TUE APPLICATION PROCESS

What is a Therapeutic Use Exemption (TUE)?

World Triathlon Athletes may have illnesses or conditions that require them to take particular medications or to utilize particular methods of treatment.

If the medication an Athlete is required to take to treat an illness or condition happens to fall under the Prohibited List, a Therapeutic Use Exemption (TUE) gives that Athlete the authorization to take the needed medicine so long as the Athlete fulfills all the mandatory criteria to do so.

You have a responsibility to inform your physician(s) that you are an Athlete bound to anti-doping rules. You and your physicians(s) should check the Prohibited List for the substance/method you are prescribed. If the substance/method is prohibited, discuss non-prohibited alternatives, if there are non, apply for a TUE. Remember Athletes have the ultimate responsibility. Contact your NADO or World Triathlon at jeanne.courbe@triathlon.org; if you are having difficulties.

What are the criteria you must fulfill in order to obtain a TUE?

The purpose of the International Standard for Therapeutic Use Exemptions (ISTUE) is to ensure that the process of granting TUEs is harmonized across sports and countries.

According to Article 4.2 of the ISTUE, an Athlete may be granted a TUE if (and only if) he/she can show, on the balance of probabilities, that each of the following conditions is met:

a) The Prohibited Substance or Prohibited Method in question is needed to treat a diagnosed medical condition supported by relevant clinical evidence.

b) The Therapeutic Use of the Prohibited Substance or Prohibited Method will not, on the balance of probabilities, produce any additional enhancement of performance beyond what might be anticipated by a return to the Athlete’s normal state of health following the treatment of the medical condition.

c) The Prohibited Substance or Prohibited Method is an indicated treatment for the medical condition, and there is no reasonable permitted Therapeutic alternative.

d) The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.
Who needs to apply for a TUE?

The following Athletes are considered “international level athletes” and should apply for a TUE with World Triathlon:

- All Athletes who are included in the World Triathlon Registered Testing Pool or Testing Pool, and
- All Athletes, who are currently ranked in the World Triathlon’s world rankings or paratriathlon rankings.

Are you considered an international level athlete?

Check here to see if you hold a World Triathlon world ranking World Triathlon Rankings — World Triathlon

When should you apply for a TUE?

In general, unless exceptional circumstances apply, a World Triathlon International Level Athlete who needs to Use a Prohibited Substance or Prohibited Method for Therapeutic reasons must obtain a TUE from World Triathlon prior to using or possessing the substance or method in question and in all cases must apply for a TUE 30 days prior to competing.

What if your TUE is denied?

If your application of a TUE is denied by World Triathlon, please contact us to understand why your TUE application was denied.

You also have the possibility to re-apply to WADA for review no later than 21 days after notification of World Triathlon’s TUEC decision. You should send the same information that you submitted to us, and on which the decision to deny the TUE was based on, via a secure on-line method or by registered mail at:

WADA Medical Department
World Anti-Doping Agency
Stock Exchange Tower
800 Place Victoria (Suite 1700)
P.O. Box 120
Montreal (Quebec) H4Z 1B7
Canada

The email address to enquire and/or send the request for review is: medical@wada-ama.org

It should be noted that WADA is not obliged to proceed with a request for a review. In that case, you and/or your NADO may appeal to the Court of Arbitration for Sport (CAS).
Is my national-level TUE valid at the international-level?

YES! So long as World Triathlon is informed of it, World Triathlon can recognize all TUEs granted to Athletes by their NADO. Please note that this recognition is not automatic, you must submit a request of recognition to World Triathlon (see section below).

Your request for recognition should be submitted to World Triathlon at jeane.courbe@triathlon.org in writing quoting your ADAMS TUE reference number.

Keep a complete copy of the proof that your request for recognition has been sent to World Triathlon.

In the event your TUE does not meet the criteria set out in the ISTUE, World Triathlon TUE Committee will not recognize it. In that case, the Athlete and the relevant NADO shall be notified, and have 21 days from such notification to refer the matter to WADA for review. (In accordance with Article 4.4.7 of the World Triathlon Anti-Doping Rules.)

What if you compete in the Junior or Age Group Categories?

World Triathlon can recognize TUEs (after the recognition process submitted to World Triathlon) granted by NADOs for Athletes who compete in Junior or Age Group Categories (as defined in World Triathlon Competition Rules) or who do not fall within the definition of international-level Athletes (as defined in the Scope section of the World Triathlon AD Rules and above) and who need to use a Prohibited Substance or a Prohibited Method for therapeutic reasons when it has been by granted their NADO - as long as it satisfies the ISTUE criteria.

In the case where World Triathlon does not recognize a TUE, the Athlete and the relevant NADO shall have 21 days from such notification to refer the matter to WADA for review.

