

**Lawn Tennis Association Limited: Disciplinary Code**  
Effective 1 December 2011

## Section One: General

### 1. Jurisdiction and Powers

- 1.1 Lawn Tennis Association Limited (the “**Association**”) has disciplinary jurisdiction over: (i) all members of the Association (the “**Members**”), entities or persons which are registered as associates of the Association (the “**Associates**”) and, in each case, their members and officers; (ii) all members of the council of the Association (the “**Council**”), officials, referees, umpires, officers or employees of or connected to the Association; (iii) all tennis players who are members of a Member or Associate or who participate in any tennis event or training organised or authorised by the Association or by any Member or Associate or by any other body; (iv) any person who has any form of licence, authorisation, registration from the Association (for example a coach under the LTA coach licensing scheme), or receives any other benefit from the Association.
- 1.2 For avoidance of doubt, any reference in this Code and its appendices:
- (i) to the “LTA” or the “Lawn Tennis Association” is to the Association; and
  - (ii) to the “Disciplinary Code” or the “Code”, is to this Code.
- 1.3 This Code shall apply to Anti-Doping Rule Violations (as defined in Article C of Appendix One) in accordance with Appendix One.
- 1.4 This Code shall apply to any disciplinary matter which raises child protection issues in accordance with Appendix Two.
- 1.5 This Code shall apply to any disciplinary matter in respect of match fixing, financial speculation and betting in accordance with Appendix Three.
- 1.6 The Association shall exercise its disciplinary powers in the manner set out in this Code.
- 1.7 The Association shall delegate its power to:
- (i) act upon disciplinary matters to a disciplinary officer (the “**Disciplinary Officer**”) in accordance with paragraph 3 below;
  - (ii) decide disciplinary matters to a disciplinary panel (the “**Disciplinary Panel**”) in accordance with paragraph 4 below;
  - (iii) impose interim suspensions to the Disciplinary Panel in accordance with paragraph 6 below;
  - (iv) decide upon appeals against the decisions of the Disciplinary Panel to an appeals committee (the “**Appeals Committee**”) in accordance with paragraphs 5 and 10 below.

- 1.8 The Association shall have jurisdiction to consider a matter if a formal complaint of alleged Misconduct (as defined in paragraph 2 below) is made.

The Association shall also have jurisdiction to investigate any other matter which the Disciplinary Officer, in his or her sole discretion, considers may constitute Misconduct.

- 1.9 The Association shall also have jurisdiction over appeals against decisions or rulings of the governing body of a Member and/or in respect of the Association's competition regulations (including appendices) (the "**Competition Regulations**") and/or in respect of non-disciplinary decisions of the Associations. Such appeals will be dealt with by the Appeals Committee in accordance with paragraphs 5 and 10 below.

- 1.10 Although the Association has jurisdiction over the persons and organisations set out in paragraph 1.1 above, Members, Associates and other bodies may have their own disciplinary jurisdiction over such persons and organisations. In such a case, paragraphs 1.11 and 1.12 below shall apply.

- 1.11 Subject to paragraph 1.12 below, where both the Association and a Member have jurisdiction over a matter, the Disciplinary Officer may, in its sole discretion on behalf of the Association, determine that:

- (i) such matter should be dealt with by the Association; or
- (ii) such matter should be dealt with by the Member.

A Member may formally request that the Association deals with a matter, in which case the Disciplinary Officer shall, in its sole discretion on behalf of the Association, determine whether the matter should be dealt with by the Association or by the Member.

- 1.12 The Association shall have exclusive jurisdiction over the following matters:
- (i) any allegation of the commission of a Doping Offence contrary to the Association's Anti-Doping programme as set out in Appendix One; and
  - (ii) any allegation of a breach of the general conditions of the Association's coach licensing scheme as set out in Appendix Four or the Association's coach registration scheme as set out in Appendix Five (together, the "**Schemes**").

- 1.13 The board of directors of the Association ("the **Main Board**") may amend these procedures as it sees fit from time to time. Any such amendments shall come into full force and effect upon the date specified by the Main Board.

## 2. **Misconduct**

- 2.1 The function of the Disciplinary Panel and the Appeals Committee shall be to decide whether Misconduct has taken place and, if so, to impose sanctions in accordance with paragraph 9 below.

2.2 Misconduct is defined as:

- (i) any breach of the Association's rules (including its appendices) (the "**Rules**") or regulations;
- (ii) the commission of an Anti-Doping Rule Violation (as defined in Article C of Appendix One);
- (iii) any breach of any of the general conditions of the Schemes;
- (iv) any breach of any of the regulations concerning match fixing, financial speculation and betting as set out in Appendix Three;
- (v) any breach of any of the conditions governing players set out in the Rules; and
- (vi) any conduct which is detrimental to the interests of the game of lawn tennis.

### 3. **Disciplinary Officer**

3.1 A Disciplinary Officer shall be appointed, and may be replaced, by the Main Board. The function of the Disciplinary Officer shall be to act on behalf of the Association upon any matter which may or may not constitute Misconduct and in particular, without limitation, to investigate complaints made about the behaviour of those subject to the disciplinary jurisdiction of the Association and, in his or her sole discretion, to lay disciplinary charges for Misconduct against such person or organisation before the Disciplinary Panel. In relation to proceedings before the Disciplinary Panel, the Disciplinary Officer shall discharge the formal role of prosecutor (subject to the powers of delegation in paragraph 3.2 below). The Disciplinary Officer shall have power to deal with all matters related to the administration of the Association's disciplinary regime and all other matters specifically set out in this Code.

3.2 The Disciplinary Officer may be assisted in discharging his functions by other officers or employees of the Association and may delegate his formal functions or responsibilities to other officers or employees of the Association or, where appropriate, to external legal counsel. All references to the actions of the Disciplinary Officer in this Code shall be taken as including action taken on his behalf by any person authorised so to do under this paragraph 3.2.

### 4. **Disciplinary Panel**

4.1 A Disciplinary Panel shall be appointed annually by the Main Board. Subject to paragraph 4.3 below, it shall consist of seven Eligible Members (as defined in the standing orders of the Association (the "Standing Orders")) (one of whom shall be the chairperson of the Disciplinary Panel) and, if appointed, an independent member who is legally qualified. The function of the Disciplinary Panel shall be to hear and decide upon each disciplinary matter referred to it by the Disciplinary Officer. The function of the chairperson shall be to chair any panel upon which he sits, or to appoint a chairman of each panel if he does not himself sit, and to discharge the other duties assigned to him

in this paragraph 4 or elsewhere in this Code. If the full disciplinary procedure is invoked in accordance with paragraphs 7 and 8 the Chairman shall appoint the independent member of the Disciplinary Panel to chair the panel or if the independent member is unable to chair the panel for whatever reason, the Chairman shall appoint another person who shall be legally qualified.

- 4.2 When the Disciplinary Panel sits to hear a matter submitted to it by the Disciplinary Officer under the full disciplinary procedure, three persons shall constitute the Disciplinary Panel for that matter and the chairperson shall decide, for each case, which members of the Disciplinary Panel (or persons co-opted pursuant to paragraph 4.3) shall constitute the Disciplinary Panel. When it meets for any other purpose, the quorum shall be three members of the Disciplinary Panel and there shall be no maximum.
- 4.3 If a vacancy occurs in the Disciplinary Panel, it may be filled by the chairperson of the Panel pending the next meeting of the Main Board (which may fill such vacancy in accordance with the Standing Orders). In addition to any vacancy, where the chairperson in his or her sole discretion determines that the facts or circumstances of the case so warrant, the chairperson may co-opt an external solicitor or barrister or other appropriate person to become a member of the Disciplinary Panel. The solicitor or barrister may be co-opted for an individual case or for the remainder of the term of appointment of the Disciplinary Panel.
- 4.4 The chairperson may in his or her sole discretion appoint an external independent legal or other expert to advise, but not to sit on, the Disciplinary Panel in an individual case. Such independent external expert shall advise the Disciplinary Panel as to the evidence placed before them by the Disciplinary Officer, but shall not count as part of the quorum and shall not be entitled to exercise any decision-making functions within the Disciplinary Panel.
- 4.5 No member of the Disciplinary Panel may sit on the Disciplinary Panel for a particular case or matter, or in relation to the summary procedure may sit as a member of the Disciplinary Panel, where he has had what is, or may reasonably be thought to be, any prior involvement with the case or matter before the Disciplinary Panel or has any material financial, familial or any other relevant interest in the outcome of the proceeding. Any member of the Disciplinary Panel who is asked to sit on a panel and who may have any grounds for thinking that such involvement or interest may exist, shall notify the chairperson of this at the first available opportunity. The chairperson shall decide whether or not the involvement or interests so notified justify the exclusion of that member of the Disciplinary Panel from the Disciplinary Panel in respect of that matter.

## 5. **Appeals Committee**

- 5.1 The function of the Appeals Committee is to hear and decide upon appeals submitted to it from the decisions of the Disciplinary Panel and upon the other matters referred to it in accordance with paragraph 10 below. The decision of the Appeals Committee shall be final and binding upon all parties.

- 5.2 The Appeals Committee shall consist of three persons with appropriate experience, one of whom shall be legally qualified and shall be appointed as chairperson. On receipt of a notice of appeal, the Disciplinary Officer may instruct an independent dispute resolution service (such as Sport Resolutions UK) to appoint the Appeals Committee for a specific case or, alternatively, may refer the matter to Sport Resolutions UK or the Court of Arbitration for Sport for determination. The Disciplinary Officer undertakes to notify the appellant of the composition of the Appeals Committee as soon as practicable and in any event no later than 14 days from the receipt by the Association of the notice of appeal. The Appeals Committee shall not include individuals with any connection to the person or body concerned or the matters being considered but, for the avoidance of doubt, the Appeals Committee may comprise of individuals with a connection with the Association so long as they are independent.
- 5.3 In an appropriate case, the chairperson may appoint an external independent legal or other expert to advise, but not to sit upon, the Appeals Committee in an individual case. Such independent adviser shall advise the Appeals Committee but shall not count as part of the quorum and not be entitled to exercise any decision-making functions within the Appeals Committee.
- 5.4 Should a member of the Appeals Committee become unable to hear an appeal following the appointment of the Appeals Committee for whatever reason, the independent dispute resolution service shall appoint a replacement member.
- 5.5 The appellant may object to the composition of the Appeals Committee by notifying the Disciplinary Officer of the objection and setting out the reasons for such an objection (the notification shall be referred to in this Code as an “**Objection**”) as soon as practicable and in any event no later than seven days from the date of receipt of notice of the composition of the Appeals Committee. The Disciplinary Officer shall as soon as practicable and in any event within seven days from the date of receipt of an Objection, notify the appellant either that the composition of the Appeals Committee has changed (providing details of the new Appeals Committee) or that the composition of the Appeals Committee has not changed (providing reasons). The Disciplinary Officer shall consult an independent dispute resolution service and the decision on the composition of the Appeals Committee under this paragraph shall be final.
- 5.6 No member of the Appeals Committee may sit on the Appeals Committee for a particular case or matter where he has had what is, or may reasonably be thought to be, any prior involvement with the case or matter or has any material financial, familial or other relevant interest in the outcome of the proceedings. Any member of the Appeals Committee who is asked to sit on the panel and who may have grounds for thinking that such involvement or interest may exist, shall notify the chairperson of this at the first available opportunity. The chairperson shall decide whether or not the involvement or interests justify the exclusion of that member of the Appeals Committee from the Appeals Committee in respect of that matter.

## **6. Interim Suspension**

- 6.1 If the Disciplinary Officer considers that an allegation or complaint or matter which has been drawn to his attention falls within the scope of the Association's disciplinary regime and is of sufficient seriousness to warrant the suspension of a person or body from any aspect of involvement in tennis (including, where relevant, the suspension of a coach licence, coach registration or coaching assistant's registration) until such time as the Disciplinary Panel has reached its decision, he shall write to such person or body informing him or her of the position. The Disciplinary Officer shall state that it is his or her intention to apply to the Disciplinary Panel for a temporary order that the person or body be so suspended until the hearing of the case before the Disciplinary Panel. The person or body involved shall be asked for his or her comments upon this application as a matter of urgency and within the time limit stated in the letter.
- 6.2 The Disciplinary Officer shall consider the response received. If no response is received within the time limit set out by the Disciplinary Officer, or if the Disciplinary Officer considers that, notwithstanding the response, his or her view remains that an interim suspension should be sought, the Disciplinary Officer shall submit the matter to the Disciplinary Panel who shall decide whether or not it is appropriate to impose an interim suspension pending a hearing before the Disciplinary Panel. Such decision may be made at a meeting of the Disciplinary Panel or by telephone or by written communication. The person or body whose suspension is sought shall not have the right to appear before the Disciplinary Panel. The Disciplinary Panel in reaching its decision shall, however, take into account any representations made by such person or body either to the Disciplinary Officer in response to his letter informing such person or body of his intention to request an interim suspension or otherwise. The decision of the Disciplinary Panel, in this matter, shall not be subject to any appeal.
- 6.3 If at any time the facts or circumstances surrounding a case change, the Disciplinary Panel may consider, either of its own motion or by an application brought by a person or body subject to an interim suspension, whether such interim suspension should continue. In their absolute discretion the Disciplinary Panel may lift such suspension or may impose such conditions as they think fit in default of which the person or body will remain subject to suspension.
- 6.4 If in exceptional circumstances the Disciplinary Officer considers that suspension is required forthwith, the Disciplinary Officer shall impose a suspension of his or her own motion and inform the person subject to it in writing inviting his comments, within the time stated in that letter. Thereafter, the matter will be dealt with in accordance with paragraphs 6.2 and 6.3 (above).
- 6.5 The fact of an interim suspension being imposed may be published by the Association in accordance with paragraph 13 below.

## **7. Summary Procedure**

- 7.1 Whether or not the Disciplinary Officer has set in motion the procedures under paragraph 6 above, s/he shall write to the person or body concerned directly seeking

their views on the matter. Having received these comments, or if such comments are not forthcoming within a reasonable time, the Disciplinary Officer shall then consider whether or not to charge the person or body with Misconduct. Before reaching such a conclusion, the Disciplinary Officer shall be entitled to make all enquiries and to seek such advice within the Association as he deems appropriate and, in an appropriate case, to seek external expert advice, including external legal advice.

- 7.2 If the person or body admits the offence in the correspondence that has passed between that person or body and the Disciplinary Officer, and if the Disciplinary Officer is satisfied that the offence is a Summary Offence (as defined below) and that it can properly be dealt with under this paragraph then the Summary Procedure (as defined and set out below) may be applied.
- 7.3 A “**Summary Offence**” is one where the Disciplinary Officer believes that, if the facts placed before him are true, the appropriate sanction should be no more than:
- (i) A censure;
  - (ii) A suspension for a period not exceeding 28 days;
  - (iii) A fine or the withholding of prize money not exceeding £250;
  - (iv) A suspended penalty where, if the terms of the suspension are breached, a suspension of no more than 28 days would be appropriate; or
  - (v) A combination of any of the above.

For the purposes of this paragraph 7.3 "suspension" shall mean suspension from Association activities or Association sanctioned events.

- 7.4 Where an admission in correspondence has been made and the Disciplinary Officer considers it appropriate to invoke the summary procedure, the Disciplinary Officer shall write to the person or body concerned informing them that it is his or her view that this is a Summary Offence and that the summary procedure for dealing with such offences (the “**Summary Procedure**”) may be applied. In such correspondence, the Disciplinary Officer shall (a) seek the consent of such person or body to the matter being dealt with under the Summary Procedure while advising such person or body that the Disciplinary Panel may nonetheless consider that the matter should be dealt with by the full disciplinary procedures and (b) formally charge that person or body with Misconduct.
- 7.5 If the Disciplinary Panel concludes that a complaint or matter is an appropriate subject for summary treatment the following procedure shall apply. There will be a meeting of the Disciplinary Panel at which the dossier of evidence that the Disciplinary Officer has forwarded to the Disciplinary Panel shall be considered. Neither the Disciplinary Officer nor the person or body charged shall have a right to attend the meeting. The Disciplinary Panel shall then reach its view and, if applicable, impose the appropriate sanction. The Disciplinary Panel will then communicate that sanction to the person or

body involved and to the Disciplinary Officer. There shall be no right of appeal from the imposition of a sanction imposed under the Summary Procedure.

- 7.6 If the Disciplinary Panel considers that the matter should not properly be brought within the scope of the Summary Procedure, it may inform the Disciplinary Officer of this. The Disciplinary Officer shall then communicate this view to the person or body concerned and the matter will thereafter proceed on the basis set out in paragraph 8 below.

## 8. **Full Disciplinary Procedure**

- 8.1 If the person or body who is the subject of the matter does not consent to the Summary Procedure or if the Disciplinary Officer or the Disciplinary Panel considers that a case is not appropriate for the Summary Procedure, the full disciplinary procedure shall be invoked.

- 8.2 The Disciplinary Officer shall commence the procedure by sending to the person or body the charge setting out a summary of the alleged Misconduct, together with a short factual summary of the evidence supporting the charge.

- 8.3 The person or body against whom the charge has been made shall have 14 days to answer the charge. Failure to do so shall render the person or body concerned liable to an interim suspension from involvement in tennis (including, where relevant, the suspension of a coach licence, coach registration or coaching assistant's registration) until a reply has been received. Alternatively, the Disciplinary Officer may ask the Disciplinary Panel to schedule a hearing of the charge.

- 8.4 Once the reply to the charge has been received, the Disciplinary Officer shall liaise with the Disciplinary Panel to schedule a date for the hearing. At least 14 days' notice will be given of the date, place and time of any personal hearing. At least seven days before the date of the hearing, the Disciplinary Officer shall serve on the person or body charged the evidence s/he is intending to bring to support that charge. The Disciplinary Officer will also request details of any witnesses and/or evidence that the person or body subject to the charge wishes to bring before the Disciplinary Panel. If such evidence is not furnished to the Disciplinary Officer in a timely fashion he may request that the hearing be adjourned upon such terms (including costs) as the Disciplinary Panel shall determine.

- 8.5 All proceedings of the Disciplinary Panel shall take place in private and the public and the press shall have no right of access to the room where the hearing is taking place. The Disciplinary Panel shall not issue any press statement or conduct any press conferences. All media announcements in relation to any decision of the Disciplinary Panel shall be approved by the Disciplinary Officer.

- 8.6 Every person or body responding to enquiries made by the Disciplinary Officer or giving evidence before the Disciplinary Panel is under a duty to give full and truthful evidence. If the Disciplinary Officer believes that a person or body has not given full and truthful evidence, this conduct may be the subject of a further charge, being Misconduct contrary to this Code.

- 8.7 Any person or body appearing before the Disciplinary Panel shall, at their own expense, have the right to be represented by legal counsel of his or its choice or may be accompanied by a person who may speak on his or its behalf.
- 8.8 Where an individual against whom a complaint is made is under the age of 14 years when the matter complained of occurred, correspondence will be addressed to his parent or guardian only. Where an individual is between 14 and 18 years of age a copy of all correspondence from the Association will be copied to a parent or guardian. If a complaint of Misconduct results in a hearing the parent or guardian shall be entitled to be present and make such representations as the parent or guardian thinks fit on the minor's behalf.
- 8.9 At the hearing of the charge of Misconduct, the Disciplinary Officer shall present the evidence to the Disciplinary Panel. The standard of proof shall be that of comfortable satisfaction. In all cases, the Association shall bear the burden of proving that the charge has been made out. The person or body subject to the charge shall have the right to cross-examine all and any witnesses called by the Association to prove the charge. However, the fact that a person charged has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.
- 8.10 Once the Disciplinary Officer has completed his presentation on behalf of the Association, the person or body subject to the charge shall then have the right to present his case to the Disciplinary Panel. The person or body subject to the charge shall be entitled (subject to considerations of relevance) to call all and any witnesses that s/he or it wishes to call. The Disciplinary Officer shall have the right to cross-examine such witnesses.
- 8.11 Once the person or body subject to the charge has completed his, her or its presentation, the Disciplinary Officer shall make his concluding remarks in support of the charge. The person or body subject to the charge shall then have the right to make concluding remarks or to have such remarks made on his, her or its behalf. Upon the conclusion of the closing submissions, the Disciplinary Panel will retire to consider its verdict.
- 8.12 The Disciplinary Panel shall consider its decision in private. It shall first consider whether or not the charge of Misconduct is proved. If it is so proved, then the Disciplinary Panel shall inform the person or body subject to the charge of this decision and invite him or it to raise matters in mitigation. Having heard such mitigation, the Disciplinary Panel shall retire to consider the appropriate sanction.
- 8.13 In reaching its decision, there is no requirement that the Disciplinary Panel be unanimous. It is sufficient if a majority of the Disciplinary Panel favour a particular conclusion. No minority opinion or dissenting judgment shall be produced and no indication shall be given by the Disciplinary Panel to any party that its decision was other than unanimous.

- 8.14 Having reached its conclusion as to whether or not the charge has been proved, the Disciplinary Panel shall communicate that decision either at the time of the hearing or within 14 days thereafter. In all cases the Disciplinary Panel shall produce a written decision setting out the reasons for reaching its conclusions. This will be conveyed to the parties to the proceedings and their representatives (if any) as soon as possible and in all events within 14 days of the date of the hearing. The period for filing an appeal shall run from the date of the receipt of the written decision by the person or body involved.
- 8.15 In exercising its functions under this Code, the Disciplinary Panel shall have the power to regulate its own procedure. Without prejudice to the generality of this power it shall have the power:
- (i) to extend or vary any limit set out in this Code including the 28 day limit referred to in paragraph 11.2 below;
  - (ii) to adjourn the proceedings, whether prior to a scheduled hearing date or during the hearing, to allow time for the submission of further evidence or for any other reason;
  - (iii) to ask questions directly of any party or witness to any proceeding before the Disciplinary Panel;
  - (iv) to admit or exclude evidence on grounds of relevance or failure to comply with directions;
  - (v) to make appropriate directions (whether in advance of the hearing or at the start or during the hearing) with respect to the conduct of proceedings before the Disciplinary Panel; and
  - (vi) to order that costs of, and in connection with, the hearing be paid for by a party.
- 8.16 In the course of any proceedings before the Disciplinary Panel, the Disciplinary Panel shall not be obliged to follow the strict rules of evidence and may admit such evidence as it thinks fit and accord such evidence such weight as it thinks appropriate in all the circumstances.
- 8.17 Subject to paragraph 10 below, a decision of the Disciplinary Panel shall be deemed to be a decision of the Association and be binding on all those set out in paragraph 1.1 above.

## 9. **Sanctions and Costs**

- 9.1 If the Disciplinary Panel or the Appeals Committee finds a charge of Misconduct to have been proven it may impose upon the person or body concerned:
- (i) One of, or a combination of, the following sanctions as it considers appropriate to the type of Misconduct proven:

- (a) Suspension from competition or from taking part in any other capacity in any event sanctioned by the Association;
  - (b) Permanent exclusion from competition or taking part in any other capacity in any event sanctioned by the Association;
  - (c) Exclusion or suspension from coaching or playing at a Member or Associate or at any event organised by a Member or Associate;
  - (d) Expulsion, suspension or exclusion from standing for, or holding, any office within the Association, either for a temporary period or permanently;
  - (e) A fine not exceeding £10,000;
  - (f) The withholding of all or a proportion of any prize money earned by a player from an event or tournament;
  - (g) A caution and/or censure in respect of his or its conduct;
  - (h) A suspended penalty, being a penalty which is only invoked in the event that a person or body, subject to the Association's disciplinary power, commits another disciplinary offence within a stated time of the date of the decision;
  - (i) The removal of a licence or registration either for a temporary period or permanently;
  - (j) The imposition of any such conditions on a licence or registration as it sees fit; and/or
  - (k) A requirement to attend appropriate training.
- (ii) A requirement to pay a contribution to, or all of, the costs of the disciplinary hearing.

9.2 Where the Disciplinary Panel imposes any period of suspension, that period of suspension shall run from the date of the decision, notwithstanding that any notice of appeal is submitted. In imposing or reviewing a suspension, the Disciplinary Panel or the Appeals Committee shall take into account the amount of interim suspension and/or suspension served by the person or body in deciding the appropriate period of such further suspension (if any) that should be imposed.

9.3 In addition, the Disciplinary Panel or the Appeals Committee may recommend that a complete dossier of the evidence submitted in the course of the proceedings be prepared and sent to the police and other relevant authorities, together with an expression of the view of the Disciplinary Panel or the Appeals Committee that the

matter should be investigated by such authorities to establish whether a criminal offence or other infringement has been committed.

## 10. Appeals Committee Procedure

10.1 Appeals may be made to the Appeals Committee in the following circumstances:

- (i) A party found guilty of a charge of Misconduct or the Association may appeal as of right against the decision of the Disciplinary Panel to the Appeals Committee on the ground that the Disciplinary Panel in its conduct or conclusions misdirected itself or otherwise reached an erroneous conclusion;
- (ii) Subject to paragraph 10(v) below, any directly affected person who disputes any decision of the Association reached on: (A) eligibility to play under the Rules; (B) interpretation of the Rules or any regulations of the Association; or (C) any non-disciplinary matter (provided leave to appeal is given in accordance with paragraphs 10.2 to 10.4 below and provided that such leave shall only be granted in circumstances where the issues raised are of general importance to the game of tennis as a whole).
- (iii) Any directly affected person who brings an appeal under the Rule 48 against a decision or ruling of a Member (provided leave to appeal is given by the Disciplinary Officer in accordance with paragraphs 10.2 to 10.4 below);
- (iv) A tournament referee/tennis development manager/officiating manager refers an appeal to the Disciplinary Officer under the Competition Regulations (provided leave to appeal is given by the Disciplinary Officer in accordance with paragraphs 10.2 to 10.4 below);
- (v) The Association's competitions team refers an appeal to the Disciplinary Officer under the Competition Regulations (provided leave to appeal is given by the Disciplinary Officer in accordance with paragraphs 10.2 to 10.4 below).
- (vi) Any directly affected person who disputes any decision reached on selection for any team representing Great Britain including but not limited to, the Davis Cup, Fed Cup and Olympic Teams, made by the Association or any Member on the grounds that the applicable selection criteria has not been followed. Leave to appeal is not required.

10.2 Subject to sub-paragraph (i) of paragraph 8.15 above, an appellant shall have 28 days from the date of the relevant decision to submit a notice of appeal under sub-paragraph 10.1(i). The notice of appeal shall set out the decision appealed against and the grounds upon which it is submitted that the Disciplinary Panel misdirected itself or otherwise reached an erroneous conclusion.

10.3 An appellant shall have 28 days from the date of receipt of the relevant decision to submit an application for leave to appeal under sub-paragraphs 10.1(ii) to (v) inclusive to the Disciplinary Officer. Such application shall in the case of an appeal under sub-

paragraph 10.1(ii) above set out why the issues raised by the appeal are of general importance to the sport of tennis as a whole and shall in all other cases set out the grounds of appeal. The notice of appeal or application for leave should be accompanied by all relevant documents.

- 10.4 In considering whether to grant leave to appeal, the Disciplinary Officer may consult with the President of the Association or, in his or her absence, the Deputy President of the Association. The Disciplinary Officer may, where s/he considers it appropriate, delegate the exercise of this function to an independent legally qualified person. A decision as to whether leave to appeal is granted shall be taken within 28 days of receipt of the application and if no decision is made within such time limit, leave to appeal shall be deemed to have been granted.
- 10.5 If leave to appeal is refused, the Disciplinary Officer shall notify the potential appellant of the decision. He may indicate factors that he has taken into account in reaching this decision and shall give brief reasons for his decision. This decision shall not be subject to any further right of appeal.
- 10.6
- (i) Where the Association appeals to the Appeals Committee under sub-paragraph 10.1(i) above, it may apply to the Disciplinary Panel to continue any suspension imposed under paragraph 6 above until the Appeals Committee reaches its own decision;
  - (ii) Where on receipt of the Disciplinary Panel's decision the Association wishes to reserve its right to appeal, it may apply to the Disciplinary Panel to continue such suspension imposed under paragraph 6 above until expiry of the period within which it can appeal, or until, if it does appeal, the Appeals Committee reaches its own decision.
- 10.7 Having received the Notice of Appeal under sub-paragraph 10.1(i) or 10.1(vi), or if leave to appeal has been granted, the Disciplinary Officer shall convene the Appeals Committee in accordance with the provisions of paragraphs 5.2 to 5.5 above. A date shall then be set for the hearing of the appeal, which shall be expedited in the case of an appeal under sub-paragraph 10.1(vi).
- 10.8 In the case of an appeal under sub-paragraph 10.1(i) or an appeal of a disciplinary decision under sub-paragraph 10.1(iii), the appeal shall be by way of re-hearing and, subject to paragraph 10.13 below, the procedure set out in paragraphs 8.1 to 8.17 above shall apply to the appeal proceedings.
- 10.9 The body against whose decision the appellant complains may be present at the appeal, and shall have the equivalent right to be heard as the appellant.
- 10.10 The Appeals Committee will consider all of the documents and evidence submitted to the tribunal below and may request the recall of any witnesses heard before the tribunal below. The Appeals Committee shall have power to admit new evidence including

evidence of any third party who the Appeal Committee considers is likely to be affected by the outcome of the appeal.

