinary Tribunal Website” means the website of the Disciplinary Tribunal.

“Doping Violation” means a violation of Rule 6.3c of the Integrity Code of Conduct including an anti-doping rule violation under the Anti-Doping Rules.

“IAAF Website” means the website of the IAAF (www.iaaf.org or such other website as decided by the IAAF).

“Integrity Code of Conduct” or “Code” means the IAAF Integrity Code of Conduct.

“Integrity Standards” mean the standards described in Rule 6 of the Integrity Code of Conduct.

“Integrity Unit Website” means the website of the Integrity Unit (www.athleticsintegrity.org) which shall be separate from the IAAF Website.

“Non-Doping Violation” means a violation of the Integrity Code of Conduct other than a Doping Violation.

“Notice of Charge” has the meaning given to it in Rule 9.1.

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

“Provisional Suspension” means that the person is suspended temporarily from participating in any competition or activity (or such lesser restriction as may be specified in the Provisional Suspension Order) prior to the final decision at a hearing conducted under the Disciplinary Tribunal Rules.

“Publicly Disclosed” means disclosure of the decision to the public on the Disciplinary Tribunal Website, the IAAF Website and the Integrity Unit Website and such other public notification as decided by the Integrity Unit.

“Report” means a report as described in Rule 4.

3.2 In these Rules all references to the masculine shall include the feminine.

4. REPORTING

4.1 Every Applicable Person has an obligation to report, as soon as practicable, any act, thing or information which they become aware of, which may constitute (on its own or with other information) a violation of the Code, including any approaches or requests to engage in conduct

that may constitute a Non-Doping Violation of the Code by lodging a report with the Integrity Unit (“**Report**”).

- 4.2 All Reports should be made or confirmed in such form as may be decided by the Integrity Unit from time to time. Reports should be signed and dated by the person lodging the Report and should include all available evidence.

5. PRIMA FACIE CASE

- 5.1 The Head of the Integrity Unit shall first assess whether the Report relates to an alleged Non-Doping Violation of the Integrity Code of Conduct.
- 5.2 If, upon review, the Head of the Integrity Unit considers the Report to be frivolous or malicious, he may decide to take no further action. All Reports that are not pursued will be reported to the Integrity Unit Board at its next meeting. If the Head of the Integrity Unit considers it appropriate to do so, he may ask any person filing a Report to provide further information or may make other enquiries before a decision is taken under Rule 5.3 as to whether a Prima Facie case is made out.
- 5.3 If the evidence submitted with, or subsequent to, any Report is considered by the Head of the Integrity Unit to establish a Prima Facie case of a Non-Doping Violation the Head of the Integrity Unit will cause an investigation to be commenced, unless in the view of the Head of the Integrity Unit, in consultation with the Integrity Unit Board, there is a good reason not to cause an investigation to be commenced either immediately or at all.
- 5.4 In addition to information provided in a Report, the Head of the Integrity Unit may consider information that has come to his attention by whatever means to establish whether there is a Prima Facie case of a Non-Doping Violation of the Integrity Code of Conduct, and in such circumstances, he will initiate an investigation for an alleged Non-Doping Violation in accordance with these Rules.
- 5.5 Grounds do not need to be given for the initiation of an investigation for an alleged Non-Doping Violation and the decision may not be contested. The Applicable Person will be notified of the commencement of such an investigation and of the possible violation(s) of the Integrity Code of Conduct to which the investigation relates, and will be afforded the right to make a written submission as part of the investigation.
- 5.6 The Head of the Integrity Unit may write to any Applicable Person against whom a Prima Facie case has been found to exist, to ask whether or not they wish to admit any Non-Doping Violation(s) suggested by the Prima Facie case. If the Applicable Person wishes to admit any Non-Doping Violation(s), the Head of the Integrity Unit will have the power to direct that the matter proceed directly to a decision by the Disciplinary Tribunal on the consequences and sanction.
- 5.7 At any time, whether or not the Head of the Integrity Unit considers there is a Prima Facie case, he may refer any information he receives from a Report or otherwise to the appropriate criminal or other authorities or bodies, if he considers it appropriate to do so or it is required by law.

