



ATHLETICS INTEGRITY UNIT RULES

(In force from 23 November 2019)

Specific Definitions

The words and phrases used in these Rules that are defined terms (denoted by initial capital letters) shall have the meanings specified in the Constitution and the General Definitions, or (in respect of the following words and phrases) the following meanings:

“Branding” means any names, logos, marks (registered or unregistered), livery and imagery of the Integrity Unit.

“Casual Vacancy” means the position is vacated by the person appointed or elected to it, prior to the expiry of their term of office, due to:

- (a) their resignation;
- (b) their death;
- (c) a decision by the Vetting Panel that the person is no longer Eligible;
- (d) if the person is a Council Member, the person being removed from or ceasing to be a Council Member in accordance with the Constitution; or,
- (e) the person is removed in accordance with these Rules for serious breach or repeated or persistent breach of duties.

“Category A Proceeding” means any Ethics Board Proceeding filed with the Ethics Board before 31 December 2016, (including where the Ethics Board initiated the proceeding), concerning an alleged violation of the Former Code of Ethics or any predecessor codes of ethics, where the chairperson of the Ethics Board had not made a decision whether or not to appoint an investigator under Rules 13.4 or 13.5 of the Procedural Rules of the Ethics Board.

“Category B Proceeding” means any Ethics Board Proceeding filed with the Ethics Board before 31 December 2016, (including where the Ethics Board initiated the proceeding), concerning an alleged violation of the Former Code of Ethics or any predecessor codes of ethics, which are not Category A Proceedings or Category C Proceedings.

“Category C Proceeding” means any Ethics Board Proceeding filed with the Ethics Board after 31 December 2016 and before 30 April 2019, (including where the Ethics Board initiated the proceeding), concerning an alleged violation of the Former Code of Ethics or any predecessor codes of ethics, which has been referred or transferred to the Integrity Unit in accordance with Rule 12.

“Chief Executive Officer” means the Chief Executive Officer of World Athletics as described in Articles 61–64 of the Constitution.

“Council Report” means the annual report presented by Council to Congress in accordance with Article 79 of the Constitution.

“Doping” and **“Doping Violation”** means a violation of Rule 6.3(c) of the Integrity Code of Conduct including an anti-doping rule violation under the Anti-Doping Rules and, for the purposes of these Rules, an anti-doping rule violation under any previous anti-doping rules under the Former Code of Ethics or any predecessor code of ethics, including any Ethics Board Proceeding transferred to the Integrity Unit from the Ethics Board under Rule 12.

“Election Congress” means the Congress meeting held every four (4) years at which elections under Article 36 of the Constitution are undertaken.

“Ethical Compliance Officer” means the person appointed by World Athletics as its ethical compliance officer in accordance with the Vetting Rules.

“Ethics Board Proceedings” means any proceedings of the Ethics Board (as described in the Procedural Rules of the Ethics Board), which includes all stages of the proceeding including the complaint, investigation, notification, hearing and adjudication. These include Category A Proceedings, Category B Proceedings and Category C proceedings, unless stated otherwise.

“Executive Board” means the Executive Board of World Athletics as described in Part VII of the Constitution.

“Existing Official” means any person who is in office as an Official.

“Financial Year” means the financial year of World Athletics which is from 1 January to 31 December.

“Funding” means funding allocated by the Executive Board to the Integrity Unit in accordance with Articles 72.1(b) and 76.2(b) of the Constitution and Rule 11 of these Rules.

“Independent Members of the Integrity Unit Board” means the members of the Integrity Unit Board who are independent of World Athletics, and, subject to Article 73.3 of the Constitution and Rule 4.4 of these Rules, are appointed by Congress.

“Integrity Check” has the meaning given to it in the Vetting Rules.

“Integrity Standard” means an integrity standard as described in Rule 6 of the Integrity Code of Conduct.

“Integrity Unit Annual Report” means the annual report by the Integrity Unit Board to Congress which shall detail the following matters covering the preceding Financial Year:

- (a) a report from the chairperson of the Integrity Unit Board on the performance of the Integrity Unit against its strategic plan;
- (b) a report from the Head of the Integrity Unit on the performance of the Integrity Unit against its annual plan;
- (c) the annual financial statements of the Integrity Unit (audited as part of the World Athletics annual financial statements);
- (d) disclosure of remuneration paid to the members of the Integrity Unit Board and the Head of the Integrity Unit; and,
- (e) such other reports and information related to its Role which the Integrity Unit Board decides are in the interest of ensuring appropriate transparency and accountability of the Integrity Unit to Congress.

“Integrity Unit Board” means the Athletics Integrity Unit Board described in Article 73 of the Constitution unless specified otherwise.

“Integrity Unit Board Appointments Panel” means the Panel described in Article 74 of the Constitution unless stated otherwise.

“Integrity Unit Congress Report” means:

- (a) a summary of the two Integrity Unit Annual Reports issued since the last Ordinary Congress meeting; and,
- (b) any other reports and information related to the Integrity Unit’s Role arising in the period since the last Integrity Unit Annual Report, which the Integrity Unit Board decides are in the interest of ensuring appropriate transparency and accountability of the Integrity Unit to Congress.

“Integrity Unit Staff” means any person who undertakes work for the Integrity Unit, or on its behalf.

“Integrity Unit Website” means the website of the Integrity Unit which shall be separate from the World Athletics Website.

“Major Transactions” means any expenditure, liability, commitment or transaction (when singularly or combined with other transactions) amounting to 500,000 Euros or greater or any expenditure, liability, commitment or transaction which is unprecedented, complex or high-profile of any amount as decided by the Integrity Unit Board.

“Non- Doping” and **“Non- Doping Violation”** means a violation of the Integrity Code of Conduct which is not a Doping Violation and, for the purposes of these Rules, includes any non-doping violation under the Former Code of Ethics or any predecessor codes of ethics in any Ethics Board Proceeding transferred to the Integrity Unit from the Ethics Board under Rule 12.

“Previous Anti-Doping Rules” means the Anti-Doping Rules in force immediately prior to the Anti-Doping Rules which commenced on 1 January 2019.

“President” means the President of World Athletics as described in Article 50 of the Constitution.

“Prima Facie case” means a case of a Non-Doping Violation considered by the Head of the Integrity Unit to warrant investigation under the Reporting, Investigation and Prosecution Rules - Non-Doping.