- 10.11 In the light of the evidence received by it, the Appeals Committee will reach its decision. It shall have power to make a decision on the facts as it thinks fit (including without limitation the imposition of sanctions under paragraph 9 above). For the avoidance of doubt, it may cancel, reduce, confirm or increase the penalty under appeal or may restore a licence or registration removed by the Disciplinary Panel.
- 10.12 A decision of the Appeals Committee is final and binding and shall be deemed to be a decision of the Association and be binding on all those persons set out in paragraph 1.1 above and any third parties whose evidence is admitted under paragraph 10.10 above.
- 10.13 In exercising its functions under this Code the Appeals Committee shall have the power to regulate its own procedure. Without prejudice to the generality of this power it shall have the power:
- (i) to extend or vary any limit set out in this Code;
  - (ii) to adjourn the proceedings, whether prior to a scheduled hearing date or during the hearing, to allow time for the submission of further evidence or for any other reason;
  - (iii) to ask questions directly of any party or witness to any proceeding before the Appeals Committee;
  - (iv) to admit or exclude evidence on grounds of relevance or failure to comply with directions;
  - (v) to make appropriate directions (whether in advance of the hearing or at the start or during the hearing) with respect to the conduct of proceedings before the Appeal Committee; and
  - (vi) to order that costs of, and in connection with, the hearing be paid for by a party.

## 11. **Waiver of Minor Procedural Irregularities**

- 11.1 Without prejudice to the right of the Disciplinary Panel or the Appeals Committee to regulate its own procedure, where at any time in the course of any disciplinary proceeding carried out under the Rules or this Code there has been a breach of procedure or failure to follow any direction given, this shall not invalidate the proceedings unless such breaches have been such as to seriously and irremediably prejudice the position of the person against whom an allegation of Misconduct is made.

## 12. **Arbitration Act 1996**

- 12.1 The procedures in this Code shall be governed by Part 1 of the Arbitration Act 1996 and amount to a binding arbitration agreement for the purposes of Section 6 of that Act. The seat of the arbitration shall be England.

## 13. **Publication of Decisions**

- 13.1 The Association may publish details of any disciplinary action taken including publication of any decision made by the Disciplinary Panel or Appeals Committee where Misconduct has been found or in any appeal where the matter has either been put into the public domain or is of general importance to the game of tennis as a whole.
- 13.2 The Association may at any time during the disciplinary or appeal process notify Members, the ATP, WTA, ITF, UK Sport, UK Anti-Doping (UKAD), the British Olympic Association (BOA), the International Olympic Committee (IOC), the International Paralympic Committee (IPC) or any other relevant authority of any details relating to the matter as such authority may need to know for the proper exercise of its functions.
- 13.3 Where it appears that public knowledge of a matter exists, prior to its determination, the Association reserves the right to confirm the details after notifying the persons or organisations concerned.

## 14. **Recognition**

- 14.1 The Disciplinary Officer may, on behalf of the Association, recognise disciplinary sanctions imposed by the ATP, WTA, ITF, IOC and BOA or by a member of the ITF upon players subject to the Rules, or who wish to play in tournaments sanctioned by the Association, and decide that such sanctions shall be automatically applied. There shall be no right of appeal against this decision. Where, however, any such sanction is amended, varied, reduced, withdrawn or cancelled by the body imposing such sanction, the Disciplinary Officer shall equally recognise any such alteration to such sanction.
- 14.2 The fact that a person, player, committee or organisation is liable or has been subject to disciplinary proceedings under the rules of another governing body shall not affect the right of the Association to conduct its own separate and independent investigation into such alleged Misconduct or its right to prosecute and impose sanctions upon those subject to the Code.

## 15. **Governing Law**

- 15.1 This Code shall be governed by and construed in accordance with English law.

## APPENDIX ONE

### TENNIS ANTI-DOPING PROGRAMME

#### A. INTRODUCTION

- A.1 The purpose of the Lawn Tennis Association's Anti-Doping *Programme* (the "**Programme**") is to maintain the integrity of tennis and to protect the health and rights of all tennis players.
- A.2 The International Tennis Federation (the "**ITF**") is a Signatory to the World Anti-Doping Code (the "**WADA Code**"). The Lawn Tennis Association (the "**LTA**") is a member of the *ITF*. This *Programme* is adopted and implemented pursuant to the mandatory provisions of the 2009 version of the *WADA Code*, Article S of the *ITF*'s own anti-doping rules (the "**ITF Rules**"), and the Rules of the *LTA* (the "**LTA Rules**"), as part of the continuing efforts of the tennis authorities to keep doping out of the sport of tennis.
- A.3 The *Programme*, which includes the Schedules hereto, encompasses:
- A.3.1 Incorporation of the *Anti-Doping Rule Violations* identified in the *WADA Code*, based on the list maintained by *WADA* identifying the *Prohibited Substances* and *Prohibited Methods* referenced in *WADA Code* Article 4.1, as amended from time to time (the "**Prohibited List**");
- A.3.2 Collection of *Samples* both *In-Competition* and *Out-of-Competition* for *Testing* purposes;
- A.3.3 Management of the results of such *Testing*, and of other evidence of possible *Anti-Doping Rule Violations*, by *UK Anti-Doping* ("**UKAD**"), the public agency that acts as *National Anti-Doping Organisation* for the United Kingdom;
- A.3.4 Independent review of *Adverse Analytical Findings*, *Atypical Findings* and other relevant evidence of possible *Anti-Doping Rule Violations*, to confirm that there is a *prima facie* case to answer before *UK Anti-Doping* charges anyone with the commission of such a violation;
- A.3.5 The hearing and determination of any such charges by a first instance tribunal of the *National Anti-Doping Panel*, with the right to appeal from such first instance decision to an appeal tribunal of the *National Anti-Doping Panel* (in the case of all *Players* other than *International-Level Players*) or to the Court of Arbitration for Sport in Lausanne, Switzerland ("**CAS**") (in the case of *International-Level Players*); and
- A.3.6 Where it is found that an *Anti-Doping Rule Violation* has been committed under the *Programme*, imposition of *Consequences* of the nature and scope specified in the *WADA Code*.
- A.4 Italicised terms in this *Programme* shall bear the meaning ascribed to them in Schedule 1 to this *Programme*.
- A.5 The effective date of this *Programme* is 1 January 2010 (the "**Effective Date**").

- A.6 Transitional provisions:
- A.6.1 The *Programme* shall apply in full to all cases where the alleged *Anti-Doping Rule Violation* occurs after the *Effective Date*.
- A.6.2 Any case pending prior to the *Effective Date*, or brought after the *Effective Date* but based on an *Anti-Doping Rule Violation* that occurred before the *Effective Date*, shall be governed by the predecessor version of the *Programme* in force at the time of the *Anti-Doping Rule Violation*, subject to any application of the principle of *lex mitior* by the tribunal.
- A.6.3 Any *Filing Failure* or *Missed Test* declared under a predecessor version of the *Programme* shall be carried forward and may be relied upon as one of the requisite elements of an *Anti-Doping Rule Violation* under Article C.4. However, a *Filing Failure* that occurred prior to 1 January 2009 may only be relied upon in combination with other *Filing Failures*; and a *Missed Test* that occurred prior to 1 January 2009 may only be relied upon in combination with other *Missed Tests*. No filing failure or missed test declared by any other *Anti-Doping Organisation* prior to 1 January 2009 may be combined with any *Filing Failure* or *Missed Test* declared under this *Programme* or under any predecessor version of the *Programme*.
- A.6.4 Where a period of *Ineligibility* imposed under a version of the *Programme* pre-dating 1 January 2009 has not yet expired as of the *Effective Date*, the *Participant* in question may apply to UKAD for a reduction in that period of *Ineligibility* in light of the amendments to the *Programme* based on the 2009 version of the *WADA Code*. UKAD's decision on such application is subject to appeal pursuant to Article K.6. To be valid, the application must be made before the period of *Ineligibility* has expired.
- A.6.5 *Anti-Doping Rule Violations* committed prior to the *Effective Date*, whether under predecessor versions of the *Programme* and/or other relevant rules, count as prior offences for purposes of determining sanctions under Article M.7. A prior offence involving a substance defined under this *Programme* as a *Specified Substance*, for which a period of *Ineligibility* of less than two years was imposed, shall be considered a Reduced Sanction offence for purposes of Article M.7.1.
- A.7 The Main Board of the *LTA* shall be responsible for the overall supervision of the *Programme* and for keeping the operation of the *Programme* under review.
- A.8 The *Programme* shall be interpreted in a manner that is consistent with the *WADA Code*. The *WADA Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of any *Signatory* or government. The comments annotating various provisions of the *WADA Code* may be used to assist in the understanding and interpretation of the *Programme*.
- A.9 The Main Board of the *LTA* may amend this *Programme* from time to time. Any such amendments shall come into force and effect on the date specified by the Main Board.

- A.10 Subject to Article A.8, this *Programme* is governed by and shall be construed in accordance with English law. Strictly without prejudice to the arbitration provisions of Article K and Q of the *Programme*, disputes relating to the *Programme* shall be subject to the exclusive jurisdiction of the English courts.

## B. COVERED PLAYERS AND EVENTS

- B.1 Any player who enters or participates in a *Competition*, *Event* or activity authorised, organised, or sanctioned by the *LTA*, or in any team selected by the *LTA* (a "**Player**"), shall be deemed to have agreed to and shall be required to comply with all of the provisions of this *Programme*, including making him/herself available as required for *Testing* both *In-Competition* and *Out-of-Competition* and submitting him/herself to the disciplinary jurisdiction of the *National Anti-Doping Panel* and/or the *CAS* (as applicable) under this *Programme*.
- B.2 It is the sole responsibility of each *Player* to:
- B.2.1 acquaint him/herself with all of the provisions of the *Programme* and to ensure that each person from whom he/she takes advice is acquainted with all the requirements of this *Programme* (including any amendments thereto);
- B.2.2 to know what constitutes an *Anti-Doping Rule Violation* under this *Programme* and what substances and methods have been included on the *Prohibited List*;
- B.2.3. to take personal responsibility for what he/she ingests and uses;
- B.2.4 to ensure that any medical treatment that he/she receives does not give rise to an *Anti-Doping Rule Violation* under this *Programme*; and
- B.2.5 to ensure that the *LTA* is able to communicate with him/her efficiently and reliably in relation to matters arising under this *Programme*. To that end, each *Player* shall be deemed to be immediately contactable at the postal address that he/she has specified on any form, including any *Doping Control* form, that he/she completes in relation to the *Programme*, and it shall be the *Player's* responsibility to complete such contact details (to be referred herein as the "**Player's Nominated Address**") as necessary to ensure that he/she is immediately contactable at the *Player's Nominated Address*. Any notice required to be given to the *Player* under this *Programme*, if delivered to the *Player* by registered post (or other method that includes confirmation of delivery) addressed to the *Player's Nominated Address*, shall be deemed to have been received by the *Player* on the date of delivery to such address reflected in the confirmation of delivery provided by the delivery company. At its discretion, as an alternative to or in conjunction with such posting, the *LTA* may use any other method of secure and confidential communication available, including but not limited to facsimile and/or e-mail; provided that if the *Player* denies receipt of such notice then the burden will be on the *LTA* to prove that he/she did receive it.

- B.3 Any coach, trainer, manager, agent, team staff, official, medical, para-medical personnel, parent or any other *Person* working with or treating a *Player* participating in or preparing for a *Competition* ("**Player Support Personnel**") shall also be deemed to have agreed to and shall be required to comply with all of the provisions of this *Programme*.
- B.4 It is the sole responsibility of each *Player Support Personnel*:
- B.4.1 to acquaint him/herself with all of the provisions of this *Programme* (including any amendments thereto);
- B.4.2 to co-operate with the *Testing of Players*; and
- B.4.3 to use his/her influence on *Player* values and behaviour to foster anti-doping attitudes.
- B.5 It is acknowledged that certain of the persons that are subject to this *Programme* may also be subject to the anti-doping rules of other *Anti-Doping Organisations*, including (in the case of *International-Level Players*) the *ITF Rules*, and that the same conduct of such person may implicate not only this *Programme* but also the rules of such other *Anti-Doping Organisations*. The jurisdictional and other issues arising in such event shall be resolved in accordance with the provisions of the *ITF Rules* and the *WADA Code*.
- B.6 Where a *Player* is under the age of legal majority, the prior consent of a *Person* with parental responsibility for that *Player* must be obtained before that *Player* is subjected to *Testing* under the *Programme*. Where the *Player* is included in the *LTA Whereabouts Pool*, such consent must be provided upon notification of inclusion in the pool as a pre-condition to further participation in the sport. In all other cases, such consent must be provided at the time of the *Testing* in question as a pre-condition to further participation in the sport. In addition, the rules of a particular *Event* may require the provision of parental consent to *Testing* as a pre-condition of participation in the *Event*.
- B.7 A *Player* shall continue to be bound by and required to comply with the *Programme* unless and until the *Player* is deemed under the rules applicable to him/her to have retired from the sport, and the *LTA* shall continue to have jurisdiction over him/her after such retirement in respect of matters taking place prior to retirement. A *Player* who retires at a time when he/she is in the *LTA Whereabouts Pool* may not return to compete in any *Competition*, *Event* or other activity covered by Article B.1 unless he/she has made him/herself available for *Out-of-Competition Testing* (by notifying the *LTA* of his/her intent to return and by making him/herself available for *Testing*, including (if requested by the *LTA*) by providing whereabouts information for the relevant period) for at least three months prior to the *Competition*, *Event* or other activity in question.

## C. ANTI-DOPING RULE VIOLATIONS

Doping is defined, for the purpose of this *Programme* and for the purpose of Rule 32(b) of the *LTA Rules*, as the occurrence of one or more of the following (each, an "**Anti-Doping Rule Violation** "):

**C.1 The presence of a *Prohibited Substance* or any of its *Metabolites* or *Markers* in a *Player's Sample*, unless the *Player* establishes that such presence is consistent with a therapeutic use exemption granted in accordance with Article E.**

C.1.1 It is each *Player's* personal duty to ensure that no *Prohibited Substance* enters or is found to be present in his/her body. A *Player* is responsible for any *Prohibited Substance* or any of its *Metabolites* or *Markers* found to be present in his/her *Sample*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Player's* part be demonstrated in order to establish an *Anti-Doping Rule Violation* under Article C.1; nor is the *Player's* lack of intent, fault, negligence or knowledge a defence to a charge that an *Anti-Doping Rule Violation* has been committed under Article C.1.

C.1.2 Excepting those substances for which a quantitative reporting threshold is specifically identified in the *Prohibited List*, and subject to the special criteria established in the *Prohibited List* (and/or other *International Standards*) to distinguish between endogenous and exogenous production of certain substances, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Player's Sample* shall constitute an *Anti-Doping Rule Violation* under Article C.1, unless the *Player* establishes that such presence is consistent with a therapeutic use exemption granted in accordance with Article E.

**C.2 *Use* or *Attempted Use* by a *Player* of a *Prohibited Substance* or a *Prohibited Method*, unless the *Player* establishes that such *Use* or *Attempted Use* is consistent with a therapeutic use exemption granted in accordance with Article E.**

C.2.1 It is each *Player's* personal duty to ensure that he/she does not *Use* any *Prohibited Substance* or *Prohibited Method*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Player's* part be demonstrated in order to establish an *Anti-Doping Rule Violation* of *Use* under Article C.2; nor is the *Player's* lack of intent, fault, negligence or knowledge a defence to a charge that an *Anti-Doping Rule Violation* of *Use* has been committed under Article C.2.

C.2.2 Without prejudice to Article C.2.1, it is necessary that intent on the *Player's* part be demonstrated in order to establish an *Anti-Doping Rule Violation* of *Attempted Use* under Article C.2.

C.2.3 The success or failure of the *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* is not material. For an *Anti-Doping Rule Violation* to be committed under Article C.2, it is sufficient that the *Player Used* or *Attempted to Use* the *Prohibited Substance* or *Prohibited Method*.

C.2.4 Notwithstanding Article C.2.3, however, a *Player's Use* of a substance *Out-of-Competition* shall not constitute an *Anti-Doping Rule Violation* under Article C.2 where the *Use* of that substance is not prohibited *Out-of-Competition* (see Article G.1.3).

- C.3 Refusing or failing, without compelling justification, to submit to *Sample* collection after notification of *Testing* as authorised in this *Programme* or other applicable anti-doping rules, or otherwise evading *Sample* collection.**
- C.4 For a *Player* in the *LTA Whereabouts Pool*, failure to comply with the requirements regarding *Player* availability for *Out-of-Competition Testing* set out in the *International Standard for Testing*, including any failure to file whereabouts information in accordance with Article 11.3 of the *International Standard for Testing* (a "*Filing Failure*") and any failure to be available for *Testing* at the declared whereabouts in accordance with Article 11.4 of the *International Standard for Testing* (a "*Missed Test*"). In accordance with *WADA Code* Article 2.4 (but subject to Article A.6.3 of this *Programme*), any combination of three *Filing Failures* and/or *Missed Tests* committed within an eighteen-month period, whether declared by the *LTA*, *UKAD* or any other *Anti-Doping Organisation* with jurisdiction over the *Player*, shall constitute an *Anti-Doping Rule Violation* under this Article C.4.**
- C.5 *Tampering or Attempted Tampering* with any part of *Doping Control*.**
- C.6 *Possession of Prohibited Substances and/or Prohibited Methods*.**
- C.6.1 *Possession* by a *Player* at any time or place of a substance that is prohibited at all times or of a Prohibited Method is an *Anti-Doping Rule Violation* under Article C.6, unless the *Player* establishes that such *Possession* is consistent with a therapeutic use exemption granted in accordance with Article E or other acceptable justification.
- C.6.2 *Possession* by a *Player In-Competition* of any *Prohibited Substance* that is only prohibited *In-Competition* is an *Anti-Doping Rule Violation* under Article C.6, unless the *Player* establishes that such *Possession* is consistent with a therapeutic use exemption granted in accordance with Article E or other acceptable justification.
- C.6.3 *Possession* by *Player Support Personnel* at any time or place of a substance that is prohibited at all times or of a Prohibited Method in connection with a *Player*, *Event* or training is an *Anti-Doping Rule Violation* under Article C.6, unless the *Player Support Personnel* establishes that such *Possession* is consistent with a therapeutic use exemption granted to a *Player* in accordance with Article E or other acceptable justification.
- C.6.4 *Possession* by *Player Support Personnel In-Competition* of any *Prohibited Substance* that is only prohibited *In-Competition*, in connection with a *Player*, *Event* or training, is an *Anti-Doping Rule Violation* under Article C.6, unless the *Player Support Personnel* establishes that such *Possession* is consistent with a therapeutic use exemption granted to a *Player* in accordance with Article E or other acceptable justification.
- C.7 *Trafficking or Attempted Trafficking* in any *Prohibited Substance* or *Prohibited Method*.**

- C.8 Administration or *Attempted* administration to any *Player* at any time or place of a substance that is prohibited at all times or of a Prohibited Method, or administration or *Attempted* administration to any *Player In-Competition* of any *Prohibited Substance* that is only prohibited *In-Competition*, unless the *Player* establishes that such administration or *Attempted* administration was consistent with a therapeutic use exemption granted as set out in Article E; or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an *Anti-Doping Rule Violation* or any *Attempted Anti-Doping Rule Violation*.**
- C.9 Refusing or failing, without compelling justification to comply with any other provision of this *Programme*.**

#### **D. PROHIBITED SUBSTANCES AND PROHIBITED METHODS**

- D.1 This *Programme* incorporates the *Prohibited List* and shall be deemed to be automatically updated to reflect such changes as are made by WADA to the *Prohibited List* from time to time. Such changes shall become effective (save where otherwise provided by WADA) three months after publication of those changes by WADA on its website (currently located at [www.wada-ama.org](http://www.wada-ama.org)), without the need for any further action by the LTA. It is the responsibility of each *Player* and each *Player Support Personnel* to be familiar with the most current version of the *Prohibited List*.
- D.2 WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List*, and its classification of substances into categories of the *Prohibited List* (e.g., as prohibited at all time, or alternatively as prohibited only *In-Competition*; or as a *Specified Substance* or as a non-*Specified Substance*) is final and shall not be subject to challenge by a *Player* or other *Person*.
- D.2.1 Many of the substances on the *Prohibited List* may appear either alone or as part of a mixture within medications and/or supplements that may be available with or without a physician's prescription. *Players* are reminded that, as set out in Article C.1.1 of this *Programme*, they are strictly liable for any *Prohibited Substances* present in *Samples* collected from them. *Players* must ensure that *Prohibited Substances* do not enter or come to be present in their bodies and that *Prohibited Methods* are not *Used*.
- D.3 *Specified Substances*:
- D.3.1 For purposes of this *Programme*, all *Prohibited Substances* shall be considered "***Specified Substances***" except (a) substances in the class of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. *Prohibited Methods* shall not be *Specified Substances*.
- D.3.2 In the event that WADA expands the *Prohibited List* by adding a new class of *Prohibited Substances*, WADA's Executive Committee shall determine whether any or all of the

*Prohibited Substances* within the new class of *Prohibited Substances* shall be considered *Specified Substances* within the meaning of Article D.3.1.

## **E. THERAPEUTIC USE EXEMPTIONS**

### **E.1 Scope and Effect of TUEs.**

- E.1.1 In order to excuse the presence or *Use* or *Possession* or administration of a *Prohibited Substance* or *Prohibited Method* that would otherwise amount to an *Anti-Doping Rule Violation* under this *Programme*, such presence or *Use* or *Possession* or administration must be consistent with the provisions of a *Therapeutic Use* exemption (a "**TUE**") granted to the *Player* in accordance with this Article E.
- E.1.2 The *International Standard for Therapeutic Use Exemptions* sets out the circumstances in which *Players* may claim the benefit of a *TUE*. This *Programme* adopts that *International Standard*, as amended from time to time. All *Players* shall be deemed to accept the *International Standard for Therapeutic Use Exemptions* and any amendments thereto as binding on them without further formality.
- E.1.3 *International-Level Players* should apply to the *ITF* for a *TUE* in accordance with the *ITF* Rules, unless the *ITF* has agreed that *UKAD* may process *TUE* applications for such *Players* in accordance with this *Programme*, in which case such applications may be made in accordance with the following provisions of this Article E. All other *Players* should apply to *UKAD* for a *TUE* in accordance with the following provisions of this Article E. The *LTA* and *UKAD* shall recognise and give full force and effect to any *TUE* granted by or on behalf of the *ITF* in accordance with the *ITF* Rules. It shall be the responsibility of the *Player* alone to give the *LTA* and *UKAD* notice of any *TUE* granted to him/her by or on behalf of the *ITF*, so that it can be taken properly into account in any results management process. It shall also be the responsibility of the *Player* alone, where he/she becomes subject to the anti-doping rules of a third party, to determine whether that party will recognise any *TUE* granted to the *Player* under these *LTA Rules*.
- E.1.4 Subject to Article E.1.6 (which identifies limited circumstances in which a *TUE* may be granted retrospectively), the following *Players* must obtain a *TUE* in accordance with Article E.2 prior to Using or Possessing or administering the *Prohibited Substance* or *Prohibited Method* in question: (a) a *Player* in the *LTA Whereabouts Pool* and (b) any other *Players* designated by *UKAD* in consultation with the *LTA*.
- E.1.5 If a *Player* not covered by Article E.1.4 is tested pursuant to this *Programme*, if that *Player* has been using a *Prohibited Substance* or a *Prohibited Method* to treat a documented medical condition, then he/she may apply to *UKAD* for a retrospective *TUE* no later than five (5) working days after the test is completed (provided that *UKAD* may extend this deadline upon request by the *Player* for good cause shown). Any such *TUE* application shall be resolved before any *Adverse Analytical Finding* or *Atypical Finding* relating to that *Player's Sample* is processed in accordance with Article J.

E.1.6 Save as set out in Article E.1.5, emergency or retrospective approval of an application for a *TUE* may be granted only where:

- (a) emergency treatment or treatment of an acute medical condition was necessary; or
- (b) due to other exceptional circumstances, there was insufficient time or opportunity for the *Player* to submit the *TUE* application, or for the *UKAD TUE* Committee to consider that application, prior to the time the *Player's Sample* was collected.

## **E.2 *TUE* Application Process.**

E.2.1 A *Player* requiring a *TUE* must follow the process for applications to the UK *TUE* Committee detailed in the *UK Anti-Doping Procedures Guide for Sport*. The UK *TUE* Committee will only grant the *TUE* in strict accordance with the criteria set out in Article 4 of the *International Standard for Therapeutic Use Exemptions*, which it is the *Player's* burden to satisfy.

E.2.2 The submission of false or misleadingly incomplete information in support of a *TUE* application (including but not limited to the failure to advise of the unsuccessful outcome of a prior application to another *Anti-Doping Organisation* for such a *TUE*) may result in the bringing of disciplinary charges for *Misconduct* against those involved pursuant to the Disciplinary Code.

## **E.3 Grant of a *TUE*.**

E.3.1 A *Player* may not assume that his/her application for a *TUE* (or for renewal of a *TUE*) will be granted. Any presence, *Use* or *Possession* of a *Prohibited Substance* or *Prohibited Method* before an application has been granted shall be entirely at the *Player's* own risk.

E.3.2 An application for a *TUE* will be deemed to have been granted only when the *Player* receives notice that his/her application has been successful. Each grant of a *TUE* to a *Player* in the *LTA Whereabouts Pool* will also be communicated to *WADA* for purposes of Article E.5.

## **E.4 Expiration or Cancellation of a *TUE*.**

E.4.1 A *TUE* may have a specified duration as decided on a case by case basis by the UK *TUE* Committee. It may also be granted subject to such conditions or restrictions as the UK *TUE* Committee sees fit. On expiry of the term of the *TUE*, a *Player* who wishes to continue to *Use* the *Prohibited Substance* or *Prohibited Method* in question must again apply for a *TUE* in accordance with this Article E.

E.4.2 A *TUE* granted pursuant to this *Programme*:

- (a) shall expire in accordance with Article E.4.1 at the end of any term for which the *TUE* was granted;

- (b) may be cancelled if the *Player* does not promptly comply with any requirements or conditions imposed by the UK *TUE* Committee upon grant of the *TUE*; or
- (c) may be withdrawn if it is subsequently determined that the criteria for grant of a *TUE* are not in fact met.

E.4.3 Expiration of a *TUE* pursuant to Article E.4.2(a) shall take effect automatically at the end of the term for which the *TUE* was granted without the need for any further notice or other formality.

E.4.4 Cancellation of a *TUE* pursuant to Article E.4.2(b) or withdrawal of a *TUE* pursuant to Article E.4.2(c) shall be notified by *UKAD* to the *Player* with copies to the *LTA*, the *ITF* and *WADA*. Such notice shall take effect upon receipt.

E.4.5 In the event of an expiration, cancellation or withdrawal of the *TUE* pursuant to Article E.4.2, the *Player* shall not be subject to any sanctions based on his/her *Use* or *Possession* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the *TUE* at any time prior to the effective date of expiry, cancellation or withdrawal of the *TUE*. The review pursuant to Article J.2 of any subsequent *Adverse Analytical Finding* shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Method* prior to that date, in which event there shall be no case to answer.

