

Mechanical Aids Review Panel

1. Status and Role

- 1.1 The World Athletics Mechanical Aids Review Panel (“Panel”) is established by the World Athletics Council and reports to the Council.
- 1.2 The role of the Panel is to consider applications and determine, as referenced under Rule 6.3.4 of the Technical Rules, whether any mechanical aids proposed to be used by an athlete provide him or her with a competitive advantage.

2. Commencement

- 2.1 These Terms of Reference were approved by Council on 25 January 2021 and are effective from that date.

3. Composition

- 3.1 **Panel Membership and Size:** The Panel shall comprise three (3) or more persons chosen by the Chairperson from a pool of suitably qualified and experienced persons.
- 3.2 **Pool Size:** The pool of persons who may sit on a Panel shall be appointed by the President and Chief Executive Officer of World Athletics under delegated authority from the Council.
- 3.3 **Chairperson:** The Chairperson of the Panel shall be appointed by the President and Chief Executive of the World Athletics under delegated authority from the Council.
- 3.4 **Eligibility:** Members of the Panel are World Athletics Officials and must be determined to be Eligible in accordance with the Vetting Rules.

4. Term

- 4.1 The term of office for members of the Panel shall be up to 4 years.
- 4.2 Members of the Panel may be re-appointed for further subsequent and consecutive terms of office without limitation.

5. Resignation, Removal, Vacancies

- 5.1 A Panel Member may resign from the Panel prior to the expiry of their term of office by giving not less than three (3) months’ notice in writing to the President of World Athletics.
- 5.2 A Panel Member shall be removed from the Panel prior to the expiry of his or her term of office upon a determination by the World Athletics Vetting Panel that the Panel Member is no longer Eligible.
- 5.3 If any position on the Panel is vacant, whether by resignation, removal or otherwise at any time, the President and Chief Executive Officer shall appoint a replacement member for the balance of the term of office of the vacated position.

6. Powers, Authority & Responsibilities

6.1 The Panel shall:

- 6.1.1 consider applications in timely and efficient manner and make a decision in respect the applications submitted to it;
- 6.1.2 evaluate and make provisional recommendations as to the course of action(s) to be taken in respect of an application and set timetable by when such action(s) are to be completed and decision will be given;
- 6.1.3 fulfil such other role and responsibility as may be delegated to it by the Council concerning Rule 6.3.4 of the Technical Rules;
- 6.1.4 liaise, co-ordinate with and obtain advice from other World Athletics Commissions, Working Groups and departments, where required, and/or other relevant experts on specific issues concerning an application or Rule 6.3.4 of the Technical Rules;
- 6.1.5 act at all times for the sole purpose of conducting a full and fair assessment of every application submitted and review each application fairly and impartially, and base its decision solely on its assessment of the evidence before it;
- 6.1.6 safeguard personal data and confidential information in accordance with paragraphs 9.9 and 9.10;
- 6.1.7 generally, act and conduct its work in accordance with World Athletics' Rules and Regulations.

7. Duties of Panel Members

- 7.1 **World Athletics Interests:** In undertaking any work in connection with the Panel, each Panel Member shall act in the interests of World Athletics.
- 7.2 **Participation:** Panel Members shall attend each meeting of the Panel (in person or using technology) unless excused by the Chairperson. Each Panel Member shall actively participate in Panel meetings and in matters undertaken by the Panel between meetings. Each Panel Member must be adequately prepared for each Panel meeting in order to participate effectively and constructively.
- 7.3 **Integrity Code of Conduct:** Each Panel Member must comply with the World Athletics Integrity Code of Conduct, Vetting Rules and Conflicts, Disclosures and Gift Rules as in force from time to time.
- 7.4 No advantage or promise of any kind of advantage may be made to or accepted by the Panel Members in connection with an application.

8. Reporting

- 8.1 **Reports to Council:** The Panel shall report on its work to the Council.

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8.2 **Council Meetings:** The Chairperson of the Panel shall attend Council Meetings to present the Panel's report on its work, if required by the World Athletics Chief Executive Officer.

9. Panel Procedure

9.1 **Work:** The Panel shall undertake its work in coordination with World Athletics' staff as is necessary to fulfil its responsibilities.

9.2 **Meetings:** The meetings of the Panel shall be held in person or using technology and email consultation. The Panel shall meet as frequently as is necessary to respond to the need to evaluate and decide applications. Meetings in person shall be with prior agreement of the World Athletics Chief Executive Officer.

9.3 **Chairperson:** The Chairperson will chair all meetings.

9.4 **Attendees:** A member of the World Athletics staff will be appointed to co-ordinate the activities of the Panel and will attend all meetings. Other persons may be invited by the Chairperson to attend meetings to provide information or advice on a specific item of an application at a meeting.

9.5 **Meetings using Technology:** Panel meetings may be held by telephone, through video conference facilities or by other means of electronic communication (other than electronic mail (e-mail) communication) provided that:

9.5.1 prior notice of the meeting is given to all Panel members; and

9.5.2 all persons participating in the meeting are able to hear each other effectively and simultaneously.

Participation by any Panel member in this manner at a meeting shall constitute the presence of that member at that meeting.

9.6 **Quorum:** The quorum for meetings of the Panel shall be the appointed members of the Panel and the Chairperson.

9.7 **Application Decisions:** A simple majority is required for a decision to be made on an application. Reasons for decisions shall not include references to any minority opinion or dissenting view. The Panel shall issue written decisions with reasons to the applicant Member. The Panel may publish the decision or a summary of it.

9.8 **Recusal:** No Panel member may take part in assessing an Application if the Panel member:

9.8.1 has an allegiance to or is of the same nationalities or resides in the same country/territory, or is an Official of the Member Federation to which the athlete making the application is affiliated;

9.8.2 has or previously had a personal connection or direct interest in the application; and

9.8.3 if any of the circumstances in paragraphs 9.8.1 and 9.8.2 exist, the member concerned shall immediately notify the Chairperson and the other members of the Panel of such circumstances.

9.9 **Data Protection:** All personal data provided to the Panel will be held in accordance with World Athletics' data privacy policies and applicable data protection and privacy laws.

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9.10 **Confidentiality:** All meetings and/or visits and the work of the Panel are confidential. No documents, information, discussion and determinations made at a Panel meeting and / or visit or otherwise exchanged or agreed in connection with the work of the Panel, shall be disclosed to any other person unless:

9.10.1 the Chairperson authorises such disclosure;

9.10.2 the Panel agrees that such disclosure is necessary or desirable to advance its work;

9.10.3 the matter is in the public domain; or

9.10.4 such disclosure is required under these Rules, or by law or any applicable authority, including the World Athletics Disciplinary Tribunal.

10. Administration

10.1 **Expenses:** For each Panel member, World Athletics will reimburse expenses, arrange travel, accommodation, insurance for Panel meetings and provide any other allowances or service fees, in accordance with World Athletics policy.

10.2 **Documents:** World Athletics will provide the Panel with all documents held by World Athletics relevant to the Panel's work which must be held in accordance with paragraphs 9.9 and 9.10.

10.3 **Indemnification:** The Panel Members will be indemnified by World Athletics and/or covered by insurance provided by World Athletics, against claims brought against them for actions properly taken in course of their responsibilities and duties as a Panel Member.

25 January 2021