“Procedural Rules of the Code” means the rules setting out the procedures for dealing with alleged violations of the Integrity Code of Conduct (and the Former Code of Ethics) including reporting, investigating, prosecuting and deciding such violations and includes the Integrity Unit Rules, the Reporting, Investigations and Prosecution Rules - Non-Doping, the Disciplinary Tribunal Rules and the Anti-Doping Rules.

“Procedural Rules of the Ethics Board” means the statutes and procedures of the Ethics Board as described in Appendices 6 and 7 of the Former Code of Ethics.

“Provisional Suspension” has the meaning given to it in the Athletics Integrity Unit Reporting, Investigation and Prosecution Rules - Non-Doping.

“Role” means the role of the Integrity Unit as set out in Article 71 of the Constitution.

“Test Distribution Plan” means the plan of the nature and number of tests to be undertaken by the Integrity Unit under the Anti-Doping Rules.

“Vice Presidents” means the Vice-Presidents of World Athletics as described in Article 55.1 of the Constitution.

“World Athletics Website” means the website of World Athletics.

1. Purpose of these Rules

- 1.1 The purpose of these Rules is to set out:
- 1.1.1 the Role of the Integrity Unit and its functions;
 - 1.1.2 the terms on which Council (on behalf of Congress) delegates authority to the Integrity Unit Board to establish and maintain the Integrity Unit; and,
 - 1.1.3 the component parts of the Integrity Unit.

2. Application of these Rules

- 2.1 These Rules apply to all World Athletics Officials including Staff and all committees, panels and persons referred to in these Rules or who is delegated authority under these Rules.

3. Scope of these Rules

- 3.1 These Rules define the structure and functions of the Integrity Unit including the powers, roles, responsibilities and authority of the constituent parts of the Integrity Unit, namely the:
- 3.1.1 Integrity Unit Board (including the Integrity Unit Board Appointments Panel);
 - 3.1.2 Head of the Integrity Unit; and,
 - 3.1.3 Integrity Unit operations (including its functions, financial arrangements, staffing and branding as described in these Rules).

4. Integrity Unit Board - Composition and Appointment

- 4.1 In accordance with Article 73.1 of the Constitution, the Integrity Unit will be governed by an Integrity Unit Board in accordance with these Rules and any applicable Regulations.

Composition of Integrity Unit Board

- 4.2 In accordance with Article 73.2 of the Constitution, the Integrity Unit Board shall be comprised of:
- 4.2.1 the five (5) Independent Members of the Integrity Unit Board;
 - 4.2.2 a Council Member elected by Council, who shall be non-voting; and,
 - 4.2.3 the Head of the Integrity Unit, who shall also be non-voting.

Appointment of Integrity Unit Board (from 2019 Election Congress Meeting)

- 4.3 Subject to Rule 4.4, at the 2019 Election Congress meeting, and thereafter at each Election Congress meeting (held every four years), the Independent Members of the Integrity Unit Board will be appointed by Congress, on the recommendation of the Integrity Unit Board Appointments Panel (as specified in Article 74.6(e) and as further described in these Rules).

- 4.4 The two positions for Independent Members of the Integrity Unit Board which were added to the Integrity Unit Board by amendment to Article 73.2a of the Constitution at the 2019 Election Congress, shall be appointed as follows:
- 4.4.1 The Integrity Unit Board Appointments Panel will undertake its duties for these two positions (as set out in Article 74.6 of the Constitution and Rule 4.11 of these Rules, except that Rule 4.4.3 shall replace Rule 4.12.5);
 - 4.4.2 As soon as practicable and no later than six months after the 2019 Election Congress meeting, the Integrity Unit Board Appointments Panel will recommend to Council the applicants it considers best suit the two positions, for appointment by Council;
 - 4.4.3 The term of office for the two Independent Members appointed under Rule 4.4.2 shall commence upon their appointment by Council and end at the first Council meeting held after the 2021 Ordinary Congress;
 - 4.4.4 No later than 3 months prior to the 2021 Ordinary Congress, the Integrity Unit Board Appointments Panel will repeat the process set out in Rules 4.4.1 and 4.4.2 for the two Independent Members of the Integrity Unit Board and recommend to Congress the two applicants whom it considers best suit the positions for consideration and vote by the Delegates, at the 2021 Ordinary Congress meeting.
 - 4.4.5 The term of office for the two Independent Members appointed under Rule 4.4.4 shall commence at the first Council meeting held after the 2021 Ordinary Congress and end at the first Council meeting held after the 2023 Election Congress.
 - 4.4.7 The Independent Members of the Integrity Board appointed under Rule 4.4.2 and 4.4.4 may be re-appointed for further terms of office, without limitation.
- 4.5 Council will elect the Council Member who is to be a non-voting member of the Integrity Unit Board (in accordance with Article 73.2(b) of the Constitution and Rule 4.2.2) no later than the first Council meeting held after the 2019 Election Congress meeting, and thereafter at the first Council meeting held after each Election Congress meeting (held every four years).
- 4.6 Each member of the Integrity Unit Board is a World Athletics Official and subject to Vetting. As such, the appointment or election of any person to be a member of the Integrity Unit Board is subject to the person being Eligible, including satisfying an Integrity Check by the Vetting Panel in accordance with the Vetting Rules.
- 4.7 Subject to Rules 4.5, 4.6 and 4.8 each member of the Integrity Unit Board (other than the Head of the Integrity Unit) shall have a term of office of four (4) years:
- 4.7.1 commencing at the first Council meeting held after the 2019 Election Congress meeting, and thereafter, commencing at the first Council meeting held after the Election Congress meeting at which they were appointed; and,
 - 4.7.2 ending at the first Council meeting held after the 2023 Election Congress meeting, and thereafter, ending at the first Council meeting held after the next Election Congress meeting (held four years later);

provided that the Council Member on the Integrity Unit Board (elected under Rule 4.5)

must be and remain a Council Member during their term of office on the Integrity Unit Board to remain a member of the Integrity Unit Board.