#### **E.5 Review of Decision Granting or Denying a *TUE* Application or Revoking or Withdrawing a *TUE*.**

E.5.1 In accordance with Article 4.4 of the *WADA Code* and Article 10 of the *International Standard for Therapeutic Use Exemptions*:

- (a) upon the request of a *Player* whose application for a *TUE* has been denied by the UK *TUE* Committee, *WADA* may reverse such denial if it determines that such denial did not comply with the *International Standard for Therapeutic Use Exemptions*; and
- (b) on its own initiative, *WADA* may reverse any grant of a *TUE* if it determines that such grant did not comply with the applicable *International Standard for Therapeutic Use Exemptions*;

subject in each case to the right of the *LTA* or *UKAD* (or, in the case of reversal of a grant, the *Player*) to appeal to *CAS* against *WADA*'s decision, in accordance with Article K.6. 4 (c).

E.5.2 Decisions of the UK *TUE* Committee, the UK *TUE Appeal Panel* and, *WADA* (in accordance with Article E.5.1) may be appealed in accordance with Article K.6.4.

E.5.3 Until such time as the grant of a *TUE* application made pursuant to this *Programme* has been reversed by *WADA* pursuant to Article E.5.1, or the denial of a *TUE* application made pursuant to this *Programme* has been reversed by *WADA* pursuant to Article

E.5.1 or overturned on appeal pursuant to Article E.5.2, such grant or denial shall remain in full force and effect.

## **E.6 Player Consent.**

E.6.1 A *Player* who seeks a *TUE* pursuant to this *Programme* consents to the processing of the *TUE* application as set out in the *UK Anti-Doping Procedures Guide for Sport*, including:

- (a) the communication by *UKAD* of the information in the application to members of the UK *TUE* Committee and (as required) on an anonymised basis to other independent medical or scientific experts consulted by the UK *TUE* Committee;
- (b) the disclosure by the *Player's* physician(s) of any further information required by the UK *TUE* Committee to process his/her *TUE* application; and
- (c) the communication of the grant or denial of a *TUE*, including the details of any conditions or restrictions on such grant, and any supporting documentation or information, to the *LTA*, the *ITF*, *WADA* and other *Anti-Doping Organisations*.

E.6.2 Should the *Player* wish to revoke the consent set out at Article E.6.1, he/she must notify *UKAD* and his/her physician(s) in writing of the fact; provided that upon such revocation of consent the application for a *TUE* (or for renewal of an existing *TUE*) will be deemed denied.

## **F. IN-COMPETITION TESTING**

F.1 *Players* shall be subject to *Testing* by or on behalf of the *LTA* (including by *UKAD*) *Competitions* and *Events* covered by Article B.1 that take place in Great Britain. The selection of the *Competitions* and *Events* at which *Testing* is to take place, the number of *Players* to be selected for *Testing*, and the procedures for selecting the *Players* for *Testing*, shall be determined by *UKAD* in consultation with the *LTA*, and shall remain confidential except to those *Persons* with a reasonable need to know of such selection in order to facilitate the *Testing* procedures.

F.2 A *Player* may be notified that he/she has been selected for "***In-Competition***" *Testing* in conjunction with an *Event* or *Competition* in which he/she is participating at any time from 00.01 local time on the day of the first match of the main draw (or of the qualifying draw, if he/she is participating in the qualifying draw) of the *Competition* in question (a) until sixty (60) minutes after the completion of the *Player's* last match in the *Event* (120 minutes if the *Player's* last match in the *Event* is the final match in the *Competition* in question) (or, where the *Player* is participating in the *Event* as part of a team, sixty (60) minutes after the completion of the team's last match in the *Event*) (120 minutes if the team's last match in the *Event* is the final match in the *Competition* in question); or (b) further to Article F.4, until his/her withdrawal, no-show, retirement or default from the *Competition*. Such periods (and only such periods) shall be deemed "***In-Competition***"

periods for the purposes of this *Programme* and the *WADA Code*. (For purposes of the *WADA Code*, the “*Event Period*” shall be deemed to start at the same time as the “*In-Competition*” period and to end at midnight on the date of the last match played in the *Event*).

- F.3 The actual timing of the *Testing* at a selected *Event* or *Competition*, and the selection of *Player* to be tested at that *Event* or *Competition*, shall be at the absolute discretion of *UKAD*, consulting with the *LTA*. For the avoidance of doubt, *UKAD*, acting in consultation with the *LTA*, may select *Players* for *Target Testing* (in accordance with the *WADA Code* Article 5.1.3 requirement to make *Target Testing* a priority), so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.
- F.4 Any *Player* who retires, is a no-show, is defaulted from a match or withdraws from the *Competition* at any time after 00.01 local time on the day of the first match of the main draw (or of the qualifying draw, if he/she is participating in the qualifying draw) of the *Competition* must submit to *Testing* upon or after such retirement, no show, default or withdrawal, if requested to do so by *UKAD*. If the *Competition* in question is a doubles *Competition*, then his/her doubles partner must also submit to *Testing* at the same time if requested to do so by *UKAD*. If the *Player* in question is not on-site at the time of the request, *UKAD* may require that the *Player* appear for *Testing* at a specified time and location, in which case the *Player* may be required to contribute to the costs of the test in an amount not exceeding £3,000. All *Samples* collected in accordance with this Article F.4 – i.e., where collection of the *Sample* is triggered by the *Player’s* retirement, no-show, default or withdrawal from *Competition* - that are collected as part of a test commenced prior to midnight of the day following the *Player’s* retirement, no-show, default or withdrawal from *Competition* will be deemed to have been collected *In-Competition* for the purposes of this *Programme*, whether or not the *Player* has actually played a match or part of a match in the *Competition*.
- F.5 Where a *Sample* is collected *In-Competition*, there shall be an *Anti-Doping Rule Violation* under Article C.1 if any substance on the *Prohibited List* (or any of its *Metabolites* or *Markers*) is present in the *Sample*.
- F.6 *Testing* pursuant to this Article F shall be conducted in accordance with the *International Standard for Testing* and the *Tennis Testing Protocols* in force from time to time. *Players* must familiarise themselves with, and must comply with, all of the requirements of that Standard and the *Tennis Testing Protocols*. The *LTA* may provide *Independent Observers* with access to such *Testing*.

## **G. OUT-OF-COMPETITION TESTING**

### **G.1 Ambit of *Out-of-Competition Testing*.**

- G.1.1 All *Players* must submit if requested to *Testing* by or on behalf of the *LTA* (including by *UKAD*) at any time and place.

G.1.2 Any period outside of an *In-Competition* period shall be deemed an "**Out-of-Competition**" period for purposes of this *Programme* and the *WADA Code*. Any *Testing* of a *Player* outside of an *In-Competition* period shall therefore be considered *Out-of-Competition Testing*. Save in exceptional circumstances, such *Testing* shall be *No Advance Notice Testing*.

G.1.3 Where a *Sample* is collected during an *Out-of-Competition* period, there shall only be an *Anti-Doping Rule Violation* under Article C.1 if a substance (or any of its *Metabolites* or *Markers*) that is prohibited during *Out-of-Competition* periods – i.e. it is listed in the section of the *Prohibited List* entitled "Substances and Methods Prohibited At All Times (In- and *Out-of-Competition*)" – is present in the *Sample*.

G.1.4 A reasonable effort will be made to avoid inconvenience to a *Player* who is subjected to *Out-of-Competition Testing*. However, the *LTA* and *UKAD* shall not be liable for any inconvenience or loss caused to such a *Player* as a result of such *Testing*.

## **G.2 Obligations on Players included in the LTA Whereabouts Pool.**

G.2.1 In addition to the general Article G.1 obligation on all *Players* to submit to *Out-of-Competition Testing* under this *Programme*:

- (a) a *Player* may be designated by the *ITF* as part of a pool of players under the *ITF Rules* (the "**International Registered Testing Pool**") who are required to submit information as to their whereabouts to the *ITF* and to make themselves available for *Testing* at such whereabouts in accordance with the *ITF Rules*; and
- (b) *UKAD* in consultation with the *LTA* may designate and notify from time to time any *Player* to be included in a pool of *Players*, to be known as the "*LTA Whereabouts Pool*", who are required to provide up-to-date whereabouts information and to make themselves available for *Testing* at such whereabouts in accordance with this Article G.2.

G.2.2 A *Player* in the *LTA Whereabouts Pool* is required:

- (a) to advise *UKAD* (or, if he/she is also in the *International Registered Testing Pool*, the *ITF*) of his/her whereabouts on a quarterly basis, in the manner set out in Article 11.3 of the *International Standard for Testing*; and
- (b) to be available for *Testing* at such whereabouts, in accordance with Article 11.4 of the *International Standard for Testing*.

G.2.3 Subject to the results management procedure referenced at Article G.2.5:

- (a) a *Player's* failure to advise *UKAD* (or, where he/she is in the *International Registered Testing Pool*, the *ITF*) of his/her whereabouts shall be deemed a *Filing Failure* for the purposes of this *Programme* where the conditions of Article 11.3.5 of the *International Standard for Testing* are met; and

- (b) a *Player's* failure to be available for *Testing* at his/her declared whereabouts shall be deemed a *Missed Test* for the purposes of this *Programme* where the conditions of Article 11.4.3 of the *International Standard for Testing* are met.
- G.2.4 Whereabouts information provided by a *Player* to *UKAD* pursuant to Article G.2.2 may be shared with the *LTA*, the *ITF*, *WADA* and other *Anti-Doping Organisations* in accordance with Article 11.7.1(d) of the *International Standard for Testing*.
- G.2.5 Results management in relation to an *Anti-Doping Rule Violation* under Article C.4:
- (a) if the *Player* in the *LTA Whereabouts Pool* is also in the International Registered *Testing Pool*, the *ITF* will be responsible for results management in respect of an apparent *Filing Failure* by the *Player*. Otherwise, however, results management in respect of an apparent *Filing Failure* by a *Player* in the *LTA Whereabouts Pool* shall be conducted by *UKAD* in accordance with Article 11.6.2 of the *International Standard for Testing* in order to determine whether the failure should be declared a *Filing Failure* for purposes of Article C.4;
- (b) results management in respect of an apparent *Missed Test* by a *Player* in the *LTA Whereabouts Pool* as a result of an attempt to test the *Player* by or on behalf of the *LTA* under this *Programme* shall be conducted by *UKAD* in accordance with Article 11.6.3 of the *International Standard for Testing* in order to determine whether the failure should be declared a *Missed Test* for purposes of Article C.4;
- (c) where, in any eighteen-month period, a *Player* in the *LTA Whereabouts Pool* is declared to have three *Filing Failures*, or three *Missed Tests*, or any combination of *Filing Failures* and *Missed Tests* adding up to three in total, whether under this *Programme*, or (in accordance with Article 11.1.5 of the *International Standard for Testing*) under the rules of any other relevant *Anti-Doping Organisation*, then (save only where Article 11.6.5(a) of the *International Standard for Testing* provides otherwise) *UKAD* shall determine, in accordance with Article J.5.2 of this *Programme* and Article 11.6.5 of the *International Standard for Testing*, whether the *Player* has a case to answer under Article C.4.
- G.2.6 A *Player* in the *LTA Whereabouts Pool* shall continue to be subject to the requirements of this Article G.2 unless and until:
- (a) further to Article B.7 the *Player* is deemed under the *LTA Rules* and/or other rules applicable to him/her to have retired from the sport; or
- (b) the *Player* is notified in writing that he/she no longer satisfies the criteria established by *UKAD* pursuant to Article G.2.1 for inclusion in the *LTA Whereabouts Pool*.
- G.2.7 A *Player* in the *LTA Whereabouts Pool* is personally responsible for compliance with the provisions of this Article G.2. It shall not be a defence to proceedings brought further to

Article C.4 that a *Player* delegated responsibility for compliance to another person (e.g. a coach) and that person failed to ensure compliance.

### **G.3 Out-of-Competition Testing Procedures.**

- G.3.1 A *Player* may be selected for *Out-of-Competition Testing* whether or not he/she has been included in the *LTA Whereabouts Pool*. The timing of *Out-of-Competition Testing* and the selection of *Players* to be tested shall be at the absolute discretion of *UKAD* in consultation with the *LTA*. For the avoidance of doubt, *UKAD* may select *Players* for *Target Testing Out-of-Competition* (in accordance with the *WADA Code* Article 5.1.3 requirement to make *Target Testing* a priority) so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes. Decisions relating to timing and selection of *Players* for *Out-of-Competition Testing* shall remain confidential except to those with a reasonable need to know of them in order to facilitate such *Testing*.
- G.3.2 *Out-of-Competition Testing* shall be conducted in accordance with the *International Standard for Testing* and the *Tennis Testing Protocols*. *Players* must familiarise themselves with, and must comply with, all of the requirements of that Standard and the *Tennis Testing Protocols*.

## **H. SAMPLE ANALYSIS**

### **H.1 Use of Approved Laboratories.**

- H.1.1 For purposes of detecting the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* and/or evidence of the *Use* of a *Prohibited Method*, *Samples* shall be sent for analysis only to *WADA* accredited laboratories or as otherwise approved by *WADA*.
- H.1.2 For purposes of screening of a blood (or other non-urine) *Sample* collected under this *Programme* to determine whether the *Player's* corresponding urine *Sample* should be analysed, *Samples* may be sent either to a *WADA*-accredited laboratory or to any other entity approved by *WADA* for this purpose (e.g. a local hospital or a mobile testing unit).
- H.1.3 Subject to Article H.1.1, the laboratory or laboratories used for the analysis of *Samples* collected under this *Programme* shall be chosen exclusively by *UKAD* in consultation with the *LTA*.

### **H.2 Substances Subject to Detection.**

Subject to Article G.1.3, the *Samples* collected under this *Programme* shall be analysed (a) to detect *Prohibited Substances* (and/or their *Metabolites* or *Markers*) and *Prohibited Methods* identified on the *Prohibited List* as updated from time to time), and/or (b) to assist in profiling relevant parameters in a *Player's* urine, blood or other matrix, including DNA profiling, for anti-doping purposes.

### **H.3 Restrictions on Use of Samples.**

H.3.1 All *Samples* provided by a *Player* for the purposes of *Testing* under this *Programme* shall be the property of the *LTA*, and *UKAD* in consultation with the *LTA* shall be entitled to determine all matters regarding the analysis and disposal of such *Samples*.

H.3.2 No *Sample* may be used for any purpose other than as described in Article H.2 without the *Player's* written consent. A *Sample* used (with the *Player's* consent) for purposes other than as described in Article H.2 shall have the identity code removed or shall be transferred into an anonymous container so that it cannot be traced back to the *Player* who provided it.

#### **H.4 Standards for *Sample* Analysis and Reporting.**

H.4.1 Laboratories shall analyse *Samples* and report analytical results to *UKAD* in accordance with the *International Standard for Laboratories*, as amended from time to time. *UKAD* shall provide a copy of such analytical results to the *MRO*.

H.4.2 The *LTA* shall be responsible for the costs of collection and analysis of "A" *Samples* under this *Programme*. In the case of a "B" *Sample*, if the "B" *Sample* analysis tests negative for the *Prohibited Substance* or *Prohibited Method* that was found in relation to the "A" *Sample*, the *LTA* shall be responsible for the costs of the "B" *Sample* analysis. If the "B" *Sample* analysis tests positive for the *Prohibited Substance* or *Prohibited Method* that was found in relation to the "A" *Sample*, the *LTA* may require the *Player* to pay the costs of the "B" *Sample* analysis.

H.4.3 Any *Adverse Analytical Findings* reported by the laboratory shall be dealt with as set out in Article J.2.

H.4.4 Any *Atypical Findings* reported by the laboratory shall be dealt with as set out in Article J.3.

#### **H.5 Re-Analysing *Samples*.**

A *Sample* collected under this *Programme* may be re-analysed for the purposes described in Article H.2 at any time exclusively at the direction of *UKAD* (in consultation with the *LTA*) or *WADA*. The circumstances and conditions for re-analysing *Samples* shall conform with the requirements of the *International Standard for Laboratories*.

### **I. OTHER INVESTIGATIONS**

I.1 In addition to conducting the *Testing* referenced at Articles F and G of this *Programme*, *UKAD* shall have the power to conduct investigations in whatever manner it thinks fit into the activities of any *Participant* that *UKAD* believes may have committed an *Anti-Doping Rule Violation*. The *LTA* shall refer any allegations or information in this regard to *UKAD* for this purpose. Such investigations may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other

*Signatories* and/or other relevant authorities. *UKAD* shall have discretion, where it deems appropriate, to stay its own investigation pending the outcome of investigations being conducted by other *Signatories* and/or other relevant authorities.

- I.2 If a *Participant* knows or suspects that any other *Participant* has committed an *Anti-Doping Rule Violation*, it shall be the *Participant's* obligation to report such knowledge or suspicion as soon as possible to *UKAD* or the *MRO* (who shall immediately pass on such report to *UKAD*). A *Participant* shall have a continuing obligation to report any new knowledge or suspicion regarding any *Anti-Doping Rule Violation* to *UKAD* or the *MRO*, even if the *Participant's* prior knowledge or suspicion has already been reported. Failure to comply with any of the foregoing without acceptable justification shall constitute an *Anti-Doping Rule Violation* within the meaning of Article C.9.
- I.3 *Participants* must cooperate fully with investigations conducted pursuant to this Article I. Failure or refusal to do so without acceptable justification shall constitute or an *Anti-Doping Rule Violation* within the meaning of Article C.9.
- I.3.1 If *UKAD* in consultation with the *LTA* believes that a *Participant* may have committed an *Anti-Doping Rule Violation*, *UKAD* may make a written demand to such *Participant* (a "**Demand**") to furnish to *UKAD* any information regarding the alleged *Anti-Doping Rule Violation*, including (without limitation) a written statement setting forth the facts and circumstances with respect to the alleged *Anti-Doping Rule Violation*, provided that the *Independent Reviewer(s)* has/have agreed, in accordance with Article J.6, that there is a good faith basis for the *Demand*. The *Participant* must furnish such information within seven business days of the making of such *Demand*, or within such other time as may be set by *UKAD*. Any information furnished to *UKAD* in response to the *Demand* may be shared between *UKAD* and the *LTA* but otherwise shall be kept confidential except when it becomes necessary to disclose such information in furtherance of the prosecution of an *Anti-Doping Rule Violation*, or when such information is reported to administrative, professional, or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations.
- I.3.2 Each *Participant* waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold information requested by *UKAD* in accordance with Article I.3.1. If a *Participant* fails to produce such information, the *Participant's* eligibility to compete in *Competitions*, *Events* and other activities covered by Article B.1 (or, in the case of a *Player Support Personnel*, to assist *Players* competing in such *Competitions*, *Events* and other activities) may be withdrawn, and he/she may be denied credentials and access to *Competitions*, *Events* and other activities covered by Article B.1, pending compliance with the *Demand*.
- I.4 Where, as the result of an investigation under this Article I, *UKAD* forms the view that an *Anti-Doping Rule Violation* may have been committed, the matter shall be dealt with as set out in Article J.4.

## **J. RESULTS MANAGEMENT**

## **J.1 Responsibility for Results Management.**

J.1.1 Results management and the investigation of potential *Anti-Doping Rule Violations* shall proceed pursuant to this *Programme* where the conduct in question:

- (a) was identified by *Testing* conducted pursuant to this *Programme* or otherwise arose in relation to this *Programme*; or
- (b) was identified by *Testing* conducted pursuant to other applicable rules (e.g. at an *International Event*) or otherwise arose in relation to those other rules, and the *Anti-Doping Organisation* that issued such rules requests or it is otherwise appropriate in all of the circumstances for the *LTA* and *UKAD* to take jurisdiction over the matter.

J.1.2 Where responsibility for results management arises under this *Programme*, it shall be undertaken by *UKAD*.

## **J.2 Review of Adverse Analytical Findings.**

J.2.1 In respect of each *Adverse Analytical Finding*, in relation to an *A Sample*, then (save where an application for a retroactive *TUE* has been made to *UKAD*, in accordance with Article E of this *Programme* and/or Article 4.7 of the *International Standard for Therapeutic Use Exemptions*, in which case no action shall be taken pending a decision on the application) *UKAD* (involving *Independent Reviewers* as appropriate and consulting with the *LTA*) shall conduct a review of any *TUE* granted to the *Player* as well as of the documentation relating to the *Doping Control* and the *A Sample* analysis, and any other relevant documentation, as soon as reasonably practicable to determine whether:

- (a) the *Adverse Analytical Finding* is consistent with a *TUE* that has been granted or recognised in accordance with Article E; or
- (b) there is any departure from the *International Standard for Testing* or from the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

J.2.2 If it is determined that either (a) or (b) in Article J.2.1 applies, *UKAD* shall advise the *Player* that there is no case to answer. *UKAD* shall also advise the *LTA*, *WADA* and any other *Interested Party* and (subject to any appeal) the matter shall not proceed any further.

J.2.3 If it is determined that neither (a) or (b) in Article J.2.1 applies, then there shall be deemed to be a case to answer and *UKAD* shall send the *Player* a *Notice of Charge* as set out in Article K.2.

## **J.3 Review of Atypical Findings**

- J.3.1 In certain circumstances where a *Prohibited Substance* is detected in a *Sample* that may also be produced endogenously, the *International Standards* direct laboratories to report the presence of such substance as an *Atypical Finding* that should be investigated further.
- J.3.2 If a laboratory reports an *Atypical Finding* in respect of a *Sample* collected from a *Player* under this *Programme*, UKAD (using *Independent Reviewers* and consulting with the *LTA* as appropriate) shall conduct an initial review to determine whether:
- (a) the *Atypical Finding* is consistent with a *TUE* that has been granted or recognised in accordance with Article E; or
  - (b) there is any departure from the *International Standard for Testing* or from the *International Standard for Laboratories* that caused the *Atypical Finding*.
- J.3.3 If it is determined that either (a) or (b) in Article J.3.2 applies, UKAD shall advise the *Player* that there is no case to answer. UKAD shall also notify the *LTA*, *WADA* and any other *Interested Party* and (subject to any appeal) the matter shall not proceed any further.
- J.3.4 If it is determined that neither of (a) or (b) in Article J.3.2 applies, UKAD shall conduct the follow-up investigation required by the *International Standards*.
- J.3.5 The results of the investigation shall be referred to one or more *Independent Reviewers*, if appropriate. If the *Independent Reviewer(s)* conclude(s) that the *Atypical Finding* should be considered an *Adverse Analytical Finding*, and following due consideration (including consultation with the *LTA*) it is determined that there is a case to answer under Article C, the matter shall proceed in accordance with Article J.2.3.
- J.3.6 Pending the outcome of the investigation, the *Atypical Finding* shall be kept confidential, save that:
- (a) if it determines that the *B Sample* should be analysed as part of the investigation, UKAD shall notify the *Player* in accordance with Article K.2.1(d); and
  - (b) if required by the *LTA*, the *ITF* or a *Major Event Organisation* in the lead-up to an *Event*, or by the *LTA* or other sports organisation about to select *Players* for an *International Event*, UKAD may confirm that the *Player* has a pending *Atypical Finding*, after telling the *Player*.
- J.3.7 If UKAD decides not to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, it shall so notify the *Player*, the *LTA*, *WADA* and any other *Interested Party* and (subject to any appeal) the matter shall not proceed any further.
- J.4 Review of Evidence Other Than *Adverse Analytical Findings* or *Atypical Findings*.**

- J.4.1 Where a matter arises that involves evidence of an *Anti-Doping Rule Violation* other than an *Adverse Analytical Finding* or *Atypical Finding*, UKAD shall conduct any further investigation that it deems necessary in order to determine whether there is a case to answer under Article C, including the seeking of any additional information in accordance with Article I or otherwise.
- J.4.2 Where UKAD considers it appropriate to do so (but not otherwise), it may give the *Participant(s)* implicated in the possible *Anti-Doping Rule Violation* an opportunity, subject to a strict timetable set by UKAD, to make such submissions as he/she may wish to make, and shall take such submissions (if any) into account in making its determination. UKAD shall determine how the submissions should be made, such as (for example) in writing, copied to the LTA or by telephonic conference (to which the LTA shall be a party). A formal hearing is not required to be held.
- J.4.3 Where UKAD concludes following such investigation that there is no case to answer under Article C, then UKAD shall notify the *Player*, the LTA, WADA and any other *Interested Party*, and (subject to any appeal) the matter shall not proceed any further.
- J.4.4 Where (following consultation with the LTA) UKAD concludes that there is a case to answer under Article C, it shall refer the matter to one or more *Independent Reviewers*, as appropriate. If the *Independent Reviewer(s)* decide(s) that there is no case to answer under Article C then the provisions of Article J.4.3 shall apply. If the *Independent Reviewer(s)* agree(s) that there is a case to answer under Article C, UKAD shall send the *Player* a *Notice of Charge* in accordance with Article K.2.1.

## **J.5 Review of Whereabouts Failures**

- J.5.1 Where (in accordance with Article 11.6.2 or Article 11.6.3 of the *International Standard for Testing*) a *Player* requests an administrative review of an alleged *Filing Failure* or *Missed Test*, UKAD shall organise that administrative review (using *Independent Reviewers* as appropriate) in accordance with that Article.
- J.5.2
- (a) If following such review it is determined that the alleged *Filing Failure* or *Missed Test* should not be recorded against the *Player*, UKAD shall notify the *Player*, as well as the LTA, WADA and any other *Interested Party* and (subject to any appeal) the matter shall not proceed any further.
  - (b) If following such review it is determined that the alleged *Filing Failure* or *Missed Test* should be recorded against the *Player*, UKAD shall notify the *Player*, as well as the LTA, WADA and any other relevant *Anti-Doping Organisation*, in accordance with Article 11.6.2(f) or 11.6.3(g) (as applicable) of the *International Standard for Testing*.
  - (c) In such circumstances, if two whereabouts failures have already been recorded against the *Player* in the 18-month period prior to the alleged *Filing Failure* or

*Missed Test* under administrative review, then following consultation with the LTA (and subject to Article 11.6.5 of the *International Standard for Testing*) UKAD shall send the *Player* a *Notice of Charge* in accordance with Article K.2.1.

## J.6 Review of *Demands*

Where UKAD wishes to make a *Demand* of a *Player* in accordance with Article I.3, it shall first refer the *Demand* to an *Independent Reviewer(s)* to determine whether there is a good faith basis for the *Demand*, such that withdrawing eligibility for, access to and accreditation for *Competitions*, *Events* and other activities covered by Article B.1 in the case of non-compliance with the *Demand* is justified. In considering the *Demand*, the *Independent Reviewer(s)* shall have the discretion but not the obligation to invite such submissions from UKAD and the *Participant* in question as it sees fit. If the *Independent Reviewer(s)* determine(s) that there is no good faith basis for the *Demand*, then (a) UKAD shall not pursue the *Demand* with the *Player*; and (b) there shall be no consequences imposed on the *Player* for not complying with the *Demand*.

## K. DISCIPLINARY PROCEEDINGS

### K.1 Statute of Limitations.

No action may be commenced under this *Programme* against a *Participant* for an *Anti-Doping Rule Violation* under this *Programme* unless such action is commenced within eight years from the date that the *Anti-Doping Rule Violation* is alleged to have occurred.