6. PROVISIONAL SUSPENSION

- 6.1 At any time from the point in time at which a Prima Facie case of a Non-Doping Violation of the Integrity Code of Conduct has been determined to exist pursuant to Rule 5 of these Rules, the Head of the Integrity Unit may make an ex parte application to the chairperson of the Disciplinary Tribunal to impose a Provisional Suspension on the Applicable Person pending the determination of any charge which may follow.
- 6.2 Upon an application made under Rule 6.1, the Chairperson of the Disciplinary Tribunal may impose a Provisional Suspension if he considers that the integrity of the sport could otherwise be seriously undermined. Any Provisional Suspension imposed under Rule 6.1 will take effect from the date specified in the Chairperson's decision. At the same time as such notification, a copy of the decision to impose a Provisional Suspension on the Applicable Person shall be:
- 6.2.1 notified to the Integrity Unit, the Applicable Person's National Federation and Area Association (if applicable); and,
- 6.2.2 Publicly Disclosed, unless the Chairperson of the Disciplinary Tribunal decides for good reason otherwise.
- 6.3 Where a Provisional Suspension is imposed, the Applicable Person will have the right within 7 days of notification of the decision to make an application to contest such Provisional Suspension in a hearing before a Panel of the Disciplinary Tribunal convened to hear his case. This Panel may include the Chairperson of the Disciplinary Tribunal provided that in this situation, the Panel comprises of three (3) members.
- 6.4 At any hearing under Rule 6.3, the Provisional Suspension may only be lifted if the Applicable Person establishes:
- 6.4.1 that the facts do not give rise to a Prima Facie case; or
- 6.4.2 that the charge(s) has/have no reasonable prospect of being upheld, e.g. because of a patent flaw in the case; or
- 6.4.3 some other facts exist that make it clearly unfair, in all of the circumstances, to impose a Provisional Suspension prior to a full hearing on the merits of the charge(s). This ground is to be construed narrowly, and applied only in exceptional circumstances (e.g. the fact that the Provisional Suspension would prevent the person from participating in a particular event will not qualify as exceptional circumstances for these purposes).

7. INVESTIGATING POTENTIAL VIOLATIONS

- 7.1 The Integrity Unit will have the power to conduct investigations where a Prima Facie case of a Non-Doping Violation of the Integrity Code of Conduct has been determined to exist pursuant to Rule 5 of these Rules.
- 7.2 Investigations under these Rules may be undertaken in whole or in part by Integrity Unit Staff or persons acting under delegated authority from the Integrity Unit.

- 7.3 Investigations for Non-Doping Violations by or on behalf of the Integrity Unit may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other relevant authorities or bodies. The Integrity Unit will have discretion, where it deems it appropriate, to stay its own investigation pending the outcome of investigations being conducted by other relevant authorities or bodies. However, the mere existence of another investigation does not entitle the subject of an investigation to seek a stay of the investigation being carried out by the Integrity Unit.
- 7.4 All Applicable Persons must cooperate fully with investigations conducted by the Integrity Unit and a refusal or failure to do so without compelling justification shall constitute a violation of Rule 7.5(a) of the Integrity Code of Conduct.
- 7.5 The Integrity Unit may at any stage after the Head of the Integrity Unit considers there to be a Prima Facie case (including after the Notice of Charge) make a written demand (Demand) to an Applicable Person to provide the Integrity Unit with any information, record, article or thing in his possession or control that the Head of the Integrity Unit reasonably believes may evidence or lead to the discovery of evidence of a Non-Doping Violation.
- 7.6 Without limiting the foregoing, pursuant to Rule 7.5, the Integrity Unit may require an Applicable Person to:
- 7.6.1 attend before the Integrity Unit for an interview, or to answer any question, or to provide a written statement setting out his knowledge of any relevant facts and circumstances;
 - 7.6.2 provide (or procure to the best of his ability the provision by any third party) for inspection, copying and/or downloading any records or files in hardcopy or electronic format, that the Head of the Integrity Unit reasonably believes may contain relevant information (such as itemised telephone bills, bank statements, ledgers, notes, files, correspondence, emails, messages, servers);
 - 7.6.3 provide (or procure to the best of his ability the provision by any third party) for inspection, copying and/or downloading any electronic storage device in which the Head of the Integrity Unit reasonably believes relevant information may be stored (such as cloud based servers, computers, hard drives, tapes, disks, mobile telephones, laptop computers, tablets and other mobile storage devices);
 - 7.6.4 provide full and unlimited access to his premises for the purpose of securing information, records, articles or things the subject of a Demand;
 - 7.6.5 provide passwords, login credentials and other identifying information required to access electronically stored records that are the subject of a Demand.
- 7.7 Subject to Rule 7.8, an Applicable Person must comply with a Demand in such reasonable period of time as determined by the Integrity Unit and set out in the Demand. Each Applicable Person waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold any information, record, article or thing requested in a Demand.
- 7.8 Where a Demand relates to any information, record, article or thing that the Head of the Integrity Unit reasonably believes is capable of being damaged, altered, destroyed or hidden (any electronic storage device, or electronically stored information shall be deemed to meet this criterion), then for the purposes of evidence preservation, the Integrity Unit may require an Applicable Person to comply immediately with the Demand. In such a case:

- 7.8.1 the Applicable Person must immediately comply with the Demand and permit the Integrity Unit to take immediate possession of, copy and/or download the information, record, article or thing. However, the Integrity Unit may take no steps to inspect or use the same other than as provided in Rule 7.8.4 below;
- 7.8.2 a refusal or failure by an Applicable Person to comply immediately with the Demand shall constitute an independent violation of Rule 7.5(a) of the Integrity Code of Conduct and any attempted or actual damage, alteration, destruction or hiding of such information, record, article or thing upon receipt of or after the Demand shall constitute an independent violation of Rule 7.5(b) of the Integrity Code of Conduct;
- 7.8.3 the Applicable Person has 7 days from receipt of the Demand to file an objection to the Demand by requesting a review by the chairperson of the Disciplinary Tribunal or his delegate in accordance with Rule 7.9;
- 7.8.4 if the Applicable Person does not file an objection within 7 days of receipt of the Demand (or files an objection and the chairperson of the Disciplinary Tribunal or his delegate subsequently finds there is a reasonable belief basis to the Demand), or notifies the Integrity Unit that he does not object to the Demand, the Integrity Unit may forthwith inspect the information, record, article or thing and otherwise make use of it in accordance with these Rules.
- 7.9 An Applicable Person may object to a Demand made under Rule 7.5 by filing an application with the chairperson of the Disciplinary Tribunal within 7 days of receipt of the Demand specifying the grounds for such objection. Where such an application is made, subject always to Rule 7.8, the time for complying with a Demand shall be stayed pending the outcome of the objection.
- 7.10 The chairperson of the Disciplinary Tribunal or his delegate (who shall in all cases either be the deputy chairperson or another member of the Disciplinary Tribunal) shall consider the objection to the Demand with as much expediency as the justice of the matter permits and, unless exceptional circumstances apply, such review shall be conducted by way of written evidence and submissions only. In considering the Demand, the chairperson of the Disciplinary Tribunal shall have the discretion but not the obligation to invite submissions from the Integrity Unit and the Applicable Person, as he sees fit.
- 7.11 Where the chairperson of the Disciplinary Tribunal or his delegate determines that there is no reasonable belief basis to the Demand, then the Integrity Unit shall not pursue the Demand with the Applicable Person and the information, record, article or thing and any copy or download of the same shall either be immediately returned to the Applicable Person or destroyed, as the case requires.
- 7.12 Where the chairperson of the Disciplinary Tribunal or his delegate determines that there is a reasonable belief basis to the Demand, then if the Applicable Person fails to produce the information, record, article or thing and any copy or download of the same, then it shall constitute an independent violation of Rule 7.5(a) of the Integrity Code of Conduct.
- 7.13 The ruling of the chairperson of the Disciplinary Tribunal or his delegate as to whether there is a reasonable belief basis to a Demand shall not be subject to appeal.
- 7.14 If a Demand is set aside, it shall not preclude the Integrity Unit from making any other Demand in relation to the same or another investigation.
- 7.15 Any information, record, article or thing provided to the Integrity Unit under this Rule will be kept confidential except when it becomes necessary to disclose such information, record, article or thing to further the investigation of and/or to bring or as part of proceedings relating to a Non-

Doping Violation, or when such information, record, article or thing is reported to administrative, professional or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations, or is otherwise required by law.