- 4.8 If there is a Casual Vacancy in any position on the Integrity Unit Board it will be filled with a replacement member who meets the applicable description for that member who is Eligible, as follows:
- 4.8.1 if the Casual Vacancy arises in the last two years of the vacating member's term of office, the Casual Vacancy will be filled by Council, on the recommendation of the Integrity Unit Board Appointments Panel, for the balance of the term of office of the vacated position; or,
- 4.8.2 if the Casual Vacancy arises in the first two years of the vacating member's term of office, the Casual Vacancy will be filled by Congress on the recommendation of the Integrity Unit Board Appointments Panel for the period until the first Council meeting held after the next Ordinary Congress, for the balance of the term of office of the vacated position.

Integrity Unit Board Appointments Panel

- 4.9 In accordance with Article 74.1 of the Constitution, there shall be an Integrity Unit Board Appointments Panel whose role it is to identify, recruit, assess and make recommendations to Council (under Rule 4.4.2 only) and for all other recommendations, to Congress of the Independent Members of the Integrity Unit Board (including the chairperson of the Integrity Unit Board) to be appointed to the Integrity Unit Board.
- 4.10 In accordance with Article 74.2 of the Constitution, the Integrity Unit Board Appointments Panel shall be comprised of the following three (3) people:
- 4.10.1 the chairperson of the Integrity Unit Board (unless they are seeking reappointment to the Integrity Unit Board in which case Rule 4.16 or Rule 4.17 (as applicable) shall apply);
- 4.10.2 one (1) person appointed by Council who is independent of World Athletics and is experienced in governance and the functions and appointment processes of directors (who shall be chairperson of the Integrity Unit Board Appointments Panel); and,
- 4.10.3 one (1) Council Member, elected by Council.
- 4.11 The members of the Integrity Unit Board Appointments Panel shall have a term of office of four (4) years:
- 4.11.1 commencing at the first Council meeting held after an Election Congress meeting; and,
- 4.11.2 ending at the first Council meeting held after the next Election Congress meeting.
- 4.12 The Integrity Unit Board Appointments Panel shall be independent of the Integrity Unit Board and during its term shall be responsible for the following (as specified in Article 74.6 of the Constitution):

- 4.12.1 identifying the skills, expertise and experience which may be necessary for the Integrity Unit Board;
 - 4.12.2 identifying and inviting suitable persons to apply to be Independent Members of the Integrity Unit Board;
 - 4.12.3 publicly advertising the vacancies on the World Athletics Website and Integrity Unit Website including position descriptions for the Independent Members of the Integrity Unit Board;
 - 4.12.4 receiving and assessing applications for appointment of the Independent Members of the Integrity Unit Board including undertaking such enquiries and holding interviews and meetings as it sees fit;
 - 4.12.5 as soon as practicable and no later than three months prior to each Election Congress meeting, recommending to Congress the applicants whom the Integrity Unit Board Appointments Panel considers best suit the positions for consideration and vote by the Delegates at the Election Congress meeting; and,
 - 4.12.6 such other related matters as set out in these Rules and any Regulations.
- 4.13 All information received by the Integrity Unit Board Appointments Panel, and its deliberations, shall be held in accordance with applicable data protection and privacy requirements and shall be kept confidential except to the extent that disclosure is agreed by any applicant, or disclosure is permitted under these Rules, or it is required by law.
- 4.14 Any member of the Integrity Unit Board Appointments Panel who considers they may have a potential conflict of interest in considering the appointment or otherwise of any person, shall (without limiting their obligations in the Conflicts, Disclosure and Gifts Rules) declare that potential conflict to the chairperson of the Integrity Unit Board Appointments Panel. If the chairperson of the Panel considers it appropriate to do so, they may require that member to vacate their position on the Panel for that appointment. If this occurs, the Panel will continue its duties for that appointment without that member.
- 4.15 If the chairperson of the Panel considers they may have a potential conflict, they shall (without limiting their obligations in the Conflicts, Disclosures and Gifts Rules) declare that potential conflict to the chairperson of the Integrity Unit Board. If the chairperson of the Board considers it appropriate to do so, they may require the chairperson to vacate their position on the Panel for that appointment in accordance with the same procedure as described in Rule 4.14.
- 4.16 If the chairperson of the Integrity Unit Board is seeking reappointment as a member of the Integrity Unit Board (including as chairperson of the Integrity Unit Board), the Integrity Unit Board shall appoint another Independent Member of the Integrity Unit Board (who is not seeking reappointment to the Integrity Unit Board) to be on the Integrity Unit Board Appointments Panel for consideration of its recommendations for members of the Integrity Unit Board in place of the chairperson.
- 4.17 In the event that all the Independent Members of the Integrity Unit Board are seeking reappointment as members of the Integrity Unit Board at the same time, the person who is the Council Member on the Integrity Unit Board (as specified in Rule 4.2.2) shall

be on the Integrity Unit Board Appointments Panel, in place of the chairperson, for consideration of its recommendations for members of the Integrity Unit Board.

5. Integrity Unit Board - Powers and Duties

Responsibilities and Powers

5.1 The Integrity Unit Board shall be responsible for governing the Integrity Unit and ensuring its Role is fulfilled. The Integrity Unit Board shall have the powers and responsibilities to:

- 5.1.1 approve and review a strategic plan for the Integrity Unit and regularly monitor progress against that strategic plan;
- 5.1.2 approve and review an annual plan, budget and three-year forecast of Funding for the Integrity Unit, subject to the Executive Board's allocation of funding and regularly monitor progress against the annual plan and budget;
- 5.1.3 approve and review the anti-doping and integrity programmes for the Integrity Unit, on the recommendation of the Head of the Integrity Unit;
- 5.1.4 appoint (including all terms and conditions of such appointment) and monitor the performance of the Head of the Integrity Unit and, if necessary, terminate such appointment;
- 5.1.5 identify and manage risks of the Integrity Unit;
- 5.1.6 define and monitor delegations of authority from the Integrity Unit Board to the Head of the Integrity Unit;
- 5.1.7 consider and recommend to Council any amendments to the Constitution, the Rules (including these Rules and the Integrity Code of Conduct) and any Regulations relevant to the Integrity Unit;
- 5.1.8 consider and make recommendations to the Executive Board on the secretariat of the Disciplinary Tribunal (as specified in Article 76.2(c) of the Constitution), including all terms and conditions related to its appointment;
- 5.1.9 establish sub-committees of the Integrity Unit Board and other groups, taskforces or persons to carry out the work of the Integrity Unit Board under its delegated authority;
- 5.1.10 approve decisions of the Head of the Integrity Unit whether:
 - a. there exists a case to answer for the commission of an anti-doping rule violation (other than an Adverse Analytical finding, an Atypical Finding, an Adverse Passport Finding or a Whereabouts Failure) as set out in the Anti-Doping Rules (including an anti-doping rule violation under the Former Code of Ethics or any predecessor code of ethics within the jurisdiction of the Integrity Unit as described in Rule 12);
 - b. there exists a case to answer for the commission of a Non-Doping Violation (including a non-doping violation under the Former Code of Ethics or any predecessor code of ethics within the jurisdiction of the Integrity Unit in described in Rule 12);