### K.2 *Notice of Charge*.

K.2.1 Subject always to Article K.1, where it is determined, pursuant to Article J, that a *Participant* has a case to answer under Article C, then UKAD will as soon as practicable send the *Participant* a letter (the "**Notice of Charge**"), copied to the LTA, the ITF and WADA, notifying the *Participant* of:

- (a) the *Anti-Doping Rule Violation(s)* that the *Participant* is charged with committing;
- (b) a summary of the facts and evidence relied upon by UKAD in support of such charge. Where the charge is based on an *Adverse Analytical Finding*, a copy of the "A" *Sample* laboratory documentation package, containing the information required by the *International Standard for Laboratories*, should be enclosed with the *Notice of Charge*;
- (c) the *Consequences* applicable under this *Programme* if it is established that the *Participant* has committed the *Anti-Doping Rule Violation(s)* charged (including identifying any discretion that may exist in relation to such *Consequences* under this *Programme*);

- (d) where the charge is based on an *Adverse Analytical Finding* with respect to an "A" *Sample*, the right of the *Player* to request the analysis of the "B" *Sample* (and to attend the opening of the "B" *Sample*), on a date and at a time to be determined by *UKAD* in consultation with the laboratory in accordance with Article K.3;
- (e) (where applicable) the matters relating to *Provisional Suspension* specified at Article K.4; and
- (f) the *Participant's* entitlement to respond to the *Notice of Charge* in one of the following ways:
  - (i) to admit the *Anti-Doping Rule Violation(s)* charged, and accede to the *Consequences* specified in the *Notice of Charge*;
  - (ii) to admit the *Anti-Doping Rule Violation(s)* charged, but to dispute and/or seek to mitigate the *Consequences* specified in the *Notice of Charge*, and to have an *NADP* tribunal determine the *Consequences* at a hearing conducted in accordance with Article K.5; or
  - (iii) to deny the *Anti-Doping Rule Violation(s)* charged, and to have an *NADP* tribunal determine the charge and (if the charge is upheld) any *Consequences*, at a hearing conducted in accordance with Article K.5;

provided that if the *Participant* wishes to exercise his/her right to a hearing conducted in accordance with Article K.5, he/she must submit a written request for such a hearing so that it is received by *UKAD* within ten (10) days of the *Participant's* receipt of the *Notice of Charge*. The *Participant's* request for a hearing must also state how the *Participant* responds to the charge in the *Notice of Charge* and must explain (in summary form) the basis for that response. In the event no such response is received within the ten (10) day deadline, the *Participant* will be deemed to have admitted the *Anti-Doping Rule Violation(s)* charged, and to have acceded to the *Consequences* set out in the *Notice of Charge*.

K.2.2 In the *Notice of Charge*, and/or at any other time prior to the decision of the *NADP* tribunal, *UKAD* may invite the *Participant* to admit the *Anti-Doping Rule Violation(s)* charged and accede to specified *Consequences*.

K.2.3 In the event that the *Participant* admits the *Anti-Doping Rule Violation(s)* charged and accedes to the *Consequences* specified by *UKAD* (or is deemed to have done so in accordance with Article K.2.1), neither B *Sample* analysis nor a hearing before the *NADP* tribunal shall be required. Instead a decision shall be issued confirming the commission of the *Anti-Doping Rule Violation(s)* and the imposition of the specified *Consequences*, and *UKAD* shall send a copy of the decision to the *Participant* and each *Interested Party*, and shall publish that decision in accordance with Article K.8.

### K.3 **B Sample Analysis.**

- K.3.1 If the *Player* admits the presence in his/her *Sample* of a *Prohibited Substance* (or any of its *Metabolites* or *Markers*) detected by the laboratory, or fails to request analysis of the "B" *Sample* within any deadline specified in the *Notice of Charge*, the *Player* shall be deemed: (a) to have waived his/her right to have the "B" *Sample* analysed; and (b) to have accepted the accuracy of the *Adverse Analytical Finding* made by the laboratory based on the A *Sample* analysis only. In such circumstances, no analysis of the "B" *Sample* shall take place unless requested by *UKAD*.
- K.3.2 If the *Player* does not admit the presence in his/her *Sample* of the *Prohibited Substance* (or any of its *Metabolites* or *Markers*) detected by the laboratory, and meets any deadline specified in the *Notice of Charge* for requesting analysis of the "B" *Sample*, the analysis of the B *Sample* shall proceed on the date and at the time and venue specified pursuant to Article K.2.1(d). The *Player* and/or his/her representative shall be entitled to be present at the analysis of the B *Sample* at the *Player's* cost as shall representatives of *UKAD* and the *LTA* (at their own cost). There shall be no right to an adjournment of the date scheduled for analysis of the B *Sample*. Instead, any such adjournment shall be at the absolute discretion of *UKAD*. In the event that neither the *Player* nor any representative of the *Player* attends the B *Sample* analysis, the laboratory shall appoint an independent witness, in accordance with the *International Standard for Laboratories*, to verify that the "B" *Sample* container shows no signs of tampering and that the identifying numbers correspond to those on the collection documentation.
- K.3.3 If the analysis of "B" *Sample* does not confirm the *Adverse Analytical Finding* in respect of the "A" *Sample*, then (unless *UKAD* charges the *Player* with *Use* under Article C.2, the entire test shall be considered negative and the *Player*, the *LTA* and *WADA* shall be so informed. In such circumstances, the *Notice of Charge* will be withdrawn, the proceedings instituted against the *Player* shall be discontinued, any *Provisional Suspension* previously imposed shall be deemed vacated with immediate effect, in accordance with Article K.4.2, and the matter shall not proceed any further.
- K.3.4 If the analysis of the B *Sample* confirms the *Adverse Analytical Finding* made in respect of the A *Sample* to the satisfaction of *UKAD*, then the matter shall proceed to a hearing in accordance with the provisions of Article K.5.

#### **K.4 *Provisional Suspension.***

- K.4.1 If (and only if) each of the following conditions is met:
- (a) analysis of an "A" *Sample* by a *WADA*-accredited laboratory has resulted (including after any further investigation of an *Atypical Finding* in accordance with Article J.2, where applicable) in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*; and
  - (b) *UKAD* has completed its review in accordance with Article J and has concluded that the *Player* in question has a case to answer under Article C.1 (presence of a *Prohibited Substance* or any of its *Metabolites* or *Markers* in the *Player's Sample*);

then *UKAD* shall notify the *Player*, in the *Notice of Charge*, that he/she will be Provisionally Suspended with effect from the date ten days after the date of deemed receipt of the *Notice of Charge*, pending determination of the charge against him/her at a full hearing pursuant to Article K. However, *UKAD* shall at the same time notify the *Player* of his/her right, at his/her election, to make an application to the *NADP*, either immediately or at any time prior to the full hearing, showing cause why the *Provisional Suspension* should not be imposed (or, where it has been imposed, why it should be vacated) in advance of the full hearing.

- K.4.2 If the B *Sample* analysis does not confirm the *Adverse Analytical Finding* made in respect of the "A" *Sample*, then Article K.3.3 shall apply, and no *Provisional Suspension* shall be imposed on the *Player*. If a *Provisional Suspension* was imposed on the *Player* prior to receipt of the results of the B *Sample* analysis, then in accordance with Article K.3.3 it shall be deemed automatically vacated with immediate effect, without any need for any further order.
- K.4.3 If, within ten days of the date of deemed receipt of the *Notice of Charge*, the results of the "B" *Sample* analysis are not received, or they are received and they confirm the *Adverse Analytical Finding* in respect of the "A" *Sample*, and the *Player* does not exercise his/her right to apply for an order that a *Provisional Suspension* should not be imposed prior to 1700 (GMT) on the tenth day after the date of deemed receipt of the *Notice of Charge*, then the *Provisional Suspension* will come into effect automatically at that point and will remain in place (subject to the *Player's* right at any time to apply to the *NADP* for it to be vacated) pending determination of the charge against the *Player*.
- K.4.4 If the *Player* exercises his/her right to apply to the *NADP* for an order that a *Provisional Suspension* should not be imposed (or, if already in place, that it should be vacated), then:
- (a) any submissions that the *Player* wishes to make (personally or through a representative) in support of the application must be made in writing to the *NADP* at the same time as the application is made, with copies sent simultaneously to *UKAD* and the *LTA*;
  - (b) any submissions that *UKAD* and/or the *LTA* wishes to make (personally or through a representative) must be made in writing to the *NADP* as soon as possible after receipt of the *Player's* submissions, with a copy sent simultaneously to the *Player*;
  - (c) the *NADP* will rule on the application as soon as reasonably practicable. The *NADP* shall have discretion, where fairness requires, to invite or to allow the parties to make oral submissions, either by a telephone conference call or in person, prior to rendering a decision on the application. For the avoidance of doubt, however, neither party shall have the right to make such submissions if the *NADP* in its discretion does not invite or allow such submissions;

- (d) if the *Player's* application is received prior to 1700 (GMT) on the tenth day after the date of deemed receipt of the *Notice of Charge*, the *Provisional Suspension* will not come into effect unless and until that application is rejected;
- (e) if the *Player's* application is made after 1700 (GMT) on the tenth day after the date of deemed receipt of the *Notice of Charge*, so that the *Provisional Suspension* has already come into effect, the *Provisional Suspension* will remain in effect pending the *NADP's* decision on the application; and
- (f) the *Provisional Suspension* shall be imposed (or shall not be vacated) unless the *Player* establishes to the comfortable satisfaction of the *NADP* that, notwithstanding the matters set out in Article K.4.1(a) and (b):
  - (i) the charge has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the charge is based; or
  - (ii) the *Player* has a strong arguable case that he/she bears No Fault or Negligence for the *Anti-Doping Rule Violation(s)* charged, so that any period of *Ineligibility* that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article M.5.1; or
  - (iii) some other facts exist that make it clearly unfair, in all of the circumstances of the case, to impose a *Provisional Suspension* prior to determination of the charge against the *Player*. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the *Provisional Suspension* would prevent the *Player* competing in a particular *Competition* or *Event* shall not qualify as exceptional circumstances for these purposes.

K.4.5 Where the *NADP* grants the *Player's* application and rules that no *Provisional Suspension* should be imposed on the *Player*, or that a *Provisional Suspension* previously imposed on the *Player* should be vacated, then (subject only to the possibility of reconsideration in light of new evidence) that decision will be final and binding on the parties, and no party shall have a right of appeal against it.

K.4.6 Where the *NADP* rejects the *Player's* application and a *Provisional Suspension* is therefore imposed (or is not vacated), the *Player* has:

- (a) a right to appeal immediately to an *NADP* appeal tribunal (or, in the case of an *International-Level Player*, to *CAS*) against that decision in accordance with Article K.6, provided however that the *Provisional Suspension* shall remain in effect pending a decision on the merits of the appeal;
- (b) the right to have the proceedings before the *NADP* first instance tribunal expedited so that the hearing is held, and the charge against him/her is determined, as soon as possible, consistent with the requirements of due process; and

- (c) the right, if the charge against him/her is upheld by the *NADP* first instance tribunal and a period of *Ineligibility* is imposed, to have the period of any *Provisional Suspension* that he/she has already served credited against that period of *Ineligibility*, in accordance with Article M.9.3(a).

**K.4.7 Prohibition against Participation during *Provisional Suspension*:**

A *Player* may not, during the period of any *Provisional Suspension*, play, coach or otherwise participate in any capacity in (a) any *Event*, *Competition*, or any other kind of activity (other than authorised anti-doping education or rehabilitation programmes) covered by Article B.1; or (b) any *Event* or *Competition* authorised or organised by any professional league or any other international or national-level *Event* organisation. Without prejudice to the generality of the foregoing, the *Player* shall not be given accreditation for, or otherwise granted access to, any *Event*, *Competition*, or other activity covered by Article B.1 to which access is controlled by the *LTA* and any accreditation previously issued shall be withdrawn. In addition, the *LTA* will take the necessary steps to have the *Provisional Suspension* recognised and enforced by other relevant organisations in accordance with Article 15.4 of the *WADA Code*.

**K.4.8 For the avoidance of doubt, no *Provisional Suspension* may be imposed on a *Player* under this *Programme* except in the circumstances set out in Article K.4.1, and in accordance with the provisions of Articles K.4.2 – K.4.7. In other cases where a *Notice of Charge* is issued, however:**

- (a) if the *Player* voluntarily accepts a *Provisional Suspension* in writing in accordance with Article M.9.3 and thereby foregoes any form of involvement in any *Event* or *Competition* or other activity covered by Article B.1 pending determination of the charge against him/her (including but not limited to playing, coaching and/or participating in any capacity at such *Events*, *Competitions* or other activities), then that period of voluntary *Provisional Suspension* will be credited in accordance with Article M.9.3(a) against any period of *Ineligibility* subsequently imposed on the *Player*; and
- (b) if the *Player* continues to compete in *Events* or *Competitions* pending determination of the charge against him/her, where requested by the *LTA* the organisers of the relevant *Events* or *Competitions* shall pay to the *LTA* upon demand the following proportions of any *Prize Money* won by the *Player* subsequent to his/her receipt of the *Notice of Charge* (taken in aggregate, across all of the relevant *Events*), to be held in escrow pending the determination of the charge:

Total aggregate prize money	Percentage withheld
£0-7,500	0%
£7,501-27,500	50%
£27,501+	100%

If the final decision of the *NADP* tribunal does not require the forfeiture of such escrowed *Prize Money*, then it shall be returned without delay to the *Player*, together with any interest earned on the money while it was in escrow. If such forfeiture is required, any interest earned shall be retained by the *LTA*.

- K.4.9 No admission shall be inferred, or other adverse interference drawn, from (a) a *Player's* decision not to make an application under Article K.4.1 to avoid (or vacate) a *Provisional Suspension*; or (b) a *Player's* decision to accept a voluntary *Provisional Suspension* under Article K.4.8(a).

## **K.5 Proceedings before the *NADP*.**

### **K.5.1 Jurisdiction of the *NADP*:**

The following matters arising under the *Programme* shall be submitted for determination by the *NADP*, in accordance with this Article K and (to the extent they do not conflict with this Article K) the procedural rules issued by the *NADP* (as amended from time to time):

- (a) a charge that one or more *Anti-Doping Rule Violations* has been committed: see Article K.2. Where such charge is upheld, the *NADP* tribunal will determine what *Consequences* (if any) should be imposed, in accordance with and pursuant to Articles L and M;
- (b) an application that a *Provisional Suspension* should not be imposed (or should be lifted): see Article K.4;
- (c) an appeal to an *NADP* appeal tribunal brought in accordance with Article K.6.

### **K.5.2 Rules of Evidence and Procedure before the *NADP*:**

- (a) *UKAD* (which may be assisted by a legal representative) will have the burden of establishing that the *Participant* has committed the *Anti-Doping Rule Violation(s)* charged. The burden will be to establish to the comfortable satisfaction of the *NADP* tribunal that the *Participant* has committed the *Anti-Doping Rule Violation(s)* charged, bearing in mind the seriousness of the allegation that 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.
- (b) Where this *Programme* places the burden of proof on the *Participant* charged to rebut a presumption or established specified facts or circumstances, the standard of proof shall be by a balance of probability, except where the *Programme* specifically provides (in Article M.4.2 and in Article M.6.1) that the *Participant* must satisfy a higher standard of proof.
- (c) The *NADP* tribunal will not be bound by judicial rules governing the admissibility of evidence. Instead, facts relating to *Anti-Doping Rule Violations* may be

established by any reliable means, including admissions. The following rules shall apply:

- (i) WADA-accredited laboratories, or as otherwise approved by WADA, shall be presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard for Laboratories*. The *Participant* charged may rebut this presumption by establishing that a departure from the *International Standard for Laboratories* has occurred that could reasonably have caused the *Adverse Analytical Finding*. If the presumption is rebutted in this way, UKAD shall have the burden of establishing that such departure did not cause the *Adverse Analytical Finding*;
- (ii) departures from any other *International Standard* or other anti-doping rule or policy that did not cause the facts alleged in support of a charge (eg., an *Adverse Analytical Finding*) shall not invalidate such facts. If the *Participant* charged establishes that a departure from an *International Standard* or other anti-doping rule or policy occurred that could reasonably have caused the facts alleged in support of the charge, then UKAD shall have the burden of establishing that such departure did not cause such facts;
- (iii) proof of an *Adverse Analytical Finding* in respect of a *Player's "A" Sample* is sufficient to establish an *Anti-Doping Rule Violation* under Article C.1 if (A) the *Player* waives analysis of the "B" *Sample* and the "B" *Sample* is therefore not analysed; or (B) the "B" *Sample* is analysed, and that analysis confirms the *Adverse Analytical Finding* made in respect of the *Player's "A" Sample*;
- (iv) the facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction that is not the subject of a pending appeal shall be irrebuttable evidence against the *Person* to whom the decision pertained of those facts, unless the *Person* establishes that the decision violated principles of natural justice; and
- (v) the NADP tribunal may draw an inference adverse to the *Participant* charged with an *Anti-Doping Rule Violation* based on the *Participant's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or by telephone as directed by the NADP tribunal) and to answer questions from UKAD or the NADP tribunal.
- (d) The LTA shall have the right to participate in the proceedings as a party, including receiving notice of all matters, having the right to attend all hearings, and to make such interventions and submissions as it sees fit.

### **K.5.3 Decisions:**

Where the NADP tribunal finds that an *Anti-Doping Rule Violation* has been committed, it shall impose the *Consequences* mandated by Articles L and M. Where those Articles confer discretion on the NADP tribunal as to any of the *Consequences* to be imposed for the *Anti-Doping Rule Violation* committed, the NADP tribunal shall also exercise that

discretion to fix such *Consequences* within the specified range, after considering any submissions on the subject that the parties may wish to make.

## **K.6 Appeal Proceedings.**

K.6.1 A decision that an *Anti-Doping Rule Violation* was (or was not) committed, a decision imposing (or not imposing) *Consequences* for an *Anti-Doping Rule Violation*, a decision that a charge cannot go forward for procedural reasons (including, for example, because too much time has passed), a decision not to record an alleged *Filing Failure* or *Missed Test*, a decision under Article M.10.5 in relation to participation while Ineligible, a decision that an *Anti-Doping Organisation* or a hearing panel lacks jurisdiction to rule on an alleged *Anti-Doping Rule Violation* or its *Consequences*, a decision by UKAD not to pursue an *Adverse Analytical Finding* or an *Atypical Finding* as an *Anti-Doping Rule Violation*, and a decision by UKAD not to bring a charge after an investigation under Article I, may only be challenged by appeal by one or more of the following parties, as follows:

- (a) the *Participant* who is the subject of the decision being appealed;
- (b) the *LTA*;
- (c) the *ITF*;
- (d) *UKAD*;
- (e) the IOC 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/or
- (f) *WADA*;

provided that, in each case, for the appeal to be valid, the party wishing to exercise its right of appeal must file notice of that appeal with the appellate body (i.e., either the *NADP* or *CAS*, as specified in Article K.6.3) within twenty one (21) days of the date of that party's receipt of the decision being appealed. The party filing the notice of appeal must also send copies of it at the same time to all other parties with a right of appeal.

K.6.2 The only *Person* who may appeal a decision to impose (or not to vacate) a *Provisional Suspension* is the *Player* affected by the *Provisional Suspension*, in accordance with Article K.4.6(a).

K.6.3 An appeal pursuant to Articles K.6.1 or K.6.2 shall be made exclusively as follows:

- (a) in a case involving an *International-Level Player*, the appeal shall be made to *CAS*, in accordance with Article K.6.6; and

- (b) in all other cases, the appeal shall be made to the *NADP*, in accordance with this Article K.6 and the *NADP*'s procedural rules (to the extent they do not conflict with this Article K.6).

K.6.4 Without prejudice to Article E.5.1:

- (a) a *Player* whose application for a *TUE* pursuant to this *Programme* is denied, or granted subject to conditions or restrictions, or subsequently revoked or withdrawn, may appeal that decision to the *UK TUE Appeal Panel* in the manner set out in the *UK Anti-Doping Procedures Guide for Sport*. Alternatively, if the *Player* is an *International-Level Player*, he/she may at his election appeal the decision to *CAS*;
- (b) the *LTA*, *UKAD* and/or *WADA* may appeal to *CAS* against any decision of the *UK TUE Appeal Panel* overturning the original decision; and
- (c) a decision by *WADA* reversing the grant or denial of a *TUE* pursuant to this *Programme* may be appealed exclusively to *CAS* by the *Player*, the *LTA* or *UKAD*, or by the *ITF*, in accordance with the *ITF* Rules.

K.6.5 Any decision of an *NADP* appeal tribunal under the *Programme* may be challenged only by the *LTA*, *UKAD*, the *ITF*, and/or *WADA*, by appeal to *CAS* in accordance with Article K.6.6.

K.6.6 Where this *Programme* creates a right of appeal to *CAS*, such appeal shall be conducted in accordance with *CAS*'s Code of Sports-Related Arbitration, amended/supplemented as follows:

- (a) any party filing an appeal shall be entitled to assistance from *CAS* to obtain all relevant information from the parties to the decision being appealed, and the information shall be provided if *CAS* so directs;
- (b) the law governing the appeal shall be English law and the appeal shall be conducted in English, unless the parties agree otherwise;
- (c) the decision of *CAS* shall be final and binding on all parties, and no right of appeal shall lie from the *CAS* decision.

K.6.7 Decisions shall remain in effect pending appeal unless the *NADP* appeal tribunal or *CAS* (as applicable) orders otherwise.

#### **K.7 Failure to Render a Timely Decision.**

Where, in a particular case, *UKAD* fails to decide 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 *UKAD* had decided there was no *Anti-Doping Rule Violation*. If *CAS* determines that an *Anti-Doping Rule Violation* was committed and that *WADA*

acted reasonably in electing to appeal directly to CAS, then WADA's reasonable costs and legal fees in prosecuting the appeal shall be reimbursed to WADA by UKAD.

#### **K.8 Publication of Decisions.**

- K.8.1 A decision under this *Programme* finding that an *Anti-Doping Rule Violation* has been committed will be disclosed publicly once the *Participant's* appeal rights have been exhausted, i.e., if the *Participant* does not exercise his/her right of appeal or if he/she exercises that right but the finding that an *Anti-Doping Rule Violation* has been committed is upheld.
- K.8.2 Any decision under this *Programme* exonerating the *Participant* charged may only be publicly disclosed on an anonymised basis, unless the *Participant* agrees otherwise.
- K.8.3 Subject to the foregoing, and to the confidentiality provisions of Article P, UKAD shall keep the LTA, ITF WADA and any other Interested Parties advised of the status of the disciplinary and/or appeal proceedings and any decisions taken pursuant to the *Programme*, and each of them is entitled to attend the disciplinary hearing(s) to observe the proceedings (subject to any directions imposed by the relevant disciplinary panel).

#### **L. DISQUALIFICATION OF RESULTS**

- L.1 An *Anti-Doping Rule Violation* committed by a *Player* in connection with or arising out of an *In-Competition* test automatically leads to *Disqualification* of the result obtained by the *Player* in the *Competition* in question, with all resulting consequences, including forfeiture of any medals, titles, computer ranking points and *Prize Money* obtained in that *Competition*. In addition, further results obtained by the *Player* in the same or subsequent *Events* may be *Disqualified*, in accordance with Article M.1 (same *Event*) and/or Article M.8 (subsequent *Events*).
- L.2 Where results obtained by a *Player* in a doubles *Competition* are *Disqualified* because of that *Player's Anti-Doping Rule Violation*, that *Player* shall be required to forfeit his/her share of the *Prize Money* that was awarded to the doubles pair in which he/she competed in such *Competition*. In addition:
- L.2.1 Where results obtained by a *Player* in a doubles *Competition* are *Disqualified* pursuant to Article L.1 because of that *Player's Anti-Doping Rule Violation* in connection with or arising out of that doubles *Competition*, the result of the *Player's* doubles partner in that *Competition* shall also be *Disqualified*, with all resulting consequences, including forfeiture of all medals, titles, computer ranking points and *Prize Money*.
- L.2.2 Where results obtained by a *Player* in a doubles *Competition* are *Disqualified* pursuant to Article M.1 because of that *Player's Anti-Doping Rule Violation* in relation to another *Competition* at that *Event*, the result of the *Player's* doubles partner in that doubles *Competition* shall also be *Disqualified*, with all resulting consequences, including forfeiture of all medals, titles, computer ranking points and *Prize Money*, unless the

doubles partner establishes at a hearing, on the balance of probabilities, (a) that he/she was not implicated in the first *Player's Anti-Doping Rule Violation*; and (b) and that the result in the doubles *Competition* was not likely to have been affected by the first *Player's Anti-Doping Rule Violation*.

- L.2.3 Where results obtained by a *Player* in doubles *Competition(s)* in an *Event* played subsequent to the *Competition* that produced the positive *Sample* are *Disqualified* pursuant to Article M.8 because of that *Player's Anti-Doping Rule Violation*, the result of the *Player's* doubles partner(s) in such subsequent *Competition(s)* shall not be *Disqualified* unless *UKAD* establishes, to the comfortable satisfaction of the *NADP* tribunal, that the doubles partner(s) was implicated in the first *Player's Anti-Doping Rule Violation*.
- L.3 There will be no readjustment of medals, titles, computer ranking points or *Prize Money* for any *Player* who lost to a *Player* subsequently found to have committed an *Anti-Doping Rule Violation* unless provision is made for such readjustment by the regulations of the relevant *Competition*.

## **M. FURTHER SANCTIONS**

### **M.1 *Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs.***

- M.1.1 Subject to Article M.1.2, where a *Player* is found to have committed an *Anti-Doping Rule Violation* during or in connection with a *Competition* in an *Event* where the *Player* also participated in other *Competitions* (for example, the *Anti-Doping Rule Violation* was committed during or in connection with the doubles *Competition* and the *Player* also participated in the singles *Competition* at that *Event*), then in addition to the consequences set out at Article L (in relation to the *Disqualification* of results obtained in the particular *Competition* during or in connection with which the *Anti-Doping Rule Violation* was committed), the *Anti-Doping Rule Violation* will also lead to *Disqualification* of all of the *Player's* individual results obtained in the other *Competitions* in the *Event* with all resulting consequences, forfeiture of all medals, titles, computer ranking points and *Prize Money*.
- M.1.2 If the *Player* establishes that he/she bears No Fault or Negligence for the *Anti-Doping Rule Violation*, the *Player's* individual results in other *Competitions* in the same *Event* as the *Competition* during or in connection with which the *Anti-Doping Rule Violation* occurred shall not be *Disqualified* unless *UKAD* establishes that the *Player's* results in the other *Competition(s)* were likely to have been affected by his/her *Anti-Doping Rule Violation*.

### **M.2 *Imposition of a Period of Ineligibility for Presence, Use or Attempted Use, or Possession of Prohibited Substances and Prohibited Methods.***

The period of *Ineligibility* imposed for an *Anti-Doping Rule Violation* under Article C.1 (presence of *Prohibited Substance* or any of its *Metabolites* or *Markers*), Article C.2 (*Use or Attempted Use of Prohibited Substance* or *Prohibited Method*) or Article C.6 (*Possession of Prohibited Substances* and/or *Prohibited Methods*) that is the *Participant's* first offence shall be two years, unless the conditions for eliminating or reducing the period of *Ineligibility* (as specified in Articles M.4 and M.5) or the conditions for increasing the period of *Ineligibility* (as specified in Article M.6) are met.

### **M.3 Imposition of a Period of *Ineligibility* for Other *Anti-Doping Rule Violations*:**

The period of *Ineligibility* imposed for *Anti-Doping Rule Violations* under provisions other than Articles C.1, C.2 and C.6 shall be as follows:

- M.3.1 For an *Anti-Doping Rule Violation* under Article C.3 (refusing or failing to submit to or otherwise evading *Sample* collection) or Article C.5 (*Tampering or Attempted Tampering with Doping Control*) that is the *Participant's* first offence, the period of *Ineligibility* imposed shall be two years, unless the conditions specified in Article M.5 or in Article M.6 are met.
- M.3.2 For an *Anti-Doping Rule Violation* under Article C.4 (*Filing Failures* and/or *Missed Tests*) that is the *Player's* first offence, the period of *Ineligibility* imposed shall be at a minimum one (1) year and at a maximum two (2) years, depending on the *Player's* degree of fault.
- M.3.3 For an *Anti-Doping Rule Violation* under Article C.7 (*Trafficking or Attempted Trafficking*) or Article C.8 (administration or *Attempted* administration, etc.) that is the *Participant's* first offence, the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility*, unless the conditions specified in Article M.5 are met. Provided that:
- (a) an *Anti-Doping Rule Violation* involving a *Minor* shall be considered a particularly serious offence and, if committed by *Player Support Personnel* in relation to *Anti-Doping Rule Violations* other than those involving *Specified Substances*, shall result in lifetime *Ineligibility* for such *Player Support Personnel*; and
  - (b) significant *Anti-Doping Rule Violations* under Article C.7 or Article C.8 that may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.
- M.3.4 For an *Anti-Doping Rule Violation* under Article C.9, the sanction(s) imposed shall be at the discretion of the tribunal.