- 7.16 If an Applicable Person obstructs or delays an investigation (e.g., by providing false, misleading or incomplete information or documentation and/or by tampering or destroying any documentation or other information that may be relevant to the investigation), this may itself constitute an independent violation of Rule 7.5(b) of the Integrity Code of Conduct.
- 7.17 The Integrity Unit may at any time require a National Federation or Area Association:
- 7.17.1 to assist in an investigation into a potential Non-Doping Violation by one or more persons under its jurisdiction (where appropriate, acting in conjunction with any other relevant national authority or body); and
 - 7.17.2 to provide a written report on such assistance within a reasonable time period as stipulated by the Integrity Unit.
- 7.18 If a National Federation or Area Association refuses or fails to comply with Rule 7.17 without compelling justification or obstructs or delays an investigation (e.g., by providing false, misleading or incomplete information or documentation and/or by tampering or destroying any documentation or other information that may be relevant to the investigation), it shall constitute a serious breach of the Rules which shall be reported to Council or Congress and for which Council or Congress may exercise their respective suspensive and other powers to sanction against the National Federation or Area Association in accordance with Article 15 of the Constitution.
- 7.19 Where during the course of, or pursuant to, any investigation the Integrity Unit identifies any additional Applicable Persons against whom it considers there exists a Prima Facie case of a Non-Doping Violation, the investigation may be expanded to deal with their involvement in the events in question.
- 7.20 Where, as a result of an investigation in relation to a Non-Doping Violation, the Head of the Integrity Unit forms the view that an Applicable Person has a case to answer for commission of a violation of the Integrity Code of Conduct, the Head of the Integrity Unit will refer the matter to the Integrity Review Panel to be dealt with as set out in Rule 8 of these Rules.
- 7.21 Where, as a result of an investigation in relation to a Non-Doping Violation, the Head of the Integrity Unit forms the view that there is not a case to answer, he shall report this decision to the Integrity Unit Board at its next meeting, at which the Integrity Unit Board may request further information on the decision or require the Integrity Review Panel to reconsider its decision.

8. INDEPENDENT REVIEW

- 8.1 Where pursuant to Rule 7 the Head of the Integrity Unit forms the view that an Applicable Person has a case to answer for commission of a Non-Doping Violation of the Integrity Code of Conduct, the Head of the Integrity Unit will refer the matter to the Integrity Review Panel.
- 8.2 In that respect, the Head of the Integrity Unit will:
- 8.2.1 identify three (3) members of the Integrity Review Panel (including its chairperson) to undertake the review;

- 8.2.2 send a complete file of evidence to each of the Panel members selected; and
- 8.2.3 ask the Panel members selected to review the evidence to determine whether or not there is a case to answer.
- 8.3 The Panel may seek further information from the Head of the Integrity Unit prior to giving its determination, including speaking to any person on whose evidence the Integrity Unit intends to rely.
- 8.4 Where the Panel members conclude that there is no case to answer, the Head of the Integrity Unit will notify the Applicable Person concerned and the matter will not proceed any further. The Head of the Integrity Unit will also report this decision to the Integrity Unit Board at its next meeting at which the Integrity Unit Board may, subject to this rule, request further information on the decision or require the Integrity Review Panel to reconsider its decision.
- 8.5 Where the Panel members conclude there is a case to answer, then the Head of the Integrity Unit will send a Notice of Charge in accordance with Rule 9.

9. NOTICE OF CHARGE

- 9.1 When the Integrity Review Panel decides pursuant to Rule 8 that there is a case to answer, the Head of the Integrity Unit will send a written notice (**Notice of Charge**) to the Applicable Person subject to the charge with a copy to their National Federation and Area Association (if applicable).
- 9.2 The Notice of Charge shall set out:
- 9.2.1 the Non-Doping Violation(s) alleged to have been committed (including the specific Rule(s) of the Integrity Code of Conduct alleged to have been infringed), a summary of the facts upon which such allegations are based, and any other relevant information;
- 9.2.2 a summary of the potential consequences and sanctions if it is determined that the alleged Non-Doping Violation(s) have been committed; and
- 9.2.3 the Applicable Person's entitlement to respond to the Notice of Charge in accordance with Rule 9.3.
- 9.3 The Applicable Person may respond to the Notice of Charge in one of the following ways:
- 9.3.1 admit the Non-Doping Violation(s) charged and accept all or any of the potential consequences and sanctions specified in the Notice of Charge;
- 9.3.2 admit the Non-Doping violation(s) charged, but dispute and/or seek to mitigate all or any of the potential consequences and sanctions specified in the Notice of Charge and have the Disciplinary Tribunal determine the consequences and sanctions at a hearing conducted in accordance with this Rule 9.6; or