- c. World Athletics will appeal decisions of the Disciplinary Tribunal in Doping cases and Non-Doping cases to CAS;
 - d. World Athletics will participate in any appeal or other proceeding before CAS or any other tribunal to which World Athletics is not a party.
- 5.1.11 approve and amend policies and procedures for the making of other decisions permitted or required of the Head of the Integrity Unit as set out in the Rules;
 - 5.1.12 if requested by the Head of the Integrity Unit, make decisions permitted or required of the Head of the Integrity Unit as out in the Rules;
 - 5.1.13 make recommendations to Council, (on the recommendation of any sub-committee, taskforce or group established by the Integrity Unit Board for this purpose or the Head of the Integrity Unit), of any proposal to suspend, or otherwise take steps in relation to a Member in accordance with Article 13 of the Constitution;
 - 5.1.14 supervise the control of expenditure and prudently use the Funding allocated to it by the Executive Board to fulfil the Role of the Integrity Unit.
 - 5.1.15 operate in the name of the “World Athletics – Athletics Integrity Unit” such bank accounts as Executive Board considers necessary on the recommendation of the Integrity Unit Board;
 - 5.1.16 engage, contract or otherwise agree to obtain the assistance or advice of any person or organisation, including to delegate any task or work of the Integrity Unit;
 - 5.1.17 approve Major Transactions related to the Integrity Unit on behalf of World Athletics in accordance with the limitations and procedures set out in these Rules;
 - 5.1.18 approve and amend policies and procedures for the operation of the Integrity Unit, in particular to ensure that it operates independently from World Athletics (provided that such policies and procedures are not inconsistent with the Constitution, and any Rules and Regulations);
 - 5.1.19 report to Congress and the Council in accordance with the Constitution and these Rules; and
 - 5.1.20 subject to the Constitution, the Rules (including these Rules) and Regulations, do all things necessary to fulfil the Role of the Integrity Unit.

Duties of Integrity Unit Board Members

- 5.2 The duties of all members of the Integrity Unit Board (including those who are non-voting members) are to:
 - 5.2.1 protect the integrity of Athletics and World Athletics as a whole throughout the world;
 - 5.2.2 at all times act in good faith and in the best interests of the Integrity Unit;

- 5.2.3 exercise the powers of the Integrity Unit Board for proper purposes;
- 5.2.4 act, and ensure the Integrity Unit Board acts, in accordance with the Constitution, the Rules and Regulations including but not limited to the Former Code of Ethics or any predecessor codes of ethics and the Integrity Code of Conduct;
- 5.2.5 maintain a reputation for high standards of business conduct;
- 5.2.6 be bound by all Integrity Unit Board decisions and publicly support all decisions made by the Integrity Unit Board, even if they do not privately agree with them;
- 5.2.7 act independently from the organs of World Athletics including, but not limited to, the President, Vice-Presidents, Council, Executive Board, Commissions, Committees, Disciplinary Tribunal, Vetting Panel, except to the extent specified in these Rules;
- 5.2.8 not agree to, nor cause or allow, the activities of the Integrity Unit to be carried on in a manner likely to create a substantial risk of serious loss to World Athletics' creditors;
- 5.2.9 not agree to the Integrity Unit incurring any obligations unless the Integrity Unit Board member believes at that time, on reasonable grounds, that the Integrity Unit will be able to perform the obligations when it is required to do so;
- 5.2.10 except for the chairperson, not speak or make statements publicly on behalf of the Integrity Unit Board or World Athletics unless authorised to do so by the chairperson, or in accordance with delegated authority in writing from the Integrity Unit Board;
- 5.2.11 exercise the care, diligence and skill that a reasonable Integrity Unit Board member would exercise in the same circumstances;
- 5.2.12 in addition to any other steps specified in any Rules and Regulations, disclose to the Integrity Unit Board the nature and extent of any interest in a transaction or proposed transaction of the Integrity Unit as soon as the Integrity Unit Board member becomes aware of the fact that they have such interest;
- 5.2.13 not disclose information that the Integrity Unit Board member would not otherwise have available, other than in their capacity as a Integrity Unit Board member, to any person, or make use of or act on the information except:
 - a. as agreed by the Integrity Unit Board for the purposes of the Integrity Unit; or,
 - b. as required by law;
- 5.2.14 make reasonable efforts to attend and actively participate in all Integrity Unit Board meetings and Congress meetings; and

- 5.2.15 participate in an annual review of the Integrity Unit Board's performance in the manner decided by the Integrity Unit Board.

Duties of Chairperson

- 5.3 The chairperson of the Integrity Unit Board has the following powers and responsibilities:

- 5.3.1 be the lead representative for the Integrity Unit;
- 5.3.2 promote the Integrity Unit and liaise and co-operate with other sports organisations, public and private organisations and authorities (including WADA) and other stakeholders including the media;
- 5.3.3 be a spokesperson for the Integrity Unit, together with the Head of the Integrity Unit, in accordance with policies decided by the Integrity Unit Board;
- 5.3.4 chair meetings of the Integrity Unit Board;
- 5.3.5 lead the work of the Integrity Unit Board including ensuring it (and its sub-committees) implements good governance practices, functions effectively, acts within its powers and meets its obligations and responsibilities;
- 5.3.6 support, monitor and liaise with the Head of the Integrity Unit to form a strong collaborative working relationship with regular contact between them on behalf of the Integrity Unit Board; and,
- 5.3.7 only authorise transactions and sign any documentation on behalf of World Athletics for the Integrity Unit, with at least one other member of the Integrity Unit Board (which may include the Head of the Integrity Unit) in accordance with decisions, policies and procedures decided by the Integrity Unit Board, or as otherwise specified in these Rules.