### **M.4 Elimination or Reduction of the Period of *Ineligibility* for *Specified Substances* under *Specified Circumstances*:**

- M.4.1 Where the *Participant* can establish how a *Specified Substance* entered his/her body or came into his/her possession and that such *Specified Substance* was not intended to enhance the *Player's* sport performance or to mask the *Use* of a performance-

enhancing substance, the period of *Ineligibility* established in Article M.2 shall be replaced (assuming it is the *Participant's* first offence) with, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, a period of *Ineligibility* of two (2) years.

M.4.2 To qualify for any elimination or reduction under this Article, the *Participant* must produce corroborating evidence in addition to his/her word that establishes, to the comfortable satisfaction of the tribunal, the absence of an intent to enhance sport performance or to mask the *Use* of a performance-enhancing substance. The *Participant's* degree of fault shall be the criterion considered in assessing any reduction of the period of *Ineligibility*.

**M.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances.**

M.5.1 If the *Participant* establishes in an individual case that he/she bears No Fault or Negligence in respect of the *Anti-Doping Rule Violation* in question, the otherwise applicable period of *Ineligibility* shall be eliminated. When the *Anti-Doping Rule Violation* is an Article C.1 offence (presence of a *Prohibited Substance* or any of its *Metabolites* or *Markers*), the *Player* must also establish how the *Prohibited Substance* entered his/her system in order to have the period of *Ineligibility* eliminated. In the event that this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the *Anti-Doping Rule Violation* shall not be considered an *Anti-Doping Rule Violation* for the limited purpose of determining the period of *Ineligibility* for multiple *Anti-Doping Rule Violations* under Article M.7.

M.5.2 If a *Participant* establishes in an individual case that he/she bears *No Significant Fault or Negligence* in respect of the *Anti-Doping Rule Violation* charged, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than eight (8) years. When the *Anti-Doping Rule Violation* is an Article C.1 offence (presence of *Prohibited Substance* or any of its *Markers* or *Metabolites*), the *Player* must also establish how the *Prohibited Substance* entered his/her system in order to have the period of *Ineligibility* reduced.

M.5.3 In any individual case where a period of *Ineligibility* has been imposed, *UKAD* may suspend a part of that period of *Ineligibility* where the *Participant* has provided *Substantial Assistance* to *UKAD* or other *Anti-Doping Organisation*, a criminal authority or a professional disciplinary body that results in *UKAD* or other *Anti-Doping Organisation* discovering or establishing an *Anti-Doping Rule Violation* by another *Person* or that results in a criminal authority or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another *Person*; provided that if the decision to suspend a part of the period of *Ineligibility* is made after a final appellate decision under Article K.6 or the expiration of time to appeal, then *WADA's* approval is required for such suspension. 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 *Participant* and the significance of the *Substantial Assistance* provided by the *Participant* to the effort to eliminate doping in

sport. No more than three quarters ( $\frac{3}{4}$ ) of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than 8 years. If *UKAD* suspends any part of the otherwise applicable period of *Ineligibility* under this Article, it shall promptly provide a written justification for its decision to each *Anti-Doping Organisation* having a right to appeal the decision under Article K.6. If *UKAD* subsequently reinstates any part of the suspended period of *Ineligibility* because the *Participant* has failed to provide the *Substantial Assistance* that was anticipated, the *Participant* may appeal the reinstatement pursuant to Article K.6.

**M.5.4 Reduction of Period of *Ineligibility* Based on Admission of an *Anti-Doping Rule Violation* in the Absence of Other Evidence:**

Where a *Participant* voluntarily admits the commission of an *Anti-Doping Rule Violation* before having received either (a) notification of a *Sample* collection that could establish the *Anti-Doping Rule Violation* (in the case of an *Anti-Doping Rule Violation* under Article C.1), or (b) a *Notice of Charge* (in the case of any other *Anti-Doping Rule Violation*), and that admission is the only reliable evidence of the offence at the time of the admission, then the otherwise applicable period of *Ineligibility* may be reduced, but not by more than 50%.

**M.5.5 Where a *Participant* Establishes Entitlement to Reduction of Suspension in Sanction Under More than One Provision of this Article M.5:**

Before applying any reduction or suspension under Articles M.5.2, M.5.3 or M.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles M.2, M.3, M.4 and M.6. If the *Participant* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles M.5.2, M.5.3 or M.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter ( $\frac{1}{4}$ ) of the period of *Ineligibility* otherwise applicable.

**M.6 Aggravating Circumstances That May Increase the Period of *Ineligibility*.**

M.6.1 If *UKAD* establishes in an individual case involving an *Anti-Doping Rule Violation* other than under Article C.7 (*Trafficking* or *Attempted Trafficking*) or Article C.8 (administration or *Attempted* administration) that aggravating factors are present that justify the imposition of a period of *Ineligibility* greater than the standard period, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four years, unless the *Participant* can prove to the comfortable satisfaction of the Disciplinary Panel that he/she did not knowingly commit the *Anti-Doping Rule Violation*.

M.6.2 A *Participant* can avoid the application of Article M.6.1 by admitting his/her *Anti-Doping Rule Violation* promptly after being confronted with it by *UKAD*.

**M.7 Multiple *Anti-Doping Rule Violations*.**

M.7.1 *Second Anti-Doping Rule Violation:*

For a *Participant's* first *Anti-Doping Rule Violation*, the period of *Ineligibility* is set out in Articles M.2 and M.3 (subject to elimination, reduction or suspension under Articles M.4 or M.5 or to an increase under Article M.6). For a second *Anti-Doping Rule Violation*, the period of *Ineligibility* shall be within the range set out in the following table<sup>1</sup>:

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

The definitions for purposes of the second *Anti-Doping Rule Violation* table are as follows:

**RS** (Reduced sanction for *Specified Substance* under Article M.4): The *Anti-Doping Rule Violation* was or should be sanctioned by a reduced sanction under Article M.4 because it involved a *Specified Substance* and the other conditions under Article M.4 were met.

**FFMT** (*Filing Failures and/or Missed Tests*): The *Anti-Doping Rule Violation* was or should be sanctioned under Article M.3.2 (*Filing Failures and/or Missed Tests*).

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<sup>1</sup> The table is applied by locating the *Participant's* first *Anti-Doping Rule Violation* in the left hand column and then moving across the table to the right to the column representing the second *Anti-Doping Rule Violation*. By way of example, assume a *Participant* receives the standard period of *Ineligibility* for a first *Anti-Doping Rule Violation* under Article M.2 and then commits a second *Anti-Doping Rule Violation* for which he/she receives a reduced sanction under Article M.4. The table is used to determine the period of *Ineligibility* for the second *Anti-Doping Rule Violation*. The table is applied to this example by starting in the left hand column and going down to the fourth row (which is "St" for standard sanction), then moving across the table to the first column (which is "RS" for reduced sanction for a *Specified Substance*), thus resulting in a 2-4 year range for the period of *Ineligibility* for the second *Anti-Doping Rule Violation*. The *Participant's* degree of fault shall be the criterion used in assessing a period of *Ineligibility* within the applicable range.

**NSF** (Reduced sanction for *No Significant Fault or Negligence*): The *Anti-Doping Rule Violation* was or should be sanctioned by a reduced sanction under Article M.5.2 because *No Significant Fault or Negligence* under Article M.5.2 was established by the *Participant*.

**St** (Standard sanction under Article M.2 or M.3.1): The *Anti-Doping Rule Violation* was or should be sanctioned by the standard sanction of two years under Article M.2 or M.3.1.

**AS** (Aggravated sanction): The *Anti-Doping Rule Violation* was or should be sanctioned by an aggravated sanction under Article M.6 because the *ITF* established the conditions set out under Article M.6.

**TRA** (*Trafficking or Attempted Trafficking* and administration or *Attempted* administration): The *Anti-Doping Rule Violation* was or should be sanctioned by a sanction under Article M.3.3.

M.7.2 Application of Articles M.5.3 and M.5.4 to Second *Anti-Doping Rule Violation*:

Where a *Participant* who has committed a second *Anti-Doping Rule Violation* establishes an entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article M.5.3 or Article M.5.4, the tribunal shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table at Article M.7.1, and then apply the appropriate reduction or suspension, provided that the remaining period of *Ineligibility* after such reduction or suspension must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

M.7.3 Third *Anti-Doping Rule Violation*:

A third *Anti-Doping Rule Violation* will always result in a lifetime period of *Ineligibility*, unless the third *Anti-Doping Rule Violation* fulfils the conditions for elimination or reduction of the period of *Ineligibility* under Article M.4 or is an *Anti-Doping Rule Violation* under Article C.4 (*Filing Failures* and/or *Missed Tests*), in which case the period of *Ineligibility* shall be from eight years to life.

M.7.4 Additional Rules for Certain Potential Multiple Offences:

- (a) For purposes of imposing sanctions under Article M.7, an *Anti-Doping Rule Violation* will only be considered a second *Anti-Doping Rule Violation* if *UKAD* can establish that the *Participant* committed the second *Anti-Doping Rule Violation* after the *Participant* received notice, or after *UKAD* made a reasonable attempt to give notice, of the first alleged *Anti-Doping Rule Violation*. If *UKAD* cannot establish this, the *Anti-Doping Rule Violation* shall be considered together as one single *Anti-Doping Rule Violation* for sanctioning purposes, and the sanction imposed shall be based on the *Anti-Doping Rule Violation* that carries the more severe sanction. However, the occurrence of multiple *Anti-Doping Rule Violations* may be considered as a factor in determining aggravated circumstances under Article M.6;
- (b) If, after the resolution of a first *Anti-Doping Rule Violation*, *UKAD* discovers a second *Anti-Doping Rule Violation* by the same *Participant* that occurred prior to

notification of the first *Anti-Doping Rule Violation*, then an additional sanction shall be imposed based on the sanction that could have been imposed if the two *Anti-Doping Rule Violations* had been adjudicated at the same time. Results in all *Competitions* dating back to the earlier *Anti-Doping Rule Violation* will be subject to *Disqualification* in accordance with Article M.8. To avoid the possibility of a finding of aggravating circumstances (Article M.6) on account of the earlier-in-time but later-discovered *Anti-Doping Rule Violation*, the *Participant* must voluntarily admit the earlier *Anti-Doping Rule Violation* on a timely basis after being charged with notice of the subsequent *Anti-Doping Rule Violation* for which he/she is first charged. The same rule shall also apply when *UKAD* discovers another prior *Anti-Doping Rule Violation* after the resolution of a second *Anti-Doping Rule Violation*.

M.7.5 Multiple *Anti-Doping Rule Violations* During an Eight-Year Period:

Any prior *Anti-Doping Rule Violation* shall only be taken into account for purposes of Article M.7 if it took place within eight (8) years of the *Anti-Doping Rule Violation* under consideration.

M.7.6 For the avoidance of doubt, where a *Player* is found to have committed two or more separate *Anti-Doping Rule Violations*, the *Ineligibility* periods for the separate offences shall run sequentially, not concurrently.

**M.8 *Disqualification of Results in Competitions Subsequent to Sample Collection of commission of an Anti-Doping Rule Violation.***

M.8.1 In addition to the *Disqualification*, pursuant to Articles L and M.1, of the results in (respectively) the *Competition* and *Event* that produced the *Adverse Analytical Finding*, all other competitive results obtained from the date the *Sample* in question was collected (whether *In-Competition* or *Out-of-Competition*) or other *Anti-Doping Rule Violation* occurred through to the start of any *Ineligibility* period shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences, including forfeiture of any medals, titles, computer ranking points and *Prize Money*.

M.8.2 The lack of any evidence that the *Player's* performance was enhanced during subsequent *Competitions* shall not of itself be sufficient to trigger the tribunal's discretion under Article M.8.1.

M.9 Commencement of *Consequences*.

Any *Consequences* imposed under this *Programme* shall come into force and effect on the date that the decision imposing the *Consequences* is issued, save that:

M.9.1 For purposes of forfeiture of computer ranking points, the decision shall come into effect at midnight on the Sunday nearest to the date that the decision is issued.

M.9.2 *UKAD* shall have absolute discretion, and in addition the tribunal shall have discretion, where fairness requires, to establish an instalment plan for repayment of any *Prize*

Money forfeited pursuant to Articles L and/or M and/or for payment of any costs awarded against the *Player*. For the avoidance of doubt, the schedule of payments pursuant to such plan may extend beyond any period of *Ineligibility* imposed upon the *Player*; provided, however, that in accordance with Article M.11.4 default in payment under such plan shall automatically trigger a further period of *Ineligibility* until such default is cured.

M.9.3 The period of *Ineligibility* shall start on the date that the decision is issued, provided that:

- (a) any period of *Provisional Suspension* served by the *Player* (whether imposed in accordance with Article K.4 or voluntarily accepted in accordance with Article K.4.8(a)) shall be credited against the total period of *Ineligibility* to be served. To get credit for any period of voluntary *Provisional Suspension*, however, the *Player* must have given written notice at the beginning of such period to UKAD, in a form acceptable to UKAD (and UKAD shall copy that notice to every other *Person* entitled to receive notice of a potential *Anti-Doping Rule Violation* by that *Player*). 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 the *Player's* status during such period;
- (b) where the *Participant* promptly (which means, in any event, before he/she competes again) admits the *Anti-Doping Rule Violation* after being confronted with it by UKAD, the period of *Ineligibility* subsequently imposed on him/her may be back-dated so that it is deemed to have commenced as far back as the date of last occurrence of the *Anti-Doping Rule Violation* (which, in the case of an Article C.1 *Anti-Doping Rule Violation*, would be on the date of *Sample* collection). However, this discretion to back-date is subject to the following limit: the *Participant* must actually serve at least one-half of the period of *Ineligibility*, i.e., the commencement date of that period of *Ineligibility* cannot be back-dated such that he/she actually serves less than one-half of that period; and
- (c) where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Participant*, the tribunal may start the period of *Ineligibility* at an earlier date commencing as early as the date of the last occurrence of the *Anti-Doping Rule Violation* (e.g., under Article C.1, the date of *Sample* collection), taking into account any such period of delay.

## **M.10 Status During *Ineligibility*.**

M.10.1 Prohibition Against Participation During *Ineligibility*:

No *Participant* who has been declared *Ineligible* may, during the period of *Ineligibility*, play, coach or otherwise participate in any capacity in (a) an *Event* or *Competition* or any other kind of activity (other than authorised anti-doping education or rehabilitation programmes) covered by Article B.1; or (b) any *Event* or *Competition* authorised or organised by any professional league or any other international or national-level *Event* or *Competition* organisation. Without prejudice to the generality of the foregoing, such *Participant* shall not be given accreditation for, or otherwise granted access to, any

*Event, Competition* or activity of the type referred to in (a) above, and any such accreditation previously issued shall be withdrawn. Furthermore, the *LTA* shall take all necessary steps to have the *Ineligibility* recognised and enforced by other relevant organisations in accordance with *WADA Code Article 15.4 (Mutual Recognition)*.

M.10.2 Where an *Event* that will take place after the period of *Ineligibility* has an entry deadline that falls during the period of *Ineligibility*, the *Player* may submit an application for entry in the *Event* in accordance with that deadline, notwithstanding that at the time of such application he/she is *Ineligible*.

M.10.3 A *Player* subject to a period of *Ineligibility* shall remain subject to *Testing*. If a *Participant* commits an *Anti-Doping Rule Violation* during a period of *Ineligibility* (including but not limited to an *Anti-Doping Rule Violation* under Article C.1), this shall be treated as a separate *Anti-Doping Rule Violation* under the *Programme*.

M.10.4 A *Player* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport events in a sport other than tennis, but only so long as the local sport event is not at a level that could otherwise qualify such person directly or indirectly to compete in (or accumulate points toward) a national championship or international event.

M.10.5 If a *Participant* who has been declared *Ineligible* participates in any capacity, during such period of *Ineligibility*, in any *Event* or *Competition* or other activity (other than authorised anti-doping education or rehabilitation programs) of the type referred to at Article M.10.1(a) or Article M.10.1(b), the period of *Ineligibility* that was originally imposed shall start over again as of the date of such participation. The new period of *Ineligibility* may be reduced under Article M.5.2 if the *Player* establishes that he/she bears *No Significant Fault or Negligence* for such participation. The determination of whether a *Player* has violated the prohibition against participation while *Ineligible*, and whether a reduction under Article M.5.2 is appropriate, shall be made by *UKAD*, and such decision shall be subject to appeal in accordance with Article K.6. In any case, any results obtained by the *Participant* in such *Event(s)*, with all resulting consequences, including forfeiture of any medals, titles, computer ranking points and *Prize Money* obtained in such *Event(s)*, shall be automatically *Disqualified*.

M.10.6 In addition, for any *Anti-Doping Rule Violation* not involving an eliminated or reduced period of *Ineligibility* pursuant to Article M.4, some or all sport-related financial support or other sport-related benefits received by such *Participant* will be withheld by the *LTA*.

## **M.11 Conditions of Reinstatement.**

M.11.1 As a condition to regaining eligibility at the end of a period of *Provisional Suspension* or *Ineligibility*, a *Player* must make him/herself available for *Out-of-Competition Testing* by the *LTA* and any other *Anti-Doping Organisation* with jurisdiction to test him/her during that period of *Provisional Suspension* or *Ineligibility*, and must provide current and accurate whereabouts information upon request, in accordance with Article G, for that purpose.

- M.11.2 If a *Player* who is subject to a period of *Ineligibility* retires from sport and so is not available for *Testing*, and later seeks reinstatement, the *Player* shall not be eligible for reinstatement until he/she has notified the *LTA* and *UKAD* of such request for reinstatement and has been available for *Testing* for a period of time equal to the period of *Ineligibility* remaining as of the date he/she retired.
- M.11.3 The *LTA* may also make reinstatement subject to the review and approval of a *Player's* medical condition by the *LTA* Medical Review Board in order to establish the *Player's* fitness to be reinstated.
- M.11.4 Once the period of a *Player's* *Ineligibility* has expired, and the *Player* has fulfilled the foregoing conditions of reinstatement, then provided that the *Player* has paid in full all amounts forfeited under the *Programme*, and has satisfied in full any award of costs made against the *Player* in disciplinary proceedings under this *Programme*, the *Player* will become automatically re-eligible and no application by the *Player* for reinstatement will be necessary. If, however, further amounts become due after a *Player's* period of *Ineligibility* has expired (as a result of an instalment plan established pursuant to Article M.9.2), then any failure by the *Player* to pay all outstanding amounts on or before their respective due dates shall render the *Player* automatically Ineligible to participate in further covered *Events*, *Competitions* or other activities covered by Article B.1 until such default is cured.
- M.11.5 Even if no period of *Ineligibility* is imposed, a *Player* may not participate in an *Event* or *Competition* or any other kind of activity covered by Article B.1 while any *Prize Money* ordered or agreed to be forfeit under the *Programme*, and/or any award of costs against the *Player*, remains unpaid, unless an instalment plan has been established pursuant to Article M.9.2 and the *Player* has made all payments due under that plan. If any instalment(s) become(s) overdue under that plan, the *Player* may not participate in any *Event* or *Competition* or any other kind of activity covered by Article B.1 until such overdue instalments are paid in full.

## **N. CONSEQUENCES TO TEAMS**

The consequences for a team entered in a *Competition* of the commission of an *Anti-Doping Rule Violation* by a *Player* in his/her capacity as the member of that team shall be as set out in the rules relating to that *Competition*, in accordance with *WADA Code* Article 11.

## **O. REPORTING**

### **O.1 Reporting of pending cases.**

The notice given to the *LTA*, the *ITF* and *WADA* of pending cases pursuant to this *Programme* shall be provided to them on the confidential basis set out at Article P below.

## **O.2 Reporting of *Testing*.**

To ensure efficient use of anti-doping resources, completed tests conducted pursuant to this *Programme* shall be reported to the *WADA* clearinghouse as soon as possible after such tests have been conducted.

## **O.3 Reporting under the *WADA Code*.**

Any *Adverse Analytical Findings* and *Anti-Doping Rule Violations* arising under this *Programme* shall be publicly reported as a minimum on an annual basis.

## **P. CONFIDENTIALITY**

P.1 Confidentiality shall be observed by all *Persons* involved in *Testing* or other matters conducted under this *Programme*; provided that details of all *Testing* carried out under this *Programme*, i.e. date of test, name of *Player* tested, and whether the test was *In-Competition* or *Out-of-Competition*, may be entered onto the *WADA ADAMS* database, and made available via that database to *WADA* and other *Anti-Doping Organisations* that have jurisdiction to test *Players*, so that duplication of anti-doping efforts may be avoided.

P.2 All communications with the laboratory in relation to *Testing* carried out under this *Programme* must be conducted in such a way that the laboratory is not advised of the identity of the *Players* involved, save where required as part of the investigation of a potential case and/or the presentation of evidence to a tribunal.

P.3 Each of *UKAD* and the *LTA* shall use its reasonable endeavours to ensure that *Persons* under its control do not publicly identify *Participants* whose *Samples* have resulted in *Adverse Analytical Findings* or *Atypical Findings*, or who have a *Provisional Suspension* imposed on them, or are alleged to have committed an *Anti-Doping Rule Violation* under this *Programme*, other than in accordance with Article K.8. However, each of *UKAD* and the *LTA* in its discretion may at any time disclose to other organisations such information as it may consider necessary or appropriate to facilitate administration or enforcement of this *Programme*, provided that each organisation provides satisfactory assurance that the organisation will maintain all such information in confidence. *UKAD* and the *LTA* will not comment publicly on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Participant* or his/her representative.

P.4 Subject strictly to Article P.3, the *LTA* may release information about the *Programme* for public consumption, including but not limited to the names of *Players* who have been tested and the frequency with which they have been tested; the numbers of tests conducted on *Player* within certain ranking groups or categories; and the identity of *Events* where *Testing* has been carried out.

- P.5 Whereabouts information provided by a *Player* pursuant to Article G may be entered onto the *WADA ADAMS* database only on the basis that it shall be maintained in the strictest confidence at all times, it shall be used by *WADA* and other *Anti-Doping Organisations* only for *Doping Control* purposes, and it shall be destroyed when no longer relevant for such purposes.
- P.6 All *Players* subject to this *Programme* shall be deemed to have agreed, for purposes of applicable data protection and other laws and for all other purposes, to have consented to the collection, processing, disclosure and use of information relating to them, including personal information relating to them, in accordance with the provisions of the *International Standard for the Protection of Privacy and Personal Information* and otherwise, as required to implement this *Programme*.

#### **Q. GOVERNING LAW AND JURISDICTION**

- Q.1 This *Programme* is governed by and shall be construed in accordance with English law.
- Q.2 Article K of this *Programme* shall constitute an agreement to arbitrate disputes arising under it, and proceedings before an *NADP* tribunal and/or *CAS* under this *Programme* shall constitute arbitration proceedings, for the purpose of triggering the application of the Arbitration Act 1996.
- Q.3 To the greatest extent allowable under English law, any challenge to this *Programme* or to a decision made pursuant to this *Programme* shall be made exclusively in accordance with Article K, and shall not be made by recourse to any court or other forum.
- Q.4 Subject strictly to Article Q.3, disputes relating to the *Programme* shall be subject to the exclusive jurisdiction of the English courts.
- Q.5 If any provision of this *Programme* is held invalid, unenforceable or illegal for any reason, this *Programme* shall remain otherwise in full force apart from such article or provision, which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

#### **R. RECOGNITION OF DECISIONS**

- R.1 The provisions of this *Programme* shall be without prejudice to any jurisdiction that the *WADA Code* may give to any other *Anti-Doping Organisation* over a *Player*.
- R.2 Subject to any applicable right of appeal, the *Testing*, *TUE* and hearing results or other final adjudications of any *Signatory* that are consistent with the *WADA Code* and are within that *Signatory's* authority shall be recognised and respected by the *LTA*, its member and affiliate organisations, its licensees and all those subject to this *Programme*. For the avoidance of doubt, this includes treating prior offences found

under the rules of such *Signatories* as prior offences for purposes of imposing *Consequences* under this *Programme*.

- R.3 The same actions of non-*Signatories* shall also be recognised and respected if the *ITF* confirms that it is satisfied that such actions are consistent with the *WADA Code*.
- R.4 The *LTA* shall take all steps within its power (a) to give effect to the decisions of *Signatories* and non-*Signatories* in accordance with Articles R.2 and R.3 respectively; and (b) to ensure mutual recognition by other *Signatories* on a reciprocal basis of *Testing*, *TUE* and hearing results or other final adjudications taken under this *Programme*.

## **S. PROTECTION FROM CIVIL ACTIONS**

Each *Participant* expressly agrees and acknowledges that neither *UKAD* nor the *LTA* nor any of the members, officers, directors, employees, representatives or agents of *UKAD* or the *LTA*, nor any *Event* official and/or any other *Person* involved in the administration of the *Programme* shall have any liability of any kind whatsoever, to any *Participant* or otherwise, for or in relation to any act done or omitted to be done in connection with the *Programme* that was done or omitted to be done in good faith.

## SCHEDULE 1 TO APPENDIX ONE

### Definitions

**Adverse Analytical Finding.** A report from a laboratory or other WADA-approved entity that, consistent with the *International Standard for Laboratories* and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or any of its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

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

**Anti-Doping Rule Violation.** As defined in Article C.

**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, that there shall be no *Anti-Doping Rule Violation* based solely on an Attempt to commit an *Anti-Doping Rule Violation* if the *Person* renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

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

**CAS.** As defined in Article A.3.5.

**Competition.** Any stand-alone part of an *Event*, such as a singles *Competition* or a doubles or mixed doubles *Competition*.

**Consequences.** An *Anti-Doping Rule Violation* may result in one or more of the following: (a) *Disqualification* means the *Player's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences*, including forfeiture of any medals, computer ranking points and *Prize Money*; (b) *Ineligibility* means the *Participant* is barred for a specified period of time from participating in the sport, as provided in Article M.10; and (c) *Provisional Suspension* means the *Participant* is temporarily barred from participation in the sport pending a decision on the charge(s) against him/her, as provided in Article K.4.7.

**Disqualification.** See *Consequences*, above.

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

**Effective Date.** As defined in Article A.5.

**Event.** A series of individual *Competitions* conducted together under one ruling body (e.g. the Olympic Games, FINA World Championships, or Grand Slam).

**Filing Failure.** As defined in Article C.4.

**In-Competition.** The period(s) of time described in Article F.2.

**Independent Observers.** A team of observers/auditors, independent of the *LTA* and *UKAD*, who observe the *Doping Control* process at certain *Events* and report on their observations.

**Independent Reviewer(s).** One or more suitably qualified experts, who are independent of *UKAD*, and who are appointed by *UKAD* to carry out the functions ascribed to *Independent Reviewer(s)* in this *Programme*.

**Ineligibility.** See *Consequences*, above.

**Interested Party.** The *LTA*, the *ITF*, *WADA* and any other *Anti-Doping Organisation* that has a right to appeal under Article K.6.

**International-Level Player.** A *Player* so designated by the *ITF* on such basis as it may decide from time to time.

**International Standard.** A standard adopted by *WADA* in support of the *WADA Code*, as revised from time to time. 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. The *International Standards* in force as of the *Effective Date* are published on *WADA's* website. However, *WADA's* Executive Committee may approve revisions to an *International Standard* at any time, and such revisions shall become effective in relation to the *Programme* on the date specified by *WADA*, without the need for any further action by the *LTA*.

**International Standard for Laboratories.** The *International Standard* of the same name adopted by *WADA* in support of the *WADA Code*.

**International Standard for the Protection of Privacy and Personal Information.** The *International Standard* of the same name adopted by *WADA* in support of the *WADA Code*.

**International Standard for Testing.** The *International Standard* of the same name adopted by *WADA* in support of the *WADA Code*.

**International Standard for Therapeutic Use Exemptions.** The *International Standard* of the same name adopted by *WADA* in support of the *WADA Code*.