In such a case,

- If the matter is referred to WADA for review, the TUE granted by the NADO remains valid for national-level competition but is not valid for international-level competition pending WADA’s decision.

- If the matter is not referred to WADA for review, the TUE becomes invalid for the purpose of international-level competition when the 21-day review deadline expires but remains valid for national-level competition. (In accordance with Article 4.4.4.6 of the World Triathlon Anti-Doping Rules).
Also,

- If World Triathlon chooses to test an Athlete who is neither an International-Level nor a National-Level Athlete World Triathlon shall permit that Athlete to apply to World Triathlon for a retroactive TUE for any Prohibited Substance or Prohibited Method that he/she is using for therapeutic reasons.

**Can I get a retroactive TUE?**

You may only apply retroactively for a TUE to World Triathlon if:

- You required emergency or urgent treatment of a medical condition.
- There was insufficient time, opportunity or other exceptional circumstances that prevented you from submitting the TUE application, or having it evaluated, before getting tested.
- You are a lower-level athlete who is not under the jurisdiction of World Triathlon or NADO and were tested.
- You tested positive after using a substance Out-of-Competition that is only prohibited In-Competition (for example glucocorticoids).

In rare and exceptional circumstances and notwithstanding any other provision in the ISTUE, you may apply for and be granted retroactive approval for a therapeutic use of a prohibited substance or method, if considering the purpose of the Code, it would be manifestly unfair not to grant a retroactive TUE.

This unique retroactive TUE will only be granted with the prior approval of WADA (and WADA may in its absolute discretion agree with or reject the World Triathlon’s decision).

**Important note**

Using a prohibited substance **before being granted a TUE** could result in an Adverse Analytical Finding and a potential anti-doping rule violation.

In case an application for a retroactive TUE is necessary following sample collection, you are strongly advised to have a medical file prepared and ready to submit for evaluation.

**How to apply to World Triathlon for a TUE?**

World Triathlon encourages to submit TUE applications via ADAMS, together with the required medical information. If you do not have an ADAMS account yet, please contact us at the following email address: jeanne.courbe@triathlon.org to have it set up.
Otherwise, please download the World Triathlon’s TUE Application Form World_Triathlon_TUE_Form.final_version_30_Juin_2021.pdf, and once duly completed and signed, send it together with the required medical file to jeanne.courbe@triathlon.org.

Your TUE application must be submitted in legible capital letters or typing.

The medical file must include:

- A comprehensive medical history, including documentation from the original diagnosing physician(s) (where possible);
- The results of all examinations, laboratory investigations and imaging studies relevant to the application.

Any TUE application that is not complete or legible will not be dealt with and will be returned for completion and re-submission.

To assist you and your doctor in providing the correct medical documentation, we suggest consulting the WADA’s Checklists for TUE applications for guidance and support, and Medical Information to Support the Decisions of TUECs for guidance on specific common medical conditions, treatments, substances, etc.

Keep a complete copy of the TUE application form and all medical information submitted in support of your application, and proof that it has been sent.

**Receipt and processing of TUE applications and requests for recognition**

World Triathlon shall receive, whether directly or via ADAMS, all TUE applications for international-level Athletes. The Form can be downloaded here World_Triathlon_TUE_Form.final_version_30_Juin_2021.pdf

For the purpose of recognition, World Triathlon shall receive, whether directly or via ADAMS, all TUEs granted to national-level Athletes by their NADO. Upon receipt of the TUE, World Triathlon shall process the application(s).

Should the application form not be properly filled out, or should mandatory medical documentation be missing, the Athlete shall be so informed, and the TUE application will not be accepted until adequately submitted.

Once a TUE application has been duly received in proper form, the TUE application will be directed to the TUE Committee who will process with the application.

As soon as the decision is made, the Athlete will be informed if his TUE has been granted or denied.
In accordance with Article 4.4.6 of the World Triathlon Anti-Doping Rules, if the TUE is denied, the Athlete will be given the opportunity to appeal for a review of that decision before the WADA TUE Committee.

What if you intend to compete in an International Event organized by a Major Event Organizer? (“MEO” as defined in the World Anti-Doping Code) e.g. Olympic Games, Commonwealth Games, Mediterranean Games etc.

As outlined in the International Standard of the Therapeutic Use Exemption (ISTUE) at article 7, a MEO is able to recognise TUEs that have already been granted by World Triathlon and that are still valid. However, this recognition is not automatic and you will need to dully respect the process by submitting this request for recognition directly to the MEO prior the event.

If an Athlete requires a new TUE in the 30 days preceding a major event, in many instances an MEO will expect Athletes to send them TUE applications directly, to be valid during the period of the major event, in the 30 days preceding the start of their event and/or during the course of their event (when applicable). Any TUE granted by the MEO is only valid for its event in question.

Please verify the Anti-Doping Rules of each relevant MEO to be sure that you comply with their respective obligations in relation to TUEs.