6. Integrity Unit Board – Procedures

Meetings

- 6.1 Meetings of the Integrity Unit Board shall occur at such regular intervals as decided by the Integrity Unit Board and may also be called at any time by the chairperson or any two (2) members of the Integrity Unit Board (including non-voting members). Except to the extent set out in these Rules, the Integrity Unit Board shall regulate its own procedure. After, pursuant to Rule 4.4, the two Independent Members of Integrity Board have been appointed, the number of members of the Integrity Unit Board (including non-voting members) that can call a meeting of the Integrity Unit Board shall be four (4).
- 6.2 Any one (1) or more Integrity Unit Board members (including the Integrity Unit Board as a whole) may participate in any meeting of the Integrity Unit Board without being physically present. Such meetings may occur by telephone, through video conference facilities or by other means of verbal communication provided that prior notice of the meeting is given to all Integrity Unit Board members and all persons participating in the meeting are able to hear each other effectively and simultaneously. Participation by any Integrity Unit Board member in this manner at a meeting shall constitute the presence of that Integrity Unit Board member at that meeting.

- 6.3 The quorum for an Integrity Unit Board meeting shall be three (3) Integrity Unit Board members of which at least two (2) must be Independent Members of the Integrity Unit Board. After, pursuant to Rule 4.4, the two positions for Independent Members of Integrity Unit Board have been appointed, the quorum for an Integrity United Board meeting shall be four (4) Integrity Unit Board members of which three (3) must be Independent Members of the Integrity Unit Board.

Voting

- 6.4 Each Independent Member of the Integrity Unit Board shall be entitled to one (1) vote on each resolution of the Integrity Unit Board. Non-voting members of the Integrity Unit Board may also convey their views on a resolution but such views shall not be counted for voting purposes. All resolutions shall be carried by simple majority of the Independent Members of the Integrity Unit Board unless expressly specified otherwise in these Rules. The chairperson of the Integrity Unit Board shall not have a casting vote in the event of a tie in votes and any tied vote on a resolution will not be carried. Except for resolutions passed outside of an Integrity Unit Board meeting under Rule 6.5, voting at Integrity Unit Board meetings shall be by voice, or upon request of any Independent Member of the Integrity Unit Board, by show of hands or secret ballot. Proxy voting is not permitted.

Resolutions

- 6.5 A resolution in writing signed or consented to by email, facsimile or other forms of visible or other electronic communication by all the Independent Members of the Integrity Unit Board shall be valid as if it had been passed at a meeting of the Integrity Unit Board. Any such resolutions may consist of several documents in the same form each signed or consented to by one (1) or more Independent Members of the Integrity Unit Board.

7. Integrity Unit Board - Reporting

- 7.1 The Integrity Unit Board is required to report annually to Congress, under Article 72.1(e) of the Constitution. To satisfy this requirement, the Integrity Unit Board shall:
- 7.1.1 prepare and circulate an Integrity Unit Annual Report in accordance with Rule 7.2; and,
 - 7.1.2 prepare and present an Integrity Unit Congress Report to each Congress meeting, held biennially.
- 7.2 The Integrity Unit Annual Report shall be made available to all Members and Area Associations as follows:
- 7.2.1 in the year of an Ordinary Congress meeting, at the same time as the Agenda for the Ordinary Congress meeting is sent, in accordance with Article 31.1 of the Constitution; and,
 - 7.2.2 in the alternate years, on the date agreed by the Council and the Integrity Unit Board.
- 7.3 The Integrity Unit Annual Report will also be made publicly available on the Integrity Unit Website and the World Athletics Website after circulation to Members and Area Associations under Rule 7.2.

- 7.4 The Integrity Unit Congress Report shall be made available to all Delegates at the Congress and presented in person by the chairperson of the Integrity Unit Board. If the chairperson is unavailable, then one of the Independent Members of the Integrity Unit Board shall present the Congress Report.
- 7.5 The Integrity Unit Congress Report shall also be made publicly available on the Integrity Unit Website and the World Athletics Website after the Congress meeting.
- 7.6 In addition to reporting to Congress, the Integrity Unit Board shall provide to Council, in between Congress meetings, the following information:
 - 7.6.1 its financial position at every in-person Council meeting, in a form agreed between the Integrity Unit Board and Council, taking into account the independence of the Integrity Unit and the requirement for confidentiality of its work;
 - 7.6.2 financial information necessary for World Athletics to compile the World Athletics annual report and to complete any reporting to any Monegasque authority (including for example VAT reporting), or as otherwise required by law;
 - 7.6.3 non-financial information necessary for World Athletics to complete any reporting to any Monegasque authority or as otherwise required by law; and,
 - 7.6.4 information (only to the extent appropriate and necessary) about any significant cases or controversy about or involving the Integrity Unit (including the Integrity Unit Board) which is in the public domain.

8. Integrity Unit Board – Other Matters

Indemnity

- 8.1 World Athletics shall indemnify all members of the Integrity Unit Board, including the Head of the Integrity Unit, in respect of any personal liability arising from any act done or omitted to be done by them if done in good faith in pursuance or intended pursuance of the functions, duties, powers, or authorities as specified in the Constitution and these Rules.

Remuneration

- 8.2 Each member of the Integrity Unit Board shall be remunerated for their services to the Integrity Unit Board in accordance with the policy adopted by Council, provided that the Head of the Integrity Unit shall be remunerated in accordance with Rule 9.
- 8.3 The remuneration paid to Integrity Unit Board members shall be disclosed in each Integrity Unit Annual Report.
- 8.4 The remuneration paid to the Head of the Integrity Unit shall be disclosed in each Integrity Unit Annual Report.

Expenses

- 8.5 Members of the Integrity Unit Board will have reasonable expenses incurred by them in carrying out their roles either paid or reimbursed in accordance with the policies adopted by Council.