**ITF.** As defined in Article A.2.

**ITF Rules.** As defined in Article A.2.

**LTA.** As defined in Article A.2.

**LTA Rules.** As defined in Article A.2.

**LTA Whereabouts Pool.** See Article G.2.1(b).

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

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

**Metabolite.** Any substance produced by a biotransformation process.

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

**Missed Test.** As defined in Article C.4.

**MRO.** The Medical Review Officer appointed by the *LTA*, who will normally be the *LTA* Chief Medical Advisor, to carry out the functions ascribed to the MRO under the *Programme*. The *LTA* will provide appropriate indemnification to the MRO.

**Misconduct.** As defined by Rule 32 of the *LTA Rules*.

**National Anti-Doping Organisation.** The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. 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 Anti-Doping Panel or NADP.** The panel of arbitrators administered by Sports Resolutions (UK) or its successor.

**No Advance Notice.** A *Doping Control* that takes place with no advance warning to the *Player* and where the *Player* is continuously chaperoned, or may be subject to continuous chaperoning from the moment of notification through *Sample* provision.

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

**No Significant Fault or Negligence.** The *Participant* establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the *Anti-Doping Rule Violation*.

**Notice of Charge.** As defined in Article K.2.1.

**Out-of-Competition.** The periods of time described in Article G.1.2.

**Participant.** Any *Player* or *Player Support Personnel*.

**Person.** A natural *Person* or an organisation or other entity.

**Player.** As defined in Article B.1.

**Possession.** Actual, physical possession, or constructive possession (which shall be found if the *Person* has exclusive 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/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the *Person* knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, that 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 Organisation*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or Prohibited Method constitutes *Possession* by the *Person* who makes the purchase.

**Prize Money.** All of the consideration provided by the organiser of a *Competition* as a reward for performance in the *Competition*, whether monetary (i.e. cash) or non-monetary (e.g. a trophy, vehicle or other prize). Where the reward is attributable to performance as part of a team, the rules of the *Competition* may provide for how much of the reward is to be allocated to a *Player* for purposes of forfeiture under the *Programme*. Such rules shall be without prejudice to the provisions of Article L with respect to doubles *Prize Money*. Any *Prize Money* forfeited shall be repaid without deduction for tax paid by or on behalf of the *Player*, unless the *Player* shows by means of independent and verifiable evidence that such tax has been paid and is not recoverable by the *Player*. All *Prize Money* forfeited under the *Programme* shall be retained by the LTA.

**Programme.** As defined in Article A.1.

**Prohibited List.** As defined in Article A.3.1.

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

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

**Provisional Suspension.** See *Consequences*.

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

**Signatories.** Those entities signing the *WADA Code* and agreeing to comply with the *WADA Code*, including the International Olympic Committee, International Federations, International

Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organisations, *National Anti-Doping Organisations* and WADA.

**Specified Substance.** As defined in Article D.3.1.

**Substantial Assistance.** For purposes of Article M.5.3, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he/she possesses in relation to *Anti-Doping Rule Violations*; and (2) fully cooperate with the investigation and adjudication of any case related to that information, including (for example) by testifying at a hearing if requested to do so by UKAD or the tribunal. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

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

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

**Tennis Testing Protocols.** The supplementary *testing protocols* set out at Schedule 2.

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

**Therapeutic.** Of or relating to the treatment of a medical condition by remedial agents or methods, or providing or assisting in a cure.

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

**TUE.** As defined in Article E.1.1.

**UKAD.** UK Anti-Doping Limited, which is the *National Anti-Doping Organisation* for the United Kingdom.

**UK Anti-Doping Procedures Guide for Sport.** The document of that name produced and amended from time to time by UKAD, the current version of which at any particular time will be posted on UKAD's website, located at [www.ukad.org.uk](http://www.ukad.org.uk).

**UK TUE Committee.** As defined in the *UK Anti-Doping Procedures Guide for Sport*.

**UK TUE Appeal Panel.** As defined in the *UK Anti-Doping Procedures Guide for Sport*.

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

**WADA.** The World Anti-Doping Agency.

**WADA Code.** As defined in Article A.2.

## SCHEDULE 2 TO APPENDIX ONE

### Tennis Testing Protocols

The following protocols are designed to supplement the *International Standard for Testing* as necessary to reflect the specificities of tennis. They are not intended to amend or contradict the *International Standard for Testing*. In the event of any conflict between these protocols and the *International Standard for Testing*, the latter shall prevail.

1. Collection of urine *Samples*
  - 1.1 If a *Sample* collected from a *Player* does not have a Suitable Specific Gravity for Analysis (as defined in the IST), the DCO shall inform the *Player* that he/she is required to provide a further *Sample* or *Samples*, until a *Sample* that has a Suitable Specific Gravity for Analysis is provided. (See IST Annex G). To facilitate this, the *Player* should empty his/her bladder completely when providing a *Sample*, and any further *Sample* should not be collected for at least one hour after the previous *Sample* was collected. In the meantime, the *Player* should avoid unnecessary hydration (drinking liquids).
2. Collection of blood *Samples*
  - 2.1 Prior to providing a blood *Sample* (see IST Annex E), the *Player* should sit down (not lie down) for thirty minutes.
3. Storage of *Samples* and documentation
  - 3.1 Storage of *Samples* prior to dispatch from collection site (IST Article 8.3.1):
    - (a) the DCO is responsible for ensuring that all *Samples* are stored in a manner that protects their identity, integrity and security whilst at the collection site;
    - (b) the DCO shall keep the *Samples* secured and under his/her control until they are passed to a third party (e.g., the laboratory, or a courier to take them to the laboratory). *Samples* must not be left unattended, unless they are locked away in a refrigerator or cupboard, for example. In the absence of a secure area where the *Samples* may be left, the DCO shall keep the *Samples* under his/her control. Access to *Samples* shall be restricted at all times to authorised personnel;
    - (c) where possible, samples shall be stored in a cool environment. Warm conditions should be avoided.
  - 3.2 Secure handling of documentation for each *Sample* (IST Article 8.3.3):
    - (a) the DCO is responsible for ensuring that the documentation for each *Sample* is securely handled after completion;

(b) those parts of the *Sample* collection documentation that identify the *Player* and can be used to identify which *Player* provided a particular *Sample* shall be kept separately from the *Samples* themselves. Where a separate secure storage site is available at the collection site itself (lockable and/or accessible only by authorised personnel), the documentation may be stored there. Otherwise, it shall be kept by the DCO and taken away from the site overnight.

## APPENDIX TWO

### CHILD PROTECTION PROCEDURES

#### Introduction

The LTA has a duty to care for and protect children from harm, and this is recognised in the LTA Safeguarding Policy.

The LTA's duty toward children has ethical, contractual and statutory elements. In particular, the statutory guidance document *Working Together to Safeguard Children* (HM Government, 2010) places clear requirements on sports organisations to deliver high quality work with children, and to have in place rigorous safeguards.

Much of the LTA's duty in Child Protection is met through the development of good practice across British tennis.

In order for this work to be successful, it is vital that the LTA can support and enforce the required standards. These Procedures play a crucial role in this, by establishing a clear route within which complaints, problems and enquiries are handled.

The Procedures reflect the need of those in registered places to play, Counties and other settings for flexible advice and support at the point of enquiry. They also provide a clear course along which more complex or serious matters will progress.

The Child Protection Procedures also ensure that the most important decisions are made by an expert Committee. This meets the difficult and specialist demands imposed by Child Protection cases. The process for making decisions respects the needs of both the children who require protection by the LTA and the needs of those who are subject to a complaint or investigation. This is so that the LTA can respond to Child Protection cases in a way that is both robust and fair.

These Procedures do not provide a practice-manual for those involved in providing tennis opportunities to children. The LTA Safeguarding Team provides a range of training and general guidance for this purpose, and can also offer individual advice on specific issues. Those who need such advice on good practice should contact the Safeguarding Team. The Procedures explain how a specific case is handled after it is reported to the LTA.

The Safeguarding Team strives to implement the Rules and Procedures of the LTA in a fair, open and efficient manner. The Safeguarding Team believes that British tennis should be a diverse and inclusive sport and implements these procedures in a way that supports the LTA's Equality & Diversity Policy. It welcomes enquiries about these Procedures or about any other issue affecting the safeguarding and protection of children.

LTA Safeguarding  
Legal Services  
The Lawn Tennis Association  
National Tennis Centre

100 Priory Lane  
Roehampton  
London, SW15 5JQ  
United Kingdom

Tel: 020 8487 7116/7056

Email: [child.protection@LTA.org.uk](mailto:child.protection@LTA.org.uk)

## Section A: Definitions

In these Procedures the following words shall have the following meanings unless the context otherwise requires:

<b>"Child"</b>	a child is defined, in accordance with the Children Act 1989, as a person under the age of eighteen years;
<b>"Child Protection"/"CP"</b>	describes any matter or circumstance that triggers the LTA's duty to protect against any act, statement, conduct, omission or other matter by a person under the LTA's jurisdiction which harms a child, or poses or may pose a risk of harm to a child;
<b>"CMG"</b>	the Case Management Group appointed by the Main Board of the LTA from time to time in accordance with the terms of reference set out in Appendix 1;
<b>"CPC"</b>	the Child Protection Committee appointed by the Main Board of the LTA in accordance with the terms of reference set out in Appendix 2;
<b>"CP case(s)"</b>	a matter which the SM deems raises child protection issues and designates as a CP case, which decision is not overruled by the CMG;
<b>"CP Officer(s)"</b>	any individual working in the Safeguarding department of the LTA under the supervision of the SM from time to time;
<b>"CP Team"</b>	means the Safeguarding department of the LTA;
<b>"CPSU"</b>	the Child Protection in Sport Unit of NSPCC;

<b>"CRB"</b>	Criminal Records Bureau;
<b>"DO"</b>	The Disciplinary Officer of the LTA as appointed under paragraph 3 of Appendix 3 to the LTA Rules;
<b>"Level One case"</b>	a CP case which the SM does not deem necessary to refer to Level Two of these procedures;
<b>"Level Two case"</b>	a CP case which the SM deems necessary to refer to the CMG and which may then be referred to the CPC;
<b>"Level Three case"</b>	a CP case which the CMG has referred to the CPC for determination;
<b>"LTA"</b>	the Lawn Tennis Association, national governing body of tennis in Great Britain;
<b>"Procedures"</b>	means the Child Protection Procedures; and
<b>"SM"</b>	the person appointed to carry out the duties of the LTA Safeguarding Manager from time to time;
<b>"Tennis Activities"</b>	Any activity in tennis.

In these procedures:

- (a) clause headings are included for convenience only and shall not affect the construction of the procedures;

- (b) references to clauses and the Appendices are references to the clauses and the Appendices to these procedures;
- (c) words denoting the singular shall include the plural and vice versa and references to the male include the female and vice versa; and
- (d) references to any legislation or to any provision of any legislation shall include any modification, replacement or re-enactment of that legislation for the time being in force.

### **Section B: General Principles**

1. The LTA has a duty to deal with all complaints and concerns against persons within its jurisdiction which raise Child Protection issues.
2. All CP cases shall be dealt with in accordance with these Procedures.
3. An individual who is subject to an investigation may make a written submission to the CMG appointed to deal with his case stating his objection to the classification of the case as a CP case. The CMG shall consider the objection raised and shall make the final decision as to whether or not the case is a CP case.
4. The SM may contact the police or social services at any point during an investigation if he believes that a child may be at risk of harm.
5. If the police or social services start an investigation into a CP case which has been notified to the LTA, the LTA will immediately suspend its own investigation until it has been formally notified that the police or social services investigation has been completed. For the avoidance of doubt, a determination by the police or social services in relation to a CP case does not prevent the LTA further investigating a CP case under these Procedures. However, the fact that a person has been convicted of a criminal offence or issued with a formal police caution shall be treated as conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.
6. In certain circumstances, the LTA may seek temporarily to suspend the coach licence, coach registration, coaching assistant registration or official's accreditation of the individual concerned or temporarily suspend him from Tennis Activities whilst the individual concerned is under investigation. The LTA shall in all such cases follow the procedure set out at Appendix 3 to these procedures, under which it shall be required to satisfy the CPC that such a suspension is necessary.
7. All LTA staff members using these Procedures will strive to maintain the confidentiality of the children and adults involved in investigations. However, all staff members have an overriding obligation to protect children at risk of harm and may therefore share information as appropriate with third parties with the prior agreement of the SM. This could include the police, social services and those working in tennis and other sports for the protection of children.
8. Information gathered during the course of an investigation will be retained by the LTA as part of its duty to protect children and will be kept for 25 years. If the investigation results

in a decision this will be recorded on the LTA database, and shall be communicated to relevant registered places to play, players, tennis associations, local authorities and other organisations as appropriate.

9. All proceedings will take place in private and the public and the press shall have no right of access.
10. The Main Board of the LTA may amend these Procedures as it sees fit from time to time. Any such amendments shall come into full force and effect upon the date specified by the Main Board of the LTA.
11. Any deviation from these Procedures shall not invalidate any decision unless it was such as to cast material doubt on the reliability of that decision.
12. These Procedures shall be governed and construed in accordance with English Law.

## **Section C: Step by Step Procedure**

### **1. Summary**

There are three levels through which a CP case may progress. These Procedures allow the LTA (either through a CP officer or the CMG) to take the view that a case has been satisfactorily resolved at Level One or Level Two. All CP cases which could lead to sanctions being imposed on the individual concerned shall progress to Level Three.

### **2. Level One**

#### ***General queries and Level One cases***

- 2.1 All Level One cases and all general CP queries referred to the LTA shall be dealt with by the CP Team in the first instance.
- 2.2 CP Officers may answer general CP queries from individuals within tennis and from members of the public.
- 2.3 CP Officers may carry out an initial review of CRB disclosures which contain details of criminal offences committed. The CP Officers may contact the subject of the disclosure to determine the circumstances surrounding the offence prior to submitting the information to the SM in order that the suitability of the individual concerned for the intended role or training be considered.
- 2.4 The CP Officers shall refer all cases and queries which might be considered serious, controversial or complex to the SM who shall decide whether or not the case is a CP case and whether or not it can be resolved at Level One or whether or not it should progress to Level Two.

- 2.5 The SM may decide that a Level One case can be satisfactorily dealt with through advice or ongoing monitoring of the individual concerned without the need for further investigation. The SM is not able to impose a sanction upon an individual or organisation under these procedures, but can recommend a particular course of remedial action should be followed if this is agreed between the parties.
- 2.6 The CP Officers and SM shall keep a written record of all CP matters which are not deemed to require Level Two decision-making. This record will not include matters deemed by the SM to be matters of general policy and practice.

***Level Two cases***

- 2.7 Upon receipt of notification of a CP case which the SM deems to be a Level Two case or upon a determination by the SM that a Level One case has now become a Level Two case, he shall do the following:
- 2.7.1 decide whether or not the police or social services should be involved and, if necessary, contact them;
  - 2.7.2 consider requesting an interim suspension of the coach licence, coach registration, coaching assistant registration or official's accreditation of the individual concerned or an interim suspension from Tennis Activities in accordance with Appendix 3 to these Procedures and, if appropriate apply for one;
  - 2.7.3 carry out any necessary preliminary investigation into the matter (in accordance with the procedure set out below in 3.8 to 3.11 inclusive);
  - 2.7.4 inform the individual concerned that a Child Protection concern has been raised (provided that this will not place a child at risk of harm). If necessary, telephone contact should first be made with the individual concerned to ascertain the appropriate address to which sensitive material should be sent;
  - 2.7.5 convene a meeting of the CMG which shall meet within 28 days of the notification or determination under 2.7 above; and
  - 2.7.6 consider whether or not it is necessary to seek advice in relation to the case from external advisers, such as the CPSU or the NSPCC or other Child Protection professionals and, if so, contact them to obtain such advice.
- 2.8 The SM may, if he deems it necessary, instruct an external investigator to commence an investigation into a CP case; any such investigator appointed shall follow the investigatory process set out below in 3.8 to 3.11 inclusive. In most cases, this would be requested after consultation with the CMG as part of Level Two below.

**3. Level Two  
CMG**

- 3.1 The composition, proceedings and powers of the CMG are set out in Appendix 1 to these procedures.
- 3.2 The CMG shall act as final arbiter of whether or not a particular matter is to be treated as a CP case.

***General queries and Level One cases***

- 3.3 A summary of the record of CP matters which the SM has dealt with shall be kept in accordance with 2.6 above and shall be made available to the CMG at the request of the Chairperson of the CMG.
- 3.4 In relation to any case that the SM has decided is a Level One case, the CMG may ask the SM for further information, may require the SM to carry out a further investigation, and/or may determine that the case is not a Level One case and require the SM to carry out the procedure outlined in 2.7 above.

***Level Two cases***

- 3.5 The SM shall present a report of his preliminary investigations (together with any advice received) and any correspondence with the individual concerned to the CMG together with a recommendation for the next stage of action.
- 3.6 Upon consideration of the facts already ascertained and the recommendation of the SM the CMG may:
  - 3.6.1 instruct the SM to apply for an interim suspension of the coach licence, coach registration, coaching assistant's registration or official's accreditation of the individual concerned or an interim suspension from Tennis Activities in accordance with Appendix 3 to these Procedures;
  - 3.6.2 instruct the SM to carry out an investigation into the case in accordance with the procedure set out below;
  - 3.6.3 require the SM to appoint an external investigator to carry out an investigation into the case in accordance with the procedure set out below;
  - 3.6.4 refer the case directly to the CPC for determination, or where a case is considered by the CMG that is not a CP case, refer the case to the relevant LTA Committee or Panel;
  - 3.6.5 instruct the SM to propose a course of action to the individual concerned and seek his agreement to this;
  - 3.6.6 require the SM seek advice in relation to the case from external advisers, such as the CPSU; or
  - 3.6.7 declare that no further action is necessary.

3.7 The SM shall keep minutes of the CMG's decisions made under 3.6 above.

***Investigatory Procedure***

3.8 Investigations may be carried out internally or externally as authorised by the SM.

3.8.1 If the SM deems a case to be a Level 2 case before authorising investigation, the SM should obtain the agreement of the CMG before commencing the investigation or as soon as reasonably practicable.

3.8.2 If the SM deems a case to be a Level 2 case as a result of information emerging from initial investigations, he should seek the agreement of the CMG before further stages of investigation are authorised.

3.9 All internal or external investigations shall be conducted in accordance with the following guidelines:

3.9.1 Any such investigation shall be conducted in a fair and impartial manner.

3.9.2 The LTA shall contact the individual concerned in writing to inform him of the investigation and set out the procedure to be followed. This shall normally be within seven days of the CMG request but the SM may obtain the agreement of the CMG to delay this notification if it is in the best interests of the investigation. The LTA shall also update the individual concerned on the progress of the investigation every four weeks, or arrange for such updates to be provided by the investigator.

3.9.3 The investigator should normally interview the complainant (if any), the individual concerned and any other witnesses. If it is not possible to conduct interviews in person or by telephone, written submissions should be sought from relevant persons. The individual concerned must be notified of the complaints against him in order to respond unless to do so would put a child at risk.

3.9.4 Upon conclusion of an investigation that was authorised by the CMG, or which was not authorised by the CMG but is deemed by the SM to relate to a Level Two case, the investigator shall produce a written report setting out the procedure followed and his findings. This report shall be given to the CMG and the CMG shall follow the procedure set out in 3.6 above unless the CMG has already given permission for the case to be referred directly to the CPC (or other LTA Committee or Panel) without further review.

3.10 Internal investigations shall be undertaken by the SM in conjunction with the CP Officer. The Chairperson of the CMG may request reports from the SM on the progress of the investigation, and can require the SM to present a report for the review of the CMG at any time

- 3.11 External investigations shall be conducted by an independent external investigator appointed by the SM as soon as reasonably practicable after the CMG's decision. The external investigator shall carry out the investigation promptly and shall be required to report to the SM every 14 days on the progress of the investigation.

#### **4. Level Three**

- 4.1 Upon the CMG referring a case to the CPC, and upon completion of any investigation outstanding at the time of this referral, the SM will convene a meeting of the CPC to consider the case. The composition, proceedings and powers of the CPC are set out in Appendix 2 to these procedures.
- 4.2 The SM shall provide to the individual concerned:
- (a) the full contents of the internal or external report (including any advice received from external advisers) prepared for the LTA (subject to 4.4 below); and
  - (b) any additional documents or correspondence which the SM considers relevant to the presentation of the case to the CPC; and
  - (c) the LTA's written submissions for the CPC.
- 4.3 The SM shall ask the individual concerned to provide written submissions on the contents of the report within such time limit as the SM shall decide.
- 4.4 The SM may choose not to disclose information gathered during the course of the investigation to the individual concerned if to do so would breach the privacy of another individual or place another person at risk. If the SM wishes to disclose the withheld information to the CPC, he must apply to the CPC Chairperson for permission to do so, setting out in writing the reasons why this is necessary. The Chairperson shall take the final decision as to whether or not the information can be withheld from the individual concerned and/or considered by the CPC.
- 4.5 Upon receipt of written submissions from the individual concerned, the SM shall provide within 14 days any further written submissions on behalf of the LTA to the individual concerned. The individual concerned shall have 14 days to amend his own written submission if desired.
- 4.6 Upon receipt of an amended written submission from the individual concerned or upon expiry of the time limit set out in 4.3 or 4.5 above, the SM shall provide the following to the CPC and to the individual concerned:
- 4.6.1 the information as set out at 4.2, above;
  - 4.6.2 the written submissions on behalf of the LTA; and
  - 4.6.3 the written submissions received from the individual concerned.

- 4.7 The CPC Chairperson shall have power (in his sole discretion) to set directions generally as to the conduct of the proceedings. In addition, the Chairperson may, upon receipt of the above, request further information from the LTA or the individual concerned, ask the SM to conduct further internal or arrange further external investigation.
- 4.8 The CPC will usually consider the case based on the documents submitted. However, in exceptional circumstances the CPC Chairperson may invite an individual to attend the CPC meeting. In such circumstances, the CPC Chairperson will give directions giving fair opportunity for all relevant views to be heard.
- 4.9 If, upon consideration of the documents provided and hearing any individuals invited to speak at their meeting, the Chairperson deems it will not be possible to take a decision without a professional risk assessment he may request that the individual concerned obtains one at his or her own expense. Such assessment shall then form part of the evidence considered by the CPC.
- 4.10 If a child is asked to attend a CPC meeting, the CPC shall ensure that the child is treated in an appropriate manner in relation to their age and the nature of the evidence in question. If necessary, the CPC Chairperson shall take advice in relation to the involvement of any child attending a meeting.
- 4.11 If, upon consideration of the documents provided and hearing any individuals invited to speak at their meeting, the CPC conclude that the individual concerned does or would pose a risk to children if he were permitted to come into contact with children in the tennis environment, the CPC shall decide upon one or more of the following options:
- 4.11.1 refer the matter to police, social services or the Independent Safeguarding Authority;
  - 4.11.2 impose a written warning outlining the areas of concern which must be addressed by the individual concerned;
  - 4.11.3 impose conditions upon any coach licence, coach registration, coaching assistant's registration or official's accreditation held by the individual concerned;
  - 4.11.4 require that the individual concerned be supervised and/or work with a mentor for a specified period of time or permanently;
  - 4.11.5 suspend, revoke or place any restrictions on any coach licence, coach registration, coaching assistant's registration or official's accreditation or other form of endorsement, accreditation or membership of the individual concerned for a specified period of time or permanently;
  - 4.11.6 disqualify from competition or from taking part in any other capacity in any events sanctioned by the LTA for a specified period of time or permanently;

- 4.11.7 extend the period of any temporary suspension until such time as the individual concerned has complied with any other decision made under this section;
  - 4.11.8 require the individual concerned to complete a probationary period;
  - 4.11.9 disqualify the individual concerned from Tennis Activities for a period of time or permanently; and
  - 4.11.10 reach any other decision which the CPC feel is appropriate having regard to the circumstances of the case.
- 4.12 Where the CPC determines that it has made a decision that meets the appropriate criteria it may recommend that the SM apply to the appropriate statutory agency for the individual's inclusion on any statutory 'barred list' in force for the protection of children and other vulnerable groups.
- 4.13 If the CPC concludes that the individual concerned does not or would not pose a risk to children if he were permitted to come into contact with children in the tennis environment where Tennis Activities take place they shall decide that no further action shall be taken.
- 4.14 The CPC shall notify their decision (with written reasons) to the LTA and to the individual concerned within 14 days of their meeting. The notification shall advise the LTA and the individual concerned that they have 28 days from the date of the notification in which to appeal the decision. The appeal shall be conducted in accordance with the procedure set out in Appendix 4 to these procedures.
- 4.15 The CPC shall also consider which other individuals or organisations should be made aware of the decision (once the period for an appeal has passed) in order to achieve the aim of the decision and in the interests of child protection and shall direct the SM appropriately. As a guide, the decision shall normally be communicated to the county association, the registered place to play with which the individual concerned is associated, to any members of LTA staff who work with affected organisations or individuals, and the complainant (if any). If, at a later stage, the SM wishes to communicate the decision to another organisation or individual, he must revert to the CPC Chairperson for guidance.
- 4.16 Subsequent to a decision of the CPC, the LTA may refer the same case to the CPC if new information becomes available regarding the case or the individual concerned which, in the opinion of the SM and the CMG, could make a significant and substantive addition or alteration to the CPC's understanding of the risk posed by the individual concerned. The CPC may choose to preclude any such new referral or to indicate a date before which it will not consider any such new referral.
- 4.17 The LTA may retain a record of the decision and log the decision on its database for an appropriate period of time, which may be permanently.

## **SCHEDULE 1 TO APPENDIX TWO**

### **Terms of Reference for Case Management Group (“CMG”)**

#### **1. Membership, meetings and quorum**

- 1.1 The Group shall comprise a minimum of eight individuals. The following principles shall apply to the appointment of members of the Case Management Group (“Group”). They shall:
- 1.1.2 be employees of the LTA, or members of the groups listed in section 1.2 below;
  - 1.1.3 be sufficiently skilled and experienced to exercise their duties to a satisfactory standard;
  - 1.1.4 represent the interests and technical knowledge from diverse areas of tennis; and
  - 1.1.5 be capable of exercising proper discretion to legitimately represent the interests of tennis.
- 1.2 The following individuals shall be appointed to the Group:
- 1.2.1 The Secretary or his appointed delegate.
  - 1.2.2 The senior executive with specific responsibility for the LTA’s Coach Education structure or his appointed delegate.
  - 1.2.3 The senior executive with specific responsibility for Registration and the Licensing and accreditation of coaches or his appointed delegate.
  - 1.2.4 The senior executive with specific responsibility for LTA strategy in relation to competitive tennis or his appointed delegate.
  - 1.2.5 The senior executive with specific responsibility for officiating or his appointed delegate.
  - 1.2.6 The senior executive with specific responsibility for equality and diversity.
  - 1.2.7 The senior executive with specific responsibility for education.
- 1.3 Appointments to the Group may also be made from the following groups of people:
- 1.3.1 The senior executives of other LTA teams or their appointed delegates.
  - 1.3.2 Board Members of the LTA.
- 1.4 Other individuals, including the Safeguarding Manager may also attend Group meetings.
- 1.5 The Secretary or his appointed delegate shall chair the Group and shall select in addition a minimum of two and a maximum of four appropriate additional Group members to consider each case referred to the Group having taken into account the particular facts of that case and the expertise of the individual members.

- 1.6 The Group may meet in person or by telephone or video conference. A quorum for every decision is three Group members and, if necessary, the Chair shall have a casting vote.
- 1.7 The Group has the power to consult with other relevant people and organisations who may be invited to attend a meeting. These individuals, if attending, would not have voting rights.
- 1.8 A Group member may resign with immediate effect by notifying the Chair and the Chair may remove a member from the Group by giving written notice which shall have immediate effect.

## **2. Purpose**

The Group shall take decisions in accordance with the CP Procedures (Appendix Two to the Disciplinary Code) and also to advise generally on safeguarding, poor conduct and disciplinary matters.

## **3. Duties**

The Group shall report on its decisions (as appropriate) and be accountable to the Board. For the avoidance of doubt, the Board shall not be able to override a decision of the Group.

