

ATHLETE'S DECLARATION

Surname: _____ First name: _____

Date of birth: _____

Address: _____

Club: _____

Referred to hereinafter as the athlete

1. The undersigned athlete abstains from all forms of doping.

Doping is considered, among other things, to be the presence of a prohibited substance in a sample provided by the athlete. Doping is also considered to be the use or attempted use of a prohibited substance or method according to the doping list issued by Antidoping Switzerland¹, the Swiss anti-doping agency. An exhaustive list of anti-doping rule violations can be found in the *Doping-Statut* of Swiss Olympic².

2. The doping list is updated annually. The athlete undertakes to keep himself regularly informed of the contents of the doping list³. He / She is aware that ignorance of the current doping list does not exclude him from the sanctions imposed for violations of anti-doping rules.

3. The athlete declares that he / she consents to doping controls carried out by the competent anti-doping organisations, namely by Antidoping Switzerland, in-competition and out-of-competition. The carrying out of these controls is in accordance with the *Ausführungsbestimmungen zum Doping-Statut*⁴. Any athlete who refuses to submit to or withdraws from a doping control or frustrates the purpose thereof or tries to engage in such behaviour is committing an anti-doping rule violation and will be subject to the same sanctions as he / she would be in the event of a positive test result.

4. The athlete who is a member of a testing pool or the TUE pool (*ATZ-Pool*), or is qualified as a National-Level-Athlete, declares that he / she agrees that specific regulations of the *Doping-Statut* and its

¹ The doping list of Antidoping Switzerland (*Dopingliste*) is based on the Prohibited List of the World Anti-Doping Agency.

² The *Doping-Statut* can be viewed at www.antidoping.ch/en/laws/doping-statute. The anti-doping rule violations are listed in articles 2.1 to 2.11.

³ The current doping list can be viewed at www.antidoping.ch/en/laws/prohibited-list.

⁴ The *Ausführungsbestimmungen zum Doping-Statut*, namely the *Ausführungsbestimmungen zu Dopingkontrollen und Ermittlungen (ABDE)*, are based on the Standards of the World Anti-Doping Agency and can be viewed at www.antidoping.ch/en/download-center.

Ausführungsbestimmungen concerning whereabouts, therapeutic use exemptions and withdrawal apply to him / her.

The athlete acknowledges in particular that it is his / her duty to make details of his / her whereabouts available to Antidoping Switzerland. The athlete is aware, however, that he / she is fully responsible for the fact that all data supplied is complete, true and is received in due time by Antidoping Switzerland. **Failure to comply with the duty to report whereabouts may, in the event of a repeat occurrence, be considered an anti-doping rule violation and be sanctioned accordingly.**

5. The athlete, in the event of a contravention of anti-doping rules, is subject to sanctions in accordance with the governing statutes and regulations of Swiss Olympic, Antidoping Switzerland, Swiss Swimming Federation and FINA. He / She declares that he / she is familiar with these⁵.

The following sanctions in particular, which may be applied in conjunction with one another, may be imposed on the athlete.

- Ineligibility for a limited period of time or (in case of recurrence) for life
- Warning
- Fine
- Disqualification of results and prizes
- Payment of procedural costs
- Publication of the decision

Additional consequences for team sports: If more than two members of a team have committed an anti-doping rule violation, Swiss Swimming Federation or FINA imposes an appropriate sanction on the team (e.g. forfeit defeat, deduction of points, disqualification).

6. **The athlete acknowledges the exclusive jurisdiction of Antidoping Switzerland and/or Swiss Olympic's Disciplinary Chamber for Doping Cases of Swiss Olympics (Disciplinary Chamber) to pronounce judgement on anti-doping rule violations** as the court of first instance and expressly submits to their authority to pass judgement.
7. Decisions of Antidoping Switzerland may be appealed against before the Disciplinary Chamber. Decisions of the Disciplinary Chamber may be appealed against before the Court of Arbitration for Sport (CAS). The decision of this body is final. **The athlete submits to the exclusive jurisdiction of CAS as the appeals authority in the context of an independent court of arbitration**, to the exclusion of State courts. The provisions of the Code of Sports-related Arbitration apply at the CAS⁶. Where no agreements have been made to the contrary, proceedings before CAS will be held in German, French or Italian. In the event of the parties being unable to agree upon a language, CAS will decide the language of the proceedings. The arbitrators appointed by the parties must be included on the appropriate CAS list and must not in any way have been involved in the proceedings of first instance.

⁵ The corresponding rules can be viewed at www.swissolympic.ch, www.antidoping.ch, www.swiss-aquatics.ch and www.FINA.com.

⁶ This can be viewed at www.tas-cas.org.

8. In the event of any conflict between this Athlete's declaration and the applicable provisions of the Doping-Statut, the latter shall prevail.

It should be noted that the *Doping-Statut 2021* is applicable since January 1st, 2021.

Place / Date:_____

Signature of athlete:_____

Signature of legal representative (in the case of minors):_____

Version of January 1st, 2021