9. Head of Integrity Unit

- 9.1 Pursuant to the delegation of authority from the President and the Chief Executive Officer (described in Rule 10.9), the terms and conditions of employment for the Head of the Integrity Unit (including any termination of such employment) shall be decided by the Integrity Unit Board. Except for the Vetting Panel under the Vetting Rules, no approval is required from any other person or body within World Athletics to employ or engage the Head of the Integrity Unit.
- 9.2 The Head of the Integrity Unit shall be responsible for the day-to-day management of the Integrity Unit in accordance with the directions of the Integrity Unit Board, the Constitution, Rules and Regulations, and the policies, and procedures of the Integrity Unit and within such limitations and delegated authority as may be established by the Integrity Unit Board.
- 9.3 The Head of the Integrity Unit is appointed by, and accountable to, the Integrity Unit Board. They receive direction from and are responsible to the Integrity Unit Board and, on its behalf, the chairperson of the Integrity Unit Board. If there is any inconsistency between direction of the chairperson and the Integrity Unit Board, the matter shall be referred to the Integrity Unit Board.
- 9.4 The powers and responsibilities of the Head of the Integrity Unit are to:
- 9.4.1 manage the day-to-day operations of the Integrity Unit including to manage its offices, Integrity Unit Staff and operations in order to fulfil its Role;
 - 9.4.2 in consultation with, and for approval by, the Integrity Unit Board, develop the strategic plan for the Integrity Unit;
 - 9.4.3 develop the annual plan, budget and three year forecast for Funding of the Integrity Unit for approval by the Integrity Unit Board, and regularly report on progress against them;
 - 9.4.4 define and monitor delegations of their authority to Integrity Unit Staff;
 - 9.4.5 control expenditure and the prudent allocation of Funding in accordance with the approved budget;
 - 9.4.6 recommend to the Integrity Unit Board for approval, the World Athletics anti-doping programme and integrity programme;
 - 9.4.7 monitor the implementation of the World Athletics anti-doping programme and integrity programme and regularly report on their implementation to the Integrity Unit Board;
 - 9.4.8 subject to the prior approval of the Integrity Unit Board in each case, make decisions whether:
 - a. there exists a case to answer for the commission of an anti-doping rule violation (other than an Adverse Analytical finding, an Atypical Finding, an Adverse Passport Finding or a Whereabouts Failure) as set out in the Anti-Doping Rules (including an anti-doping rule violation under the Former Code of Ethics or any predecessor code of ethics within the jurisdiction of the Integrity Unit as described in Rule 12);

- b. there exists a case to answer for the commission of a Non-Doping Violation (including a non-doping rule violation under the Former Code of Ethics or any predecessor code of ethics within the jurisdiction of the Integrity Unit as described in Rule 12);
 - c. World Athletics will appeal decisions of the Disciplinary Tribunal in Doping cases and Non-Doping cases to CAS;
 - d. World Athletics will participate in any appeal or other proceeding before CAS or any other tribunal to which World Athletics is not a party.
- 9.4.9 subject to any policies and procedures that may be adopted by the Integrity Unit Board from time to time, make other decisions permitted or required of the Head of the Integrity Unit as set out in the Rules, including whether:
- a. to conduct investigations in accordance with the Anti-Doping Rules;
 - b. to determine whether there is a Prima Facie case of a Non-Doping Violation;
 - c. to apply to the chairperson of the Disciplinary Tribunal for a Provisional Suspension in respect of any Non-Doping Violation;
 - d. to make Demands in Doping and Non-Doping cases in accordance with the Rules; and
 - e. to suspend periods of ineligibility where Substantial Assistance has been provided in accordance with the Rules.
- 9.4.10 report to the Integrity Unit Board on all decisions made by the Head of the Integrity Unit in accordance with Rule 9.4.9 above, in such manner as the Integrity Unit Board may require, and by no later than the time of its next meeting;
- 9.4.11 request the Integrity Unit Board to make any of the decisions permitted or required of the Head of the Integrity under Rule 9.4.9 above, whenever the Head of the Integrity Unit considers it necessary or appropriate for the Integrity Unit Board to do so;
- 9.4.12 to the extent permitted by the Rules, act as the Anti-Doping Administrator for the purpose of any Doping cases arising under the previous versions of the Anti-Doping Rules;
- 9.4.13 with the approval of, or within the delegated authority of, the Integrity Unit Board, engage, contract or otherwise agree to obtain the assistance or advice of any person or organisation including to delegate authority for any task or work of the Integrity Unit;
- 9.4.14 support the chairperson of the Integrity Unit Board in engaging with external stakeholders of the Integrity Unit;
- 9.4.15 develop systems, policies and procedures for the effective functioning of the Integrity Unit;

- 9.4.16 develop, review and assess new projects and innovations for the improvement of the Integrity Unit's performance, for approval by the Integrity Unit Board;
 - 9.4.17 supervise and approve all reporting to external bodies as necessary;
 - 9.4.18 ensure compliance with all applicable laws, the Constitution and the Rules and Regulations, including the preparation of the Integrity Unit Annual Report and Integrity Unit Congress Report and the preparation of minutes of Integrity Unit Board meetings; and
 - 9.4.19 prepare and assist in the conduct of the external audits of the Integrity Unit.
- 9.5 The Head of the Integrity Unit is a non-voting member of the Integrity Unit Board. They shall attend all meetings of the Integrity Unit Board unless otherwise required by the Integrity Unit Board.
- 9.6 The Head of the Integrity Unit shall attend all Congress meetings but shall have no voting rights. The Head of the Integrity Unit may be required to attend Council meetings to report on matters specified in Rule 7.6.

10. Operations of Integrity Unit

Functions

- 10.1 In order to fulfil its Role, the functions of the Integrity Unit shall include:
- 10.1.1 the development and implementation of World Athletics' anti-doping programme, which includes education and testing for Athletes and Athlete Support Personnel;
 - 10.1.2 the development and implementation of the World Athletics' integrity programme, which includes education for Athletes and Athlete Support Personnel, and World Athletics Officials, such education in the case of World Athletics Officials to be co-ordinated with the Ethical Compliance Officer;
 - 10.1.3 investigating alleged violations of the Integrity Code of Conduct by Athletes and Athlete Support Personnel and World Athletics Officials;
 - 10.1.4 prosecuting alleged violations of the Integrity Code of Conduct by Athletes and Athlete Support Personnel and World Athletics Officials, before the Disciplinary Tribunal including any appeals or other proceedings arising from such prosecutions;
 - 10.1.5 monitoring compliance with the Integrity Code of Conduct by Members; and,
 - 10.1.6 investigating and prosecuting alleged violations of the Former Code of Ethics or any predecessor codes of ethics within the jurisdiction of the Integrity Unit as described in Rule 12.

Location

- 10.2 The Integrity Unit shall have its headquarters at such location as decided by the Executive Board upon recommendation of the Integrity Unit Board. The Integrity Unit may have one or more offices in different locations.