## **SCHEDULE 2 TO APPENDIX TWO**

### **Terms of Reference for Child Protection Committee (“CPC”)**

#### **1. Membership, meetings and quorum**

- 1.1 The Committee shall comprise a suitably qualified individual as Chairperson of the Committee ("the Committee Chairperson") and a minimum of five and a maximum of ten further persons to serve as members of a Committee established to consider Child Protection (“CP”) Cases appointed upon the recommendation of the Committee Chairperson in accordance with these Standing Orders.
- 1.2 The Committee Chairperson shall select two Committee members independent of the CP case referred to it to consider that CP case, having taken into account the particular facts of that case and the expertise of the individual members.
- 1.3 The Committee Chairperson shall have the ability to invite an independent lawyer to act as adviser to the Committee.
- 1.4 The Board shall determine the LTA’s policy on payment of fees and expenses for Committee members from time to time.
- 1.5 The Committee shall meet in person or by telephone or video conference. The quorum for every meeting is three Committee members and decisions shall be taken by a majority. If a member of the Committee has a conflict of interest in a particular CP case, they shall declare it and will take no part in the discussion or decision-making process of that CP case.
- 1.6 The Committee Chairperson shall have the ability to appoint another member of the Committee to act as Deputy Chairperson for the purpose of considering a particular case or of conducting a particular meeting.
- 1.7 The Committee Chairperson may select a minimum of two Committee members to consider a particular CP case along with the Chairperson, having taken into account the particular facts of that case and the expertise of the individual members.

#### **2. Purpose**

The Committee shall:

- 2.1 decisions in accordance with the CP procedures (Appendix Two to the Disciplinary Code); and
- 2.2 advise generally on matters of child protection policy, strategy and procedure.

#### **3. Duties**

The Committee will

- 3.1. have the ability at its sole discretion, having reviewed the documents, to request individuals involved in the case to attend the Committee meeting to clarify particular issues. If new evidence is adduced which has not been commented upon by other relevant individuals involved in the case, the Committee shall put that evidence to those other individuals;

- 3.2. if a child is asked to attend a Committee meeting, ensure that the child is treated in an appropriate manner in relation to their age and the nature of the evidence in question. If necessary, the Committee Chairperson shall take advice in relation to the involvement of any child attending a meeting; and
- 3.3 report on its decisions to the Board. For the avoidance of doubt the Board shall not be able to override a decision of the Committee. The Board may choose to use the formal procedure as set out in Appendix 4 to the CP Procedures to appeal a decision of the Committee.

## **SCHEDULE 3 TO APPENDIX TWO**

### **Interim Suspension Procedures**

1. The SM may apply for an interim suspension of an individual in accordance with the procedures set out above and the CMG may require the SM to apply for an interim suspension of the coach licence, coach registration, coaching assistant's registration or official's accreditation of the individual concerned or an interim suspension from Tennis Activities.
2. Upon his decision to apply for an interim suspension or upon receipt of the CMG's order to apply for an interim suspension, the SM shall immediately write to the individual concerned stating that he intends to make such an application. The SM shall explain the reasons for the application to the individual concerned and ask for his comments on the application within a stated period of time.
3. The SM shall consider the response received. If no response is received within the stated time limit or the response received does not satisfy the reasons for the SM's application, the SM will apply to the CPC for an interim suspension.
4. The SM will inform the CPC in writing of the reasons why he considers an interim suspension should be imposed together with copies of any correspondence with the individual concerned.
5. The CPC shall consider the documents provided by the SM and decide whether or not to grant an interim suspension. Its decision shall be taken in accordance with the Terms of Reference set out in Schedule 2.
6. The decision of the CPC shall be final.
7. If the circumstances surrounding a case change, the CPC may consider, either of its own motion or by an application brought by a person subject to an interim suspension, whether or not such suspension should continue. In its absolute discretion the CPC may lift such suspension or may impose such conditions as it thinks fit in default of which the person or body will remain subject to suspension.
8. If, in exceptional circumstances, the SM considers that suspension is required forthwith, the SM shall impose one of his own motion and inform the individual concerned in writing inviting his comments, within the time stated in that letter. Upon receipt of the individual's response the SM shall decide whether to lift the interim suspension or apply to the CPC to confirm the interim suspension. The matter will be dealt with in accordance with 4 to 7 above.

## SCHEDULE 4 TO APPENDIX TWO

### Appeal Procedures

#### 1. Scope

These Appeal Procedures govern the conduct of all appeals by an individual or the Main Board of the LTA (in both cases "**the Appellant**") against a decision by the CMG or the CPC ("**a Decision**").

#### 2. Procedure

2.1 An Appellant should be aware of the importance of the time limits contained within these Appeal Procedures which will be strictly enforced.

2.2 No later than 14 days from the date of a Decision, the CPC shall notify the LTA and the individual concerned of the Decision (referred to in these Appeal Procedures as "**the Notification**"). The Notification shall contain the following information:

- (a) the reasons for and the effect of the Decision;
- (b) the date the Decision was made;
- (c) the date the Decision takes effect; and
- (d) a Notice of Appeal and these Appeal Procedures.

2.3 Any individual who wishes to appeal a Decision must serve a Notice of Appeal and a non-refundable Appeal Fee of £100 on the LTA within 28 days of receipt of the Notification. If either the Notice of Appeal or the Appeal Fee is not served within that 28 day period, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.

2.4 If the Board of the LTA wish to appeal a Decision, it must serve a Notice of Appeal on the DO within 28 days of receipt of the Notification. If the Notice of Appeal is not served within 28 days, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.

2.5 Following receipt of the Notice of Appeal and Appeal Fee, the DO shall forthwith instruct Sport Resolutions (UK) to appoint an Appeal Committee in accordance with paragraphs 2.6 to 2.8 below subject to approval by the DO and shall notify the individual of the composition of the Appeal Committee no later than ten days from receipt by the LTA of the Notice of Appeal.

2.6 The Appeal Committee shall comprise three members, one of whom shall be designated by Sport Resolutions (UK) as Chairperson. The Appeal Committee shall have the powers set out in paragraph 3 below.

- 2.7 In approving the composition of the Appeal Committee, the LTA undertakes to ensure that the Appeal will be conducted fairly and impartially. The Appeal Committee shall not include individuals with any connection to the individual concerned or the matters being considered but for the avoidance of doubt, the Appeal Committee may comprise individuals with a connection to the LTA so long as they are independent.
- 2.8 Should a member of the Appeal Committee become unable to hear the Appeal following the appointment of the Appeal Committee for whatever reason, Sport Resolutions (UK) shall appoint a replacement member.
- 2.9 An Appellant may object to the composition of the Appeal Committee by notifying the DO of the objection and setting out the reasons for such an objection (the notification shall be referred to as "an Objection") no later than 7 days from the date of receipt of notice of the composition of the Appeal Committee in paragraph 2.6 above.
- 2.10 The DO shall, within seven days from the date of receipt of an Objection, notify the Appellant that either:
- (a) the composition of the Appeal Committee has changed (in which case the DO shall provide details of the new Appeal Committee); or
  - (b) the composition of the Appeal Committee has not changed (in which case the DO shall give reasons why it has not accepted the individual's Objection).

The decision by the DO on the composition of the Appeal Committee under this Rule shall be final.

- 2.11 Within 14 days from the date on which the time limit for an Appellant to object to the composition of the Appeal Committee under paragraph 2.9 has expired or within 14 days from the date the LTA respond to the Objection under paragraph 2.10 (as appropriate), the Chairperson of the Appeal Committee shall give such directions (to both the individual and the LTA) as are appropriate for consideration of the matter, in particular
- (a) the date and place at which the Appeal Committee will meet to determine the Appeal, provided that the Appeal shall not be heard later than 56 days from the date of the receipt of the Notice of Appeal by the LTA;
  - (b) whether or not the Appeal will proceed by way of written submissions or an oral hearing; and
  - (c) whether or not the parties should be required to submit statements of their evidence and/or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.
- 2.12 An Appeal before the Appeal Committee shall be a re-hearing.

- 2.13 The Appeal Committee shall meet on the date fixed by the Chairperson and shall, no later than two weeks after hearing the Appeal, inform the individual concerned and the LTA of its decision together with written reasons for its decision. The decision of the Appeal Committee shall be final and binding.

### 3. **Powers of the Appeal Committee**

- 3.1 The Appeal Committee may at its sole discretion disregard any failure by a party to adhere to these Appeal Procedures and may give such further directions as may be appropriate.
- 3.2 Prior to and at the Appeal, the Chairperson may give such directions whether or not made at the request of the parties, for the proper conduct of the Appeal as he deems may be reasonably necessary for the fair conduct of the appeal, including changes to these Appeal Procedures.
- 3.3 The Appeal Committee has the power to uphold or dismiss a Decision and, where dismissing a Decision, to take any decision which the CPC has the power to make under the CP procedures and to make such other recommendations to the LTA as it thinks fit.

### 4. **Correspondence**

Any notification, correspondence or any other document submitted under these Appeal Procedures shall be sent in writing by first class post or recorded delivery (or airmail if outside the UK) and such documents shall be deemed to have been received by the intended recipient 48 hours (or if by airmail four working days) after posting.

## APPENDIX THREE

### REGULATIONS CONCERNING MATCH FIXING, FINANCIAL SPECULATION and BETTING

#### 1. Jurisdiction

1.1 The provisions of this Appendix apply to all persons over whom the LTA exercises disciplinary jurisdiction under the Code, and specifically they apply to the following:

- (i) players;
- (ii) officials including referees and umpires;
- (iii) any LTA licensed coach;
- (iv) any coach, trainer, manager, agent, tournament staff, official or other personnel working with or treating a player;
- (v) any other person under the LTA's jurisdiction who is able directly or indirectly to influence:
  - (a) the outcome of any game, match or tournament; or
  - (b) any event in any game, match or tournament.

1.2 Any breach of these Regulations shall be dealt with in accordance with the Code (subject to the provisions of Regulation 3 below).

1.3 The conduct prohibited under the provisions of these Regulations may also be a criminal offence and/or a breach of other applicable laws and regulations. Reference is made in particular to section 42 of the Gambling Act 2005, which makes it a criminal offence if a person "(a) cheats at gambling, or (b) does anything for the purpose of enabling or assisting another person to cheat at gambling". These Regulations are intended to supplement such laws and regulations with further rules of professional conduct for those involved in the game of tennis. They are not intended, and may not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations. Those people set out at Regulation 1.1 above must comply with all applicable laws and regulations at all times.

#### 2. Prohibitions

2.1 A player shall not:

- (i) place, accept, lay or otherwise enter into any wager or bet or any other form of financial speculation (a "**Bet**") with any individual, company, organisation or other body in relation to the result, progress, conduct or any other aspect of any game, match or tournament in which the player is participating or in which the player has any influence, either direct or indirect;

- (ii) solicit, induce, entice, instruct, persuade, facilitate, permit or encourage any other person to enter into a Bet in connection with any aspect of his own or any other player's performance in any game, match or tournament in which he is playing or in which he has any influence, either direct or indirect;
- (iii) deliberately under-perform for reward in any game, match or tournament.

2.2 A person listed in Regulation 1.1(ii) to (v) shall not:

- (i) enter into a Bet in respect of any aspect of any player's performance in any game, match or tournament, if that person listed in Regulation 1.1(ii) to (v) is connected to the player or is connected to or has any influence over the tournament concerned, either direct or indirect; or
- (ii) solicit, induce, entice, instruct, persuade, facilitate, permit or encourage any other person to enter into a Bet in connection with any aspect of any player's performance in any game, match or tournament, if that person, listed in Regulation 1.1(ii) to (v), is connected to the player or is connected to or has any influence over the tournament concerned, either direct or indirect.
- (iii) For the avoidance of doubt and without limitation: a person is connected to the player concerned if he is the player's coach, agent, tournament guest, a member of the player's immediate family, a member of the player's coaching group; and, a person is connected to the tournament concerned if he is an employee, contractor, agent, officer of the tournament or is an official, or committee member of the tournament.

2.3 No person listed in 1.1 (including a player) (a "**Person**"):

- (i) may contrive (in a corrupt or fraudulent manner) whether alone or with others, the result, progress, conduct or any other aspect of any game, match or tournament;
- (ii) ensure the occurrence of a particular incident in any game, match or tournament, which occurrence is to the Person's knowledge subject to a Bet and for which he expects to receive any reward (other than, in the case of a player, official prize money and/or contracted performance-related payments under endorsement or sponsorship contracts);
- (iii) may induce or encourage any player to under-perform for reward in any game, match or tournament;
- (iv) shall offer or give (or agree to offer or give) anything of value (whether or not financial) to any other person with the intent to influence either his or another person's efforts or participation in any game, match or tournament;

- (v) shall solicit or accept (or agree to solicit or accept) anything of value (whether or not financial) from any other person with the intent to influence his own or another person's efforts or participation in any game, match or tournament;
- (vi) shall have any commercial arrangement (apart from a personal Betting account with a Betting operator which, for the avoidance of doubt, may not be utilised in breach of these regulations) with, or any stake (whether active or passive) in, any company or other undertaking that promotes, brokers, arranges or conducts any form of Betting activity in relation to the game of tennis;
- (vii) shall use in relation to Betting or providing any other person for use in relation to Betting, any information relating to any game, match or tournament that the person has in his possession by virtue of his position in the game of tennis and that is not in the public domain or readily accessible by the public without unreasonable restriction;
- (viii) shall provide information to any person for reward, before or after any game, match or tournament, regarding the players in the game, match or tournament, the conditions, tactical considerations or any other aspect of the game, match or tournament, unless such information is already in or will come into the public domain without unreasonable delay or is readily accessible by the public without unreasonable restriction. For example, it shall not be a breach of this clause to provide such information as opinion to a journalist for immediate publication as part of an article or column in a newspaper;
- (ix) shall engage in any conduct (i.e. beyond that specified in this Regulation 2) that is corrupt or fraudulent, or creates an actual or apparent conflict of interest for the Person, or otherwise risks impairing public confidence in the integrity and/or honest and orderly conduct of any game, match or tournament;
- (x) shall provide or receive any reward that could bring the Person or the game of tennis into disrepute;
- (xi) shall fail to disclose to the Disciplinary Officer without delay full details of any approaches or invitations received by the Person to engage in conduct that would amount to a breach of these Regulations;
- (xii) shall fail to disclose to the Disciplinary Officer without delay full details of any approaches or invitations of which the Person is aware that have been received by any other Person to engage in conduct that would amount to a breach of these Regulations;
- (xiii) shall fail to cooperate with any investigation by the LTA in relation to possible breaches of these Regulations, including failure, without reasonable excuse to provide information requested by the LTA that is relevant to such investigation.

2.4 An attempt by a Person, or any agreement by a Person with any other person, to act in breach of these Regulations shall be treated for the purposes of these Regulations as if

the breach of the relevant Regulation(s) has been committed, whether or not such attempt or agreement in fact resulted in a breach.

### 3. Investigatory Powers

3.1 In addition to the powers of the Disciplinary Officer set out in the Code, this Regulation 3 confers specific authority on the Disciplinary Officer and such persons as the Disciplinary Officer may nominate to assist him to exercise all such powers as he may reasonably deem necessary to complete a full investigation of any alleged breach of these Regulations.

3.2 In particular and without prejudice to the generality of Regulation 3.1 above, the LTA shall have the following powers in relation to obtaining information that is reasonably related to any alleged breach of these Regulations.

- (i) If the Disciplinary Officer reasonably believes that a Person (or a third party whose actions may be imputed to the Person for this purpose) may have committed a breach of these Regulations, the Disciplinary Officer may make a written demand to the Person (a "**Demand**") to furnish to the Disciplinary Officer any information that is reasonably related to the alleged breach, including (without limitation) (a) copies of or access to all records relating to the alleged breach (such as telephone records, bank statements, Internet service records, and other records stored on computer hard drives and other information storage equipment); and/or (b) a written statement made by the Person, setting out in detail all of the facts and circumstances with respect to the alleged breach.
- (ii) Subject only to the right to object to the Demand set out at Regulation 3.2(iii) below, the Person shall furnish the information requested in the Demand within seven days of his receipt of the Demand, or by such other deadline as may be specified in the Demand.
- (iii) If the Person wishes to object to the Demand, he must file a formal objection with the Disciplinary Officer by the specified response deadline, which objection must set out with specificity the nature and scope of and grounds for the objection. Failure without good reason to make such filing shall constitute an irrevocable waiver of any objection.
- (iv) Any objection duly filed in accordance with Regulation 3.2(iii), above, will be referred by the Disciplinary Officer, together with any comments that the Disciplinary Officer may wish to make with respect to the objection, to the Chairperson of the Disciplinary Panel, who may resolve the objection himself or else may designate another person to resolve the objection. The Chairperson or their designee may in his absolute discretion invite further submissions or hold a hearing prior to making his determination, or may simply determine the matter on the basis of the objection itself and the comments of the Disciplinary Officer, if any, with respect to that objection. If (and to the extent that) the Chairperson or their designee determines that the Demand is fair and reasonably tailored to obtain evidence relevant to the alleged breach, and that it

is consistent with applicable law, the Chairperson or their designee shall direct the Person to produce all (or, if he believes the objection should be sustained to some degree, the remaining part) of the information specified in the Demand.

- (v) Subject to any ruling made by the Chairperson of the Disciplinary Panel or their designee pursuant to Regulation 3.2(iv) above, any failure by the Person to produce the information specified in the Demand shall have each of the following consequences, without prejudice to one another:
  - (a) during any period in which the Person fails to produce such information, he shall be deemed ineligible to participate in and/or denied credentials for and access to any LTA sanctioned Tournament or any other LTA approved event or activity;
  - (b) the Disciplinary Panel shall be entitled to draw such adverse inference against the Participant as the Panel shall reasonably determine; and
  - (c) such failure may lead to the disciplinary action being taken under the Code.

- 3.3 A Disciplinary Panel convened to consider a charge of breach of these Regulations may request, at any time prior to issuing a final decision, and having first given the parties an opportunity to make any submissions on the matter, that an additional investigation be conducted into any matter reasonably related to the alleged breach. The Disciplinary Officer will conduct that investigation in accordance with the Chairperson's request and the Person charged and all other Persons must cooperate with that investigation.
- 3.4 Where a Person is charged with breach of these Regulations, and other relevant authorities are also conducting investigations or proceedings into the same or related matters, the Disciplinary Panel shall have discretion, where it is established to its satisfaction that clear prejudice would otherwise result, to stay the proceedings under these Regulations pending the outcome of the investigations or proceedings being conducted by the other relevant authorities.
- 3.5 The Disciplinary Officer shall be entitled to share any information received with other regulatory authorities including without limitation the police, National Criminal Intelligence Service, HM Revenue & Customs, the Serious Fraud Office and the Gambling Commission; other sports authorities including without limitation the ITF, ATP, WTA, ABTO, DCMS and UK Sport; and any betting organisations whether pursuant to a formal information-sharing agreements or otherwise.
- 3.6 As part of any investigation into possible breaches of these Regulations, the LTA may seek relevant information from other regulatory authorities and/or from any third party, including bookmakers and other Betting operators, whether pursuant to formal information-sharing agreements with such authorities or third parties, or otherwise. In accordance with Regulation 3.7, below, acceptance of these Regulations shall constitute agreement by a Person to the disclosure of such information by the authority and/or third party to the LTA. Where necessary, the Person shall confirm such consent

in writing to or for the benefit of the authority and/or third party. A failure to do so without reasonable excuse shall amount to a breach of this Regulation and may lead to disciplinary action being taken under the Code.

- 3.7 Each Person specifically consents, pursuant to the Data Protection Act 1998 and other relevant laws, as applicable, to the sharing of information relating to activities covered by these Regulations, including personal information relating to himself and his activities, both by the LTA with the regulatory authorities and relevant third parties, and by the regulatory authorities and/or any relevant third parties (including without limitation any bookmaker or other Betting operator) with the LTA.

#### 4. **Compliance**

- 4.1 The LTA Board shall appoint from time to time a compliance officer to monitor compliance with these Regulations. The Disciplinary Officer shall usually be appointed as the compliance officer, unless the Main Board otherwise directs.
- 4.2 The Main Board shall have power to amend these Regulations as it sees fit from time to time. Any such amendments shall come into full force and effect upon the date specified by the Board.

#### 5. **Interpretation**

- 5.1 For the avoidance of doubt, nothing in these Regulations is intended to prevent the payment of prize money and/or any other official incentive to participants in any game, match or tournament and/or contracted performance-related payments under endorsement or sponsorship contracts.
- 5.2 In these Regulations words importing the singular include the plural and vice versa and the masculine gender includes the feminine gender.
- 5.3 This Appendix shall be governed by and construed in accordance with English law.

## APPENDIX FOUR

### LTA COACH LICENSING SCHEME GENERAL CONDITIONS

#### 1. Introduction

- 1.1 All Coach Licences are issued subject to these Conditions which may be varied from time to time at the discretion of The Lawn Tennis Association (“the LTA”) in accordance with Condition 12.2.
- 1.2 These Conditions (apart from the LTA Code of Ethics and Conduct for Licensed and Registered Tennis Coaches and Assistants (the “**LTA Code of Ethics**”), set out at the Schedule to these Conditions) shall not apply to the issue, renewal, upgrade, removal or any other matter (including disciplinary) relating to a Coach Licence which raises child protection issues and is designated as a child protection case under the Child Protection Procedures (Appendix Two to the Disciplinary Code) (“**a Child Protection case**”) and such matters shall be dealt with under those Child Protection Procedures and these Conditions shall be read subject to this provision.

#### 2. Eligibility for a Coach Licence

- 2.1 A coach is eligible to apply for a Coach Licence if he has:
  - 2.1.1 attained an “LTA Coach Licence Eligible Qualification” defined in Condition 2.3 below; or
  - 2.1.2 successfully completed an LTA Pathway Course as defined in Condition 2.4 below; and
  - 2.1.3 attained a minimum of 15 Continuing Professional Development Credits (“**Credits**”) within the twelve month period prior to the issuing of the Coach Licence.
- 2.2 A coach who holds a coaching qualification, that meets the criteria stipulated from time to time by the LTA, from a foreign national governing body of tennis affiliated to the International Tennis Federation or from another coaching organisation is eligible to apply for and may be issued with a Coach Licence subject to such conditions, including successful completion of an LTA Coach Licence Eligible Course or the attainment of Credits, as the LTA deems appropriate.
- 2.3 Any qualification which is an NVQ Level 2 in Coaching, Teaching and Instructing Tennis or above will be considered an LTA Coach Licence Eligible Qualification. The LTA will maintain and publish a list of LTA Coach Licence Eligible Qualifications.
- 2.4 The LTA will, at its discretion, provide courses of additional training that enable coaches holding certain tennis coaching qualifications (as specified by the LTA from time to time) to attain a level of training that confers eligibility for a Coach Licence (“**an LTA Pathway Course**”). The LTA will maintain and publish a list of LTA Pathway Courses.
- 2.5 A Coach Licence shall in normal circumstances be valid for:
  - 2.5.1 if granted before 30th June 2009, three years from the date of issue; or

2.5.2 if granted on or after 30th June 2009, one year from the date of issue, unless the LTA decides it is appropriate in the circumstances that the licence should be issued for a shorter period of time in accordance with the Conditions 4.6, 4.7, 4.9 and 6.4 below or the Licence is removed either on a temporary basis or permanently in accordance with the Code.

2.6 Upon the granting of a Coach Licence the LTA may issue a Certificate or similar as evidence of the holding of a Coach Licence.

### 3. **Coach Licensing and Registration Committee**

3.1 The LTA shall appoint annually a Coach Licensing and Registration Committee ("**the Committee**") comprising six members, one of whom shall be legally qualified and shall be designated as Chairperson.

3.2 The quorum shall be three.

3.3 The Committee shall be responsible for all matters relating to the interpretation, implementation and enforcement of these Conditions including, in particular, the provisions of Condition 4 relating to the processing of applications, Condition 9 relating to disciplinary matters and Condition 10 relating to loss of licence.

3.4 Any member of the Committee who has an interest in any matter before the Committee must declare that interest and may be precluded from participation in the matter concerned.

### 4. **Applications**

4.1 All applications for a Coach Licence and payment of the fee (as stipulated from time to time by the LTA ) shall be made in the form or manner prescribed by the LTA.

4.2 It is the responsibility of the applicant to ensure that all information provided to the LTA is up to date and accurate so that the LTA may process the application for the Coach Licence. A failure to do so may delay the processing of his application or result in its refusal.

4.3 Applicants are required (at their own expense) to:

4.3.1 provide a current Eligible First Aid Certificate (as defined in Condition 4.5);

4.3.2 (subject to Condition 4.4), have completed a Criminal Records Bureau enhanced Disclosure from the Criminal Records Bureau (or other relevant statutory authority) through the LTA with a disclosure date not more than 12 months before the date of processing of the registration application and it having been assessed as being acceptable by the LTA; and

- 4.3.3 if notified by the LTA that the applicant is required under the Safeguarding Vulnerable Groups Act 2006 to register with the Independent Safeguarding Authority (“ISA”), provide the applicant’s ISA registration number.
- 4.3.4 provide the names of two independent persons from whom a confidential reference may be sought and to provide such further information including but not limited to the qualifications, suitability or training record of any applicant as the LTA may deem appropriate.
- 4.4 Where an applicant renews a Coach Licence under Condition 6.1, the LTA may waive Condition 4.3.2 for a maximum of two consecutive applications.
- 4.5 The following certificates will be considered “**Eligible First Aid Certificates**” for the purposes of the Coach Licensing Scheme:
- 4.5.1 Certificates issued before October 2009 by first aid training providers licensed by the Health and Safety Executive for completion of a six hour “Appointed Persons” first aid training course or of an 18 hour “First Aid at Work” training course; or
- 4.5.2 Certificates issued during or after October 2009 for completion of a six hour “Emergency First Aid at Work” course or for completion of an 18 hour “First Aid at Work” course, where such courses are accredited by the Health and Safety Executive.
- The LTA will maintain and publish a list of courses and/or course providers through which coaches can obtain an Eligible First Aid Certificate.
- 4.6 The Committee may decline to issue a Coach Licence or may issue a Coach Licence subject to such restrictions as it thinks appropriate on any of the following grounds:
- 4.6.1 the existence of a criminal conviction or formal police caution or reprimand, the abuse of alcohol or drugs, dishonesty, violence or a sexual offence;
- 4.6.2 the applicant being of unsound mind as supported by medical evidence and the advice of the LTA Chief Medical Adviser;
- 4.6.3 the provision of misleading or false information or the refusal to provide information properly requested by the LTA pursuant to Condition 4.2 and 4.3;
- 4.6.4 failure (where applicable) to attain the required Credits or to fulfil any other proper application requirements;
- 4.6.5 the commission of an act which has been disclosed or is otherwise known to the LTA which amounts to a breach of professional standards for the purposes of these Conditions;
- 4.6.6 failure to hold current public liability insurance cover in accordance with Condition 8.2.3 below;

- 4.6.7 any other material reason which in the opinion of the Committee renders that person not a fit and proper person to be issued with a Coach Licence.

The holder of a Coach Licence shall be under a continuing obligation to satisfy the provisions of this Condition and any failure to do so shall render him liable to disciplinary action for Misconduct in accordance with the Code.

- 4.7 Where the Committee has considered an application and, for one of the reasons set out in Condition 4.6 above, has concerns as to whether it should grant a Licence, it should inform the applicant of its concerns and seek his comments upon these concerns. The Committee has the discretion to request the applicant to make oral representations to the Committee and the applicant may be accompanied by a representative, whether legal or otherwise. The Committee may refuse to accept the application or impose such conditions as it thinks appropriate. The Committee shall reach its decision based upon the material that has come to its attention and the comments of the applicant.

- 4.8 It is the responsibility of every Licensed Coach to notify the LTA of any changes in the information supplied to the LTA and in particular any change of address (including email address).

- 4.9 If, having issued a Coach Licence it comes to the attention of the Committee that information which relates to the conduct of the Licensed Coach prior to the grant of his Coach Licence (and which the Committee considers falls within any of the grounds set out in Condition 4.6 above) has either:

- 4.9.1 not been considered during the application process in accordance with Condition 4.7; or  
4.9.2 has come to light after the grant of the Coach Licence;

the Committee may inform the Licensed Coach of its concerns and seek his comments upon these concerns. The Committee has the discretion to request the Licensed Coach to make oral representations to the Committee and the Licensed Coach may be accompanied by a representative, whether legal or otherwise. Based upon the information and the comments of the Licensed Coach, the Committee shall reach its decision and may cancel the Coach Licence or impose such conditions on the Coach Licence as it thinks appropriate.