- 9.3.3 deny the Non-Doping Violation(s) charged, and have the Disciplinary Tribunal determine the charge and (if the charge is upheld) any consequences and sanctions, at a hearing conducted in accordance with Rule 9.6.
- 9.4 If the Applicable Person wishes to exercise their right to a hearing before the Disciplinary Tribunal, they must submit a written request for such a hearing so that it is received by the Integrity Unit as soon as possible, and in any event within ten (10) days of their receipt of the Notice of Charge or such other deadline specified in the Notice of Charge. The request must also state how the Applicable Person responds to the charge and must explain (in summary form) the basis for such response. A copy of the written request for a hearing shall be sent to the chairperson of Disciplinary Tribunal together with a copy of the Notice of Charge.
- 9.5 In the event the Applicable Person does not respond to the Notice of Charge in the manner set out in Rule 9.3 by the specified deadline, the Applicable Person will be deemed to have admitted the violation(s) charged, and the consequences and sanctions specified in the Notice of Charge, provided that the Notice of Charge has been given to the Applicable Person in accordance with Rule 10.
- 9.6 On receipt of a written request for a hearing from an Applicable Person and the corresponding Notice of Charge, the chairperson of the Disciplinary Tribunal (or by agreement with him, the vice chairperson) will appoint a panel of the Disciplinary Tribunal to hear and decide the matter as set out in the Disciplinary Tribunal Rules.
- 9.7 In the Notice of Charge, or at any other time prior to the determination of the charge by the Disciplinary Tribunal, the Integrity Unit may invite the Applicable Person to admit the Non-Doping Violation(s) charged.
- 9.8 In the event that the Integrity Unit withdraws the Notice of Charge, or the Applicable Person admits the Non-Doping Violation(s) charged and accepts the consequences and sanctions specified (or is deemed to have done so in accordance with Rule 9.5), a hearing before the Disciplinary Tribunal will not be required. If this occurs, the Integrity Unit:
- 9.8.1 will promptly issue a decision confirming (as applicable) its withdrawal of the Notice of Charge or the admission of the Non-Doping Violation(s) and the imposition of the specified consequences and sanctions;
- 9.8.2 will Publicly Disclose any decision confirming the admission of the Non-Doping Violation(s) and the imposition of the specified consequences and sanctions in accordance with the Disciplinary Tribunal Rules (but shall not disclose a decision to withdraw a Notice of Charge); and,
- 9.8.3 will send a copy of the decision to the Applicable Person subject to the charge and for any decision confirming the admission of the Non-Doping Violation(s) and the imposition of the specified consequences and sanctions, send a copy of that decision to their relevant National Federation, and Area Association (if applicable).

10. NOTICE

- 10.1 Any notice or other communication required to be given by the Integrity Unit or the Disciplinary Tribunal pursuant to these Rules must be given in writing and must be sent by registered post or transmitted by email. If sent by registered post, the notice or other communication will be deemed to have been given on the Business Day following the day it is sent. If transmitted by email before 5pm (Monaco time) on a Business Day, the notice or other communication will be deemed to have been given on that day. If transmitted by email on a non-Business Day, or at or after 5pm (Monaco time) on a Business Day, the notice or other communication will be deemed to have been given on the next Business Day.
- 10.2 A party's last-known residence, place of business or email will be a valid address for the purpose of any notice or other communication unless notification of a change to such address has been communicated to the Integrity Unit or the Disciplinary Tribunal (as applicable). Notice to a person who is a member of or affiliated to a National Federation may be accomplished by delivery of the notice to the National Federation.
- 10.3 Any period of time specified in these Rules will begin to run on the day following the day when a notice or other communication is given. Non-Business Days occurring during the period are included in calculating the running of that period, save that if the period, so calculated, ends on a Non-Business Day, then it will be deemed to end on the next Business Day.
- 10.4 The Head of the Integrity Unit or the chairperson of the Disciplinary Tribunal, as appropriate, may for good reason extend any period of time specified in these Rules, if necessary with retrospective effect.