- 10.3 The Integrity Unit shall be located in premises which are wholly separated from the headquarters or any offices of World Athletics.

Operating Structure

- 10.4 The operating structure of the Integrity Unit, including any departments or divisions and staffing structures, shall be approved by the Integrity Unit Board on the recommendation of the Head of the Integrity Unit.
- 10.5 The Head of the Integrity Unit may, if agreed by the Chief Executive Officer, utilise functions and services provided by World Athletics staff on agreed terms, provided that at all times, the independence of the Integrity Unit is not compromised and confidentiality of the Integrity Unit's work is maintained.
- 10.6 The Head of the Integrity Unit and the Chief Executive Officer shall agree on written protocols and policies to the extent necessary to manage any day-to-day matters relevant to both the Integrity Unit and World Athletics generally. This may include, but is not limited to, matters such as external communications on integrity related matters, disclosure of information received by World Athletics which relates to the work of the Integrity Unit, and staff policies and procedures. These protocols and policies must, to the extent practicable, preserve the independence of the Integrity Unit and the confidentiality of its work.

Staff

- 10.7 All Integrity Unit Staff shall be employed or engaged by World Athletics.
- 10.8 All permanent positions for Integrity Unit Staff shall be publicly advertised on the Integrity Unit Website and the World Athletics Website unless the positions are filled by persons who are existing members of Staff.
- 10.9 Through these Rules, the President and the Chief Executive Officer delegate their authority for all matters related to the Integrity Unit to the Integrity Unit Board and the Head of the Integrity Unit, including financial, staffing and contractual matters, except to the extent set out in these Rules and as required by law. World Athletics will:
- 10.9.1 enter into indemnity agreements with the President and Chief Executive Officer in respect of any personal liability arising from this delegation; and,
- 10.9.2 hold sufficient insurances to cover such indemnities.
- 10.10 The Head of the Integrity Unit is delegated authority to employ or engage (and terminate such employment or engagement of) all Integrity Unit Staff and contractors and advisors, unless the Integrity Unit Board specifies otherwise. Except for the application of the Vetting Rules, no approval is required from any other person or body within World Athletics to employ or engage Integrity Unit Staff, contractors or advisors.
- 10.11 No person may be employed or engaged as Integrity Unit Staff if they are also otherwise employed as Staff or a World Athletics Official.
- 10.12 All Integrity Unit Staff shall report to the Head of the Integrity Unit or their designee.

Systems and Security

- 10.13 The Integrity Unit Board shall ensure the Integrity Unit has sufficient systems and procedures in place to ensure the security of all information held by the Integrity Unit and that such information is kept confidential from World Athletics in all material respects. Such systems and procedures should meet current best practice business accreditation standards and must be strictly compliant with applicable privacy laws. The Integrity Unit Board shall ensure such systems and procedures in place are documented.

Website and Branding

- 10.14 The Integrity Unit Board shall establish and maintain its own Integrity Unit Website, in the name of the “Athletics Integrity Unit”.
- 10.15 The Integrity Unit Board shall have its own Branding, which reflects both its connection to and independence from World Athletics. All Branding of the Integrity Unit must be designed in consultation with, and prior approved by, the Chief Executive Officer or their designee.
- 10.16 All intellectual property of the Integrity Unit, including its Branding, shall be owned by World Athletics.
- 10.17 The Integrity Unit Board shall establish policies and procedures for the use of the Branding, in consultation with, and prior approved by, the Chief Executive Officer, or their designee.

11. Financial

Funding

- 11.1 Articles 72.1(b) and 76.2(b) of the Constitution require the Executive Board to allocate Funding to the Integrity Unit to enable:
- 11.1.1 it to undertake its functions and fulfil its responsibilities; and
 - 11.1.2 the Disciplinary Tribunal to undertake its functions and fulfil its responsibilities.
- 11.2 The Executive Board will allocate Funding for the Integrity Unit annually and may also do so at the request of the Integrity Unit Board at other times.
- 11.3 Funding will be allocated to the Integrity Unit in accordance with the following process:
- 11.3.1 The Integrity Unit Board shall submit a request to the Executive for Funding prior to the end of each Financial Year. The request shall:
 - a. specify the total amount requested for the next Financial Year;
 - b. be accompanied by the annual plan of the Integrity Unit and proposed budget for the Financial Year;
 - c. specify the Funding which it forecasts will be required for the three financial years, following the Financial Year;

- d. be presented at a meeting of the Executive Board by the chairperson of the Integrity Unit Board and/or Head of the Integrity Unit.
- 11.3.2 The Executive Board shall consider the request and decide on the Funding allocation for the next Financial Year prior to the end of the Financial Year. The Executive Board shall also provide an indication of forecasted Funding for the three Financial Years, following the Funding which has been allocated.
- 11.3.3 In addition to the annual allocation of Funding, the Integrity Unit Board may request approval from the Executive Board for additional Funding from time to time as required. The information provided in Rule 11.3.1 shall be updated and submitted with the request, together with an explanation for the reason for the additional Funding.
- 11.4 Funding allocated to the Integrity Unit shall only be used for the purposes of fulfilling the Role of the Integrity Unit, and, where the Funding has been allocated to the Integrity Unit pursuant to Rule 11.1.2, the Disciplinary Tribunal's functions and responsibilities and for no other purposes.
- 11.5 In the event there is unexpended Funding at the end of the Funding period for which it was allocated, the amount of the unexpended Funding shall be disclosed to the Executive Board together with the reason for such underspend. Such unexpended Funding may only be carried over into subsequent Funding periods for use by the Integrity Unit under Rule 11.4, with the prior approval of the Executive Board.

Financial Year

- 11.6 The Integrity Unit shall have the same Financial Year as World Athletics.

Accounts

- 11.7 The Integrity Unit shall use financial recording systems that are the same as those used by World Athletics.
- 11.8 The Integrity Unit Board shall prepare and approve annual financial statements for the Integrity Unit in the same form as that used for the World Athletics annual financial statements.
- 11.9 The annual financial statements of the Integrity Unit shall be consolidated into and form part of the World Athletics annual financial statements.

Auditing of Financial Accounts

- 11.10 In accordance with Article 79.2 of the Constitution, the annual financial statements and records of the Integrity Unit, which are part of World Athletics, will be audited by the Auditor.