## 5. **Training**

- 5.1 All Licensed Coaches are required to undertake training as stipulated from time to time by the LTA to obtain their Credits.
- 5.2 The holder of a Coach Licence is required to attain a minimum of fifteen Credits in each year of his Licence period in order to be eligible to renew his Coach Licence.
- 5.3 A list of Continuing Professional Development Courses and the Credits applicable to them will be drawn up and published by the LTA on at least an annual basis.

- 5.4 The LTA reserves the right:
- 5.4.1 to amend the number and type of courses and Credits applicable to each of them;
  - 5.4.2 to divide the Credit system into categories;
  - 5.4.3 to require that Credits are attained in more than one category and to restrict the number of Credits that may be attained in each category;
  - 5.4.4 to make a particular element or elements of training compulsory;
  - 5.4.5 to require third-party course providers who wish to provide Continuing Professional Development Courses which attract Credits to register with the LTA and to charge them an annual registration fee;
  - 5.4.6 to specify minimum standards and criteria to be met by all providers of Continuing Professional Development Courses which attract Credits;
  - 5.4.7 to charge a reasonable administration fee for the approval of individual Coach Development Courses as eligible to award Credits.
- 5.5 It is the responsibility of each Licensed Coach (and where applicable an applicant) to ensure that a full and proper record of his training is maintained in the form or manner from time to time prescribed by the LTA. A failure to ensure the maintenance of a full and proper record of his training in the form or manner prescribed may result in a decision not to issue or renew a Coach Licence or to issue a Coach Licence with such restrictions as the Committee thinks appropriate.

## 6. **Renewals and Upgrading**

- 6.1 A Coach Licence may be renewed on expiry for one year (or such lesser time as the Committee considers appropriate in the circumstances) on fulfilment of the requirements for renewal as specified by the LTA from time to time including payment of the fee (as stipulated from time to time by the LTA). A new Coach Licence will be issued subject to continued adherence to these Conditions, including that the Licensed Coach has satisfied the requirements of Condition 5.5 relating to the proper maintenance of records.
- 6.2 A new Coach Licence will run from the date of expiry of the previous Coach Licence.
- 6.3 It is the responsibility of a Licensed Coach to renew his Coach Licence in a timely fashion. If a Licensed Coach does not renew his Coach Licence within a two month period after the date of expiry of his previous Coach Licence, it will be considered that he has left the LTA Coach Licensing Scheme and is no longer a Licensed Coach. Coaches are free to re-apply for a Coach Licence at any time, but will be treated as a new applicant, and therefore will be required to complete a new Criminal Records Bureau enhanced Disclosure. If a Coach Licence is renewed by a Licensed Coach on

time, a Criminal Records Bureau enhanced Disclosure for that Licensed Coach will only be required every three years.

- 6.4 The LTA may decline to renew a Coach Licence or decide to renew a Coach Licence subject to such restrictions as it thinks appropriate on the same grounds as are set out in Condition 4.6.

## 7. **Promotion**

- 7.1 The holder of a Coach Licence may describe himself, for the duration of his licence only, as being an "LTA Licensed Tennis Coach" but on written material of any description these words must be accompanied by a statement of his actual coaching qualification.
- 7.2 A Licensed Coach may not use the name or initials or logo of the LTA on any stationery or promotional literature save as provided in Condition 7.1.
- 7.3 A Licensed Coach shall not make or publish or knowingly permit the making or publication of any statement pertaining to his qualifications as a tennis coach which is false or misleading and in particular shall not make or publish or permit the making or publication of any statement the effect of which is to mislead the public into believing that such coach is qualified to a higher standard than that which he currently holds.

## 8. **Professional Standards**

- 8.1 Licensed Coaches (whether or not they discharge their responsibilities in a professional capacity) are required to uphold the highest standards of honesty, reliability, integrity and confidentiality, to discharge diligently their coaching duties to the best of their ability and to behave in an equitable manner as befits their status as recognised qualified sports' coaches.
- 8.2 In particular a Licensed Coach must:
- 8.2.1 comply at all times with these Conditions and with any Conditions from time to time varying the same;
- 8.2.2 comply at all times with the LTA Rules and the code (including for the avoidance of doubt the provisions of the LTA's Anti-Doping Programme as set out in Appendix One to the Code) in force from time to time;
- 8.2.3 maintain in force throughout the period of the Coach Licence appropriate public liability insurance cover;
- 8.2.4 maintain in force throughout the period of the Coach Licence a current Eligible First Aid Certificate;
- 8.2.5 adhere to the LTA's policy on child protection and follow guidelines laid down from time to time by the LTA;

8.2.6 not do anything which would damage the reputation and good standing of the LTA and/or the LTA Coach Licensing Scheme and/or the profession of coaching or which would bring the game of tennis into disrepute;

8.2.7 at all times observe the LTA Code of Ethics in force from time to time and any directions or guidelines from time to time published by the LTA.

### 8.3 Criminal Proceedings

8.3.1 Without prejudice to the generality of the foregoing, a criminal conviction or formal police caution, the abuse of alcohol or drugs, dishonesty, violence or a sexual offence may be regarded as a breach of this Condition. The fact that a Licensed Coach has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of the conviction or caution and of the facts and circumstances surrounding it.

8.3.2 Notwithstanding the fact that a Licensed Coach may not be charged formally with a criminal offence or may be charged but subsequently not be brought to trial or may be acquitted, the LTA shall nevertheless have the right to instigate or continue a disciplinary action against him with regard to the matter concerned.

8.4 Any breach of these Conditions by a Licensed Coach may result in disciplinary action being taken pursuant to Condition 9 and the Code.

## 9. **Disciplinary Matters**

9.1 The Committee may investigate any disciplinary matter that comes to its attention whether as a result of media publicity or otherwise.

9.2 If, having investigated the matter, the Committee considers that the holder of a Coach Licence may have breached either Condition 4.6 above or may have failed to comply with the professional standards as set out in Condition 8 above, then the Committee shall make a formal complaint to the Disciplinary Officer of the LTA in accordance with the Code.

9.3 If any further material matter comes to the attention of the Committee which may be relevant to the Disciplinary Officer in considering whether disciplinary action should be brought against the holder of a Coach Licence, or in prosecuting such disciplinary action, the Committee shall convey that information to the Disciplinary Officer.

## 10. **Removal of Licence**

10.1 A coach whose Coach Licence has been removed either on a temporary basis or permanently may not describe himself or hold himself out to be an LTA Licensed Coach (which shall include not wearing or using any clothing or equipment provided to or available only to Licensed Coaches) and the LTA retains the right to refuse to accept such a coach on any LTA course.

- 10.2 A coach whose Coach Licence has been removed either on a temporary basis or permanently shall return to the LTA upon request any Licence Card, Certificate, clothing, equipment or other material that has been issued to him by the LTA in connection with his Coach Licence.
- 10.3 A coach whose Coach Licence has been removed permanently may apply to the Committee for his case to be reviewed following the third anniversary of the date of the removal of his Coach Licence and every three years thereafter or if the coach can show to the Committee's satisfaction that the circumstances have changed to such an extent that his case should be reviewed. Upon review, the Committee may reduce the sanction subject to any conditions it considers appropriate or may decline to do so. Before reaching any decision adverse to the coach, the Committee will give him the opportunity to address its concerns and the Committee will furnish brief reasons for any such decisions.

## 11. **Data Protection Act**

- 11.1 The applicant acknowledges and agrees that his name and status of his Licence may be included in the LTA's public register of Licensed Coaches.
- 11.2 The applicant acknowledges and agrees that the LTA may use his personal data for reasonable purposes in connection with administering the Coach Licence Scheme and pass the personal data to such other organisations as the LTA considers necessary (including, but not limited to, UK Sport, the NSPCC, other sports National Governing Bodies and relevant local authorities and social services departments).

## 12. **General**

- 12.1 All applications for a Coach Licence are subject to these Conditions whether or not such applications result in the issue of a Coach Licence and all Coach Licences are issued subject to these Conditions which constitute a binding contract between each Licensed Coach and the LTA.
- 12.2 These Conditions may be varied from time to time by LTA Board. Any variation to these Conditions will be notified in writing via email to all Licensed Coaches and following notification will be deemed to be incorporated in these Conditions and be binding on all Licensed Coaches with immediate effect. The sending of such notification by email to the email address last notified to the LTA by the Licensed Coach will be deemed sufficient notification for the purpose of these Conditions. Licensed Coaches who do not have an email address can request that the LTA informs them of any variation to these Conditions in writing via post. Such requests should be made in writing to the LTA, addressed to the Coach Licensing Administrator, and any changes of postal address should be notified to the same.
- 12.3 Any documents from time to time appended to these Conditions are intended to form part of them but if there is conflict between their respective provisions these Conditions will prevail.

12.4 In these Conditions words importing the singular include the plural and vice versa and the masculine gender includes the feminine gender.

12.5 These Conditions shall be governed by and construed in accordance with English Law.

**SCHEDULE TO APPENDIX FOUR****LTA CODE OF ETHICS AND CONDUCT FOR LICENSED AND REGISTERED TENNIS COACHES AND ASSISTANTS**

LTA Licensed & Registered Coaches and Coaching Assistants are deemed to be bound by, and to have accepted, this Code of Ethics and Conduct. This sets out responsibilities to tennis players and parents, to coaching and other colleagues, to the LTA as their National Governing Body, to their coaching employer and to society.

LTA Licensed & Registered Coaches will adhere to the following Code of Ethics and Conduct:

1. Always put your players' best interests at the centre of everything you do.
2. Treat players with respect at all times. Be honest and consistent with them.
3. Treat all players fairly regardless of (but not limited to) gender, ethnicity, age, disability, place of origin, athletic potential, sexual orientation, religious beliefs, political beliefs and socio-economic status.
4. Encourage all players and fellow coaches and assistants to have respect for one another.
5. Encourage players and other coaches and assistants to develop and maintain integrity.
6. Prepare players to respond to success and failure in a dignified manner.
7. Respect the confidentiality of players/parents/officials as appropriate.
8. Clarify in advance with players/parents/employers the number of sessions, fees, method of payment; explain expected outcome and progression from the coaching or sessions.
9. Be sensitive to your players' self-esteem when providing constructive feedback to players.
10. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
11. Involve the players in decisions that will affect them.
12. Recognise players' right to consult with other coaches and advisers. Co-operate fully with other specialists (eg sport scientists, doctors, physiotherapists, etc).
13. When asked to coach a player, ensure that any previous coach/player relationship has been ended by the player/others in a professional manner.

14. Be acutely aware of the power that coaches and coaching assistants develop over players in the coaching relationship and avoid any intimacy (sexual or otherwise) with players.
15. Avoid situations with players that could be construed as compromising and actions that others could perceive inappropriate.
16. Actively discourage the use of performance enhancing drugs, and any illegal substance.
17. At all times act as a role model by maintaining the highest standards of personal conduct and projecting a favourable image of tennis and of coaching at all times.
18. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to the rules.
19. Ensure that qualifications and affiliations to associations are not misrepresented.
20. Report any alleged criminal offence, police investigation or court case to the LTA at the earliest opportunity.
21. Know and abide by tennis rules, regulations and standards, and encourage players to do likewise.

Any breach of any of the provision(s) of this Code of Ethics and Conduct by a Licensed Coach, Registered Coach or Registered Coaching Assistant shall constitute a breach of the Conditions of the LTA Coach Licensing Scheme or of the Conditions of the LTA Registration Scheme as applicable and shall be dealt with under the procedures as set out in those Conditions.

## APPENDIX FIVE

### LTA COACH REGISTRATION SCHEME GENERAL CONDITIONS

#### 1. Introduction

- 1.1 All coaching assistants and coaches registered under the LTA Registration Scheme ("**Registered Coaching Assistants**" and "**Registered Coaches**") are subject to these Conditions, which may be varied from time to time at the discretion of The Lawn Tennis Association ("**the LTA**") in accordance with Condition 11.2
- 1.2 A coach is defined as a person who is eligible to apply for a LTA Coach Licence under Appendix Four to the Disciplinary Code ("**Coach**"). A coaching assistant is a person who is eligible to be registered under this Appendix but is not eligible to apply for an LTA Coach Licence ("**Coaching Assistant**").
- 1.3 These Conditions (apart from the LTA Code of Ethics and Conduct for Licensed and Registered Tennis Coaches and Assistants, set out at the Schedule to these Conditions) shall not apply to the issue, renewal, upgrade, removal or any other matter (including disciplinary) relating to Registration which raises child protection issues and is designated as a child protection case under the Child Protection Procedures (Appendix Two to the Code) ("**a Child Protection Case**") and such matters shall be dealt with under those Child Protection Procedures and these Conditions shall be read subject to this provision.

#### 2. Eligibility for Registration Scheme

- 2.1 A coaching assistant or coach is eligible to apply to be registered under the LTA Registration Scheme ("**Registration**") if:
  - 2.1.1 he has attained any LTA Coaching Assistant or Coach qualification; or
  - 2.1.2 he holds a coaching qualification from a coaching organisation or a tennis organisation (including a foreign national governing body of tennis affiliated to the International Tennis Federation) provided that the qualification requires a minimum of six hours of learning or of learning and assessment.
- 2.2 Registration shall in normal circumstances be for a term of 12 months from the date of issue unless the LTA decides it is appropriate in the circumstances that the Registration should be for a shorter period of time in accordance with Conditions 4.6, 4.7, 4.9 and 5.4 below .

#### 3. Coach Licensing and Registration Committee

- 3.1 The LTA shall appoint annually a Coach Licensing and Registration Committee ("**the Committee**") comprising six members, one of whom shall be legally qualified and shall be designated as Chairman.
- 3.2 The quorum shall be three.

3.3 The Committee shall be responsible for all matters relating to the interpretation, implementation and enforcement of these Conditions including, in particular, the provisions of Condition 4 relating to the processing of applications, Condition 8 relating to disciplinary matters and Condition 9 relating to loss of registered status.

3.4 Any member of the Committee who has an interest in any matter before the Committee must declare that interest and may be precluded from participation in the matter concerned.

#### 4. **Applications**

4.1 All applications for Registration and payment of the fee (as stipulated from time to time by the LTA) shall be made in the form or manner prescribed by the LTA.

4.2 It is the responsibility of the applicant to ensure that all information provided to the LTA is up to date and accurate so that the LTA may process the application. A failure to do so may delay the processing of the application or result in its refusal.

4.3 All applicants are required (at their own expense) to:

4.3.1 provide a current Eligible First Aid Certificate (as defined in Condition 4.5);

4.3.2 (subject to Condition 4.4), have completed a Criminal Records Bureau enhanced Disclosure from the Criminal Records Bureau (or other relevant statutory authority) through the LTA with a disclosure date not more than 12 months before the date of processing of the registration application and it having been assessed as being acceptable by the LTA; and

4.3.3 if notified by the LTA that the applicant is required under the Safeguarding Vulnerable Groups Act 2006 to register with the Independent Safeguarding Authority ("**ISA**"), provide the applicant's ISA registration number.

4.3.4 The LTA also reserves the right to require the applicant to provide the names of two independent persons from whom a confidential reference may be sought and to seek such further information including but not limited to the qualifications or suitability of any applicant as the LTA may deem appropriate.

4.4 Where an applicant renews his registration under Condition 5.1, the LTA may waive the requirements under Condition 4.3.2 for a maximum of two consecutive applications.

4.5 The following certificates will be considered "**Eligible First Aid Certificates**" for the purposes of the Registration Scheme:

4.5.1 Certificates issued before October 2009 by first aid training providers licensed by the Health and Safety Executive for completion of a six hour "Appointed Persons" first aid training course or of an 18 hour "First Aid at Work" training course; or

- 4.5.2 Certificates issued during or after October 2009 for completion of a six hour "Emergency First Aid at Work" course or for completion of an 18 hour "First Aid at Work" course, where such courses are accredited by the Health and Safety Executive.

The LTA will maintain and publish a list of courses and/or course providers through which coaching assistants/coaches can obtain an Eligible First Aid Certificate.

- 4.6 The Committee may decline an application to become Registered or may enforce restrictions as it thinks appropriate on any of the following grounds:

4.6.1 the existence of a criminal conviction or formal police caution or reprimand, the abuse of alcohol or drugs, dishonesty, violence or a sexual offence;

4.6.2 the applicant being of unsound mind as supported by medical evidence and the advice of the LTA Chief Medical Adviser;

4.6.3 the provision of misleading or false information or the refusal to provide information properly requested by the LTA pursuant to Conditions 4.2 and 4.3;

4.6.4 the commission of an act which has been disclosed or is otherwise known to the LTA which amounts to a breach of professional standards for the purposes of these Conditions;

4.6.5 failure to hold current public liability insurance cover in accordance with Condition 7.2.3 below;

4.6.6 any other material reason which in the opinion of the Committee renders that person not a fit and proper person to be Registered. Registered Coaching Assistants/Coaches shall be under a continuing obligation to satisfy the provisions of this Condition and any failure to do so shall render him liable to disciplinary action for Misconduct in accordance with the Code.

- 4.7 Where the Committee has considered an application and, for one of the reasons set out in Condition 4.6 above, has concerns as to whether it should grant Registration, it should inform the applicant of its concerns and seek his comments upon these concerns. The Committee has the discretion to request the applicant to make oral representations to the Committee and the applicant may be accompanied by a representative, whether legal or otherwise. The Committee may refuse to accept the application or impose such conditions as it thinks appropriate. The Committee shall reach its decision based upon the material that has come to its attention and the comments of the applicant and its decision is final.

- 4.8 It is the responsibility of every Registered Coaching Assistant/Coach to notify the LTA of any changes in the information supplied to the LTA and in particular any change of address (including email address).

4.9 If, during the period of Registration, it comes to the attention of the Committee that a matter relating to the conduct of a Registered Coaching Assistant/Coach prior to the grant of Registration (and which the Committee considers falls within any of the grounds set out in Condition 4.6 above) has either:

4.9.1 not been considered during the application process in accordance with Condition 4.7; or

4.9.2 come to light after the grant of the Registration;

the Committee may inform the Registered Coaching Assistant/Coach of its concerns and seek his comments upon these concerns. The Committee has the discretion to request the Registered Coaching Assistant/Coach to make oral representations to the Committee, and the Registered Coaching Assistant/Coach may be accompanied by a representative, whether legal or otherwise. Based upon the information and the comments of the Registered Coaching Assistant/Coach, the Committee shall reach its decision and may cancel the Registration or impose such conditions as it thinks appropriate and its decision is final.

## 5. **Renewals and Upgrading**

5.1 Registration may be renewed on expiry for 12 months on fulfilment of the requirements for renewal as specified by the LTA from time to time including payment of the fee. Registration will be issued subject to continued adherence to these Conditions.

5.2 Following a renewal, Registration will run from the date of expiry of the previous Registration.

5.3 It is the responsibility of a Registered Coaching Assistant/Coach to renew his Registration in a timely fashion. A Registered Coaching Assistant/Coach who has not renewed his Registration before the end of the two month period after the date of expiry of his previous term of Registration will be treated as a new applicant and shall not be treated as renewing his Registration for the purposes of Condition 4.4.

5.4 The LTA may decline to renew a Registration or grant the renewed Registration subject to such restrictions as it thinks appropriate on the same grounds as are set out in Condition 4.6.

## 6. **Promotion**

6.1 Registered Coaching Assistants/Coaches may describe themselves, for the duration of Registration only, as being a "LTA Registered Coaching Assistant/Coach" (as applicable) but on written material any use of these words must be accompanied by a statement of his actual qualification.

6.2 Registered Coaching Assistants/Coaches may not use the name or initials or logo of the LTA on any stationery or promotional literature save as provided in Condition 6.1.

- 6.3 Registered Coaching Assistants/Coaches shall not make or publish or knowingly permit the making or publication of any statement pertaining to his qualifications which is false or misleading and in particular shall not make or publish or permit the making or publication of any statement the effect of which is to mislead the public into believing that he is qualified to a higher standard than that which he currently holds.

**7. Professional Standards**

- 7.1 Registered Coaching Assistants/Coaches (whether or not they discharge their responsibilities in a professional capacity (full or part-time)) are required to uphold the highest standards of honesty, reliability, integrity and confidentiality, to discharge diligently their coaching duties to the best of their ability and to behave in an equitable manner as befits their status as recognised qualified sports coaches.

- 7.2 In particular, Registered Coaching Assistants/Coaches must:

- 7.2.1 comply at all times with these Conditions and with any Conditions from time to time varying the same;
- 7.2.2 comply at all times with the LTA Rules and the Code (including for the avoidance of doubt the provisions of the LTA's Anti-doping Programme as set out in Appendix One to the Code) in force from time to time;
- 7.2.3 maintain throughout the period of the Registration appropriate public liability insurance cover and a current Eligible First Aid Certificate;
- 7.2.4 adhere to the LTA's policy on child protection and follow the guidelines laid down from time to time by the LTA;
- 7.2.5 not do anything which would damage the reputation and good standing of the LTA and/or the LTA Coach Registration Scheme and/or the profession of coaching or which would bring the game of tennis into disrepute;
- 7.2.6 at all times observe the LTA Code of Ethics in force from time to time and any directions or guidelines from time to time published by the LTA.

**7.3 Criminal Proceedings.**

- 7.3.1 Without prejudice to the generality of the foregoing, a criminal conviction or formal police caution, the abuse of alcohol or drugs, dishonesty, violence or a sexual offence may be regarded as a breach of this Condition. The fact that a Registered Coaching Assistant/Coach has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of the conviction or caution and of the facts and circumstances surrounding it.
- 7.3.2 Notwithstanding the fact that a Registered Coaching Assistant/Coach may not be charged formally with a criminal offence or may be charged but subsequently

not be brought to trial or may be acquitted, the LTA shall nevertheless have the right to instigate or continue a disciplinary action against him with regard to the matter concerned.

- 7.4 Any breach of these Conditions by a Registered Coach Assistant/Coach may result in disciplinary action being taken pursuant to Condition 8 and the Code.

## 8. **Disciplinary Matters**

- 8.1 The Committee may investigate any disciplinary matter that comes to its attention whether as a result of media publicity or otherwise.

- 8.2 If, having investigated the matter, the Committee considers that the Registered Coaching Assistant/Coach may have breached either Condition 4.6 above or may have failed to comply with the professional standards as set out in Condition 7 above, then the Committee shall make a formal complaint to the Disciplinary Officer of the LTA in accordance with the Code.

- 8.3 If any further material matter comes to the attention of the Committee which may be relevant to the Disciplinary Officer in considering whether disciplinary action should be brought against the Registered Coaching Assistant/Coach, or in prosecuting such disciplinary action, the Committee shall convey that information to the Disciplinary Officer.

## 9. **Termination of Registration**

- 9.1 A Registered Coaching Assistant/Coach who has had his Registration terminated either on a temporary basis or permanently may not describe himself or hold himself out to be an "LTA Registered Coaching Assistant/Coach" (which shall include not wearing or using any clothing or equipment provided to or available only to Registered Coaching Assistants/Coaches) and the LTA retains the right to refuse to accept such a coach on any LTA course.

- 9.2 A coach whose Registration has been cancelled either on a temporary basis or permanently shall immediately return to the LTA upon request any official documentation, clothing bearing the LTA logo, equipment or other material that has been issued to him by the LTA in connection with his Registration.

- 9.3 Any Registered Coaching Assistant/Coach who has had his Registration terminated either on a temporary basis or permanently may apply to the Committee for his case to be reviewed following the third anniversary of the date of the removal of his Registration and every three years thereafter or if the coach/coaching assistant can show to the Committee's satisfaction that the circumstances have changed to such an extent that his case should be reviewed. Upon review, the Committee may reduce the sanction subject to any conditions it considers appropriate or may decline to do so. Before reaching any decision adverse to the coach/coaching assistant, the Committee will give him the opportunity to address its concerns and the Committee will furnish brief reasons for any such decisions.

**10. Data Protection Act**

- 10.1 The applicant acknowledges and agrees that his name and status of his Registration may be included in the LTA's public register of Registered Coaching Assistants/Coaches.
- 10.2 The applicant acknowledges and agrees that the LTA may use his personal data for reasonable purposes in connection with administering the Registration Scheme and pass the personal data to such other organisations as the LTA considers necessary (including, but not limited to, affiliated bodies of the LTA, Sport England, Sport Coach UK, UK Sport, the NSPCC, other sports National Governing Bodies and relevant local authorities and social services departments).

**11. General**

- 11.1 All applications for Registration are subject to these Conditions whether or not such applications result in the issue of Registration and all Registrations are issued subject to these Conditions which constitute a binding contract between each Registered Coaching Assistant/Coach and the LTA.
- 11.2 These Conditions may be varied from time to time by the LTA Board. Any variation to these Conditions will be notified in writing via email to all Registered Coaching Assistants/Coaches and following notification will be deemed to be incorporated in these Conditions and be binding on all Registered Coaching Assistants/Coaches with immediate effect. The sending of such notification by email to the email address last notified to the LTA by the Registered Coaching Assistants/Coaches will be deemed sufficient notification for the purpose of these Conditions.
- 11.3 Any documents from time to time appended to these Conditions are intended to form part of them but if there is conflict between their respective provisions these Conditions will prevail.
- 11.4 In these Conditions words importing the singular include the plural and vice versa and the masculine gender includes the feminine gender.
- 11.5 These Conditions shall be governed by and construed in accordance with English Law.

## **SCHEDULE to APPENDIX FIVE**

### **LTA CODE OF ETHICS AND CONDUCT FOR LICENSED AND REGISTERED TENNIS COACHES AND ASSISTANTS**

LTA Licensed & Registered Coaches and Coaching Assistants are deemed to be bound by, and to have accepted, this Code of Ethics and Conduct. This sets out responsibilities to tennis players and parents, to coaching and other colleagues, to the LTA as their National Governing Body, to their coaching employer and to society.

LTA Licensed & Registered Coaches will adhere to the following Code of Ethics and Conduct:

12. Always put your players' best interests at the centre of everything you do.
13. Treat players with respect at all times. Be honest and consistent with them.
14. Treat all players fairly regardless of (but not limited to) gender, ethnicity, age, disability, place of origin, athletic potential, sexual orientation, religious beliefs, political beliefs and socio-economic status.
15. Encourage all players and fellow coaches and assistants to have respect for one another.
16. Encourage players and other coaches and assistants to develop and maintain integrity.
17. Prepare players to respond to success and failure in a dignified manner.
18. Respect the confidentiality of players/parents/officials as appropriate.
19. Clarify in advance with players/parents/employers the number of sessions, fees, method of payment; explain expected outcome and progression from the coaching or sessions.
20. Be sensitive to your players' self-esteem when providing constructive feedback to players.
21. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
22. Involve the players in decisions that will affect them.
23. Recognise players' right to consult with other coaches and advisers. Co-operate fully with other specialists (eg sport scientists, doctors, physiotherapists, etc).
24. When asked to coach a player, ensure that any previous coach/player relationship has been ended by the player/others in a professional manner.

25. Be acutely aware of the power that coaches and coaching assistants develop over players in the coaching relationship and avoid any intimacy (sexual or otherwise) with players.
26. Avoid situations with players that could be construed as compromising and actions that others could perceive inappropriate.
27. Actively discourage the use of performance enhancing drugs, and any illegal substance.
28. At all times act as a role model by maintaining the highest standards of personal conduct and projecting a favourable image of tennis and of coaching at all times.
29. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to the rules.
30. Ensure that qualifications and affiliations to associations are not misrepresented.
31. Report any alleged criminal offence, police investigation or court case to the LTA at the earliest opportunity.
32. Know and abide by tennis rules, regulations and standards, and encourage players to do likewise.

Any breach of any of the provision(s) of this Code of Ethics and Conduct by a Licensed Coach, Registered Coach or Registered Coaching Assistant shall constitute a breach of the Conditions of the LTA Coach Licensing Scheme or of the Conditions of the LTA Registration Scheme as applicable and shall be dealt with under the procedures as set out in those Conditions.