Delegated Authority and Limits of Authority

- 11.11 The Integrity Unit Board shall establish policies and procedures containing delegations of authority and limits of authority for the Head of the Integrity Unit and other Integrity Unit Staff to ensure the necessary control of funds and expenditure of the Integrity Unit.

12. Transition and Transfer of Ethics Board Proceedings to Integrity Unit

Explanatory Note

With effect from 3 April 2017, and in accordance with the 2017 Constitution, the Ethics Board continued for a period to be decided by Council for the purposes of proceedings/complaints filed with it prior to 31 December 2016 under the Former Code of Ethics and any predecessor code of ethics and as further described in the Rules. (Article 3 and 7.11(j) 2017 Constitution).

The Integrity Code of Conduct, in effect from 3 April 2017, previously provided that proceedings for alleged violations of the Former Code of Ethics or any predecessor code of ethics filed with the Ethics Board after 31 December 2016, would be referred or transferred to the Integrity Unit. (formerly Rule 5.5). The Integrity Code of Conduct stated these proceedings would be governed by the substantive provisions of the Former Code of Ethics or predecessor code of ethics (as applicable), but the rules of procedure would be the same as those applying to alleged violations of the Code including the Integrity Unit Rules, the Reporting, Investigations and Prosecution Rules – Non-Doping, the Disciplinary Tribunal Rules and the Anti-Doping Rules. (These proceedings are referred to below as Category C Proceedings).

The Ethics Board continued to manage the proceedings filed with it prior to 31 December 2016.

On 26 April 2019, Council decided that the Ethics Board would be disestablished by no later than 31 March 2020, and that proceedings filed with it would be either be transferred to the Integrity Unit or closed by the Ethics Board by that date. To transition to this, Council resolved to implement this by effecting the transfer of certain proceedings (Category A) by 30 April 2019 and the remaining proceedings (Category B) on or before 31 March 2020, if they are not closed.

This Rule 12 (and consequential changes to other affected Rules) sets out the jurisdiction and authority of the Integrity Unit and the Ethics Board respectively and the process for the transition of proceedings and operations from the Ethics Board to the Integrity Unit from 30 April 2019 to 31 March 2020.

12.1 Category A Proceedings: With effect from 30 April 2019, all Category A Proceedings will be transferred to the Integrity Unit which shall have jurisdiction and authority for them in accordance with these Rules. The Integrity Unit shall decide whether to investigate and prosecute any alleged violations of the Former Code of Ethics or any predecessor codes of ethics in any Category A Proceedings. Subject to Rule 12.6, all Category A Proceedings will be governed by:

12.1.1 the substantive provisions of the Former Code of Ethics or predecessor code of ethics (as applicable) and other applicable Rules in force at the relevant time, unless the Disciplinary Tribunal determines that the principle of *lex mitior* applies in the circumstances of the case; and,

12.1.2 the Procedural Rules of the Code, with any charges to be heard and decided by the Disciplinary Tribunal.

12.2 Category B Proceedings: Subject to Rule 12.5 (End Date), with effect from 30 April 2019, the Ethics Board will continue to have jurisdiction and authority for all Category B Proceedings under the Former Code of Ethics. All Category B Proceedings will continue to be governed by:

- 12.2.1 the substantive provisions of the Former Code of Ethics or predecessor code of ethics (as applicable) and other applicable Rules in force at the relevant time; and,
 - 12.2.2 the Procedural Rules of the Ethics Board.
- 12.3 **Category C Proceedings:** The Integrity Unit will continue to have jurisdiction and authority for all Category C Proceedings. All Category C Proceedings will continue to be governed by:
 - 12.3.1 the substantive provisions of the Former Code of Ethics or predecessor code of ethics (as applicable) and other applicable Rules in force at the relevant time, unless the Disciplinary Tribunal determines that the principle of *lex mitior* applies in the circumstances of the case; and
 - 12.3.2 the Procedural Rules of the Code, with any charges to be heard and decided by the Disciplinary Tribunal.
- 12.4 **Disestablishment:** Subject to Rule 12.7 with effect from 31 March 2020, the Ethics Board shall be disestablished and will cease to have jurisdiction and authority to act under the Former Code of Ethics or any predecessor code of ethics.
- 12.5 **End Date:** The Ethics Board shall use its best efforts to issue a final substantive decision or to close all Category B Proceedings on or before 31 March 2020. If a final substantive decision in a Category B Proceeding is not issued on or before 31 March 2020, or any Category B Proceeding is not closed on or before 31 March 2020, the Proceeding shall be immediately transferred to the Integrity Unit who shall be seized of jurisdiction and authority for it from 1 April 2020. Any such Category B Proceeding will be governed by the same provisions and rules as a Category A Proceeding, as described in Rule 12.1.
- 12.6 **Violations Under Both the Code and predecessor codes of ethics:** In any matter that concerns an alleged violation of both the Integrity Code of Conduct and the Former Code of Ethics (or any predecessor code(s) of ethics) arising out of the same incident or set of facts, or where there is a clear link between separate incidents, the Integrity Unit will decide whether to pursue the alleged violations under the Integrity Code of Conduct and/or under the Former Code of Ethics (predecessor code(s)). In either case, all such alleged violations will be governed by the Procedural Rules of the Code, including determination of any such violations by the Disciplinary Tribunal.
- 12.7 **Continuation:** For avoidance of doubt:
 - 12.7.1 nothing in this Rule prevents or limits the former members of the Ethics Board from giving evidence on behalf of, and with the approval of, World Athletics regarding any Ethics Board Proceeding which is appealed or which is the subject matter of any other proceeding before any court or authority;
 - 12.7.2 the obligations of confidentiality on members of the Ethics Board set out in the Procedural Rules of the Ethics Board shall continue indefinitely; and,
 - 12.7.3 nothing in this rule waives or limits the exemption from liability applicable to the members of the Ethics Board, any legal secretary, or any investigator of the Ethics Board, as set out in the Procedural Rules of the Ethics Board. This exemption from liability shall continue indefinitely.

- 12.8 **Co-operation:** The Ethics Board and the Integrity Unit Board shall co-operate and each take all such steps as are reasonably necessary to ensure the efficient and effective transfer of the Ethics Board Proceedings to the Integrity Unit as set out in this Rule.