

# Classification Code

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## PREAMBLE

Since its earliest beginnings, classification has been the cornerstone of Para sport, providing criteria for determining who is eligible to compete and establishing a framework for competitive sport. However, prior to the start of the 21<sup>st</sup> century, there were no agreed unifying principles to guide the establishment and development of classification systems. Classification policies and procedures were not standardised, but rather were created on an ad hoc basis. As a consequence, the rate at which classification systems developed, and the quality of those classification systems, varied greatly across Para sports.

The IPC Governing Board recognised that, to secure the future of the Paralympic Movement, a more harmonised approach to classification was required. In 2003, the IPC Governing Board approved the classification strategy, which led to the adoption of the first edition of the Classification Code in 2007. The second edition of the Classification Code was subsequently adopted in 2015. The aim of the 2007 and 2015 editions of the Classification Code was to ensure that classification was delivered to the highest possible standard across all Para sports to ensure that Paralympic stakeholders - including athletes, coaches, administrators, the public, and the media - could have confidence in classification outcomes.

The 2024 Classification Code seeks to keep pace with the rapid development of the Paralympic Movement, and so builds on the first two editions of the Classification Code.

[Summary of 2024 Classification Code review process to be added once complete]

### Published by:

The International Paralympic Committee  
Adenauerallee 212-214  
53113 Bonn  
Germany

URL: [www.paralympic.org](http://www.paralympic.org)

Tel: +49-228-2097-200

Fax: +49-228-2097-209

Email: [info@paralympic.org](mailto:info@paralympic.org)



## **CHAPTER 1: PURPOSE AND SCOPE**

### **1. The purpose of classification**

1.1 Classification is the cornerstone of Para sport. The purpose of Classification is to (i) define who is eligible to compete in International Competitions, and (ii) group Athletes into Sport Classes with the aim of ensuring meaningful competition by minimising the impact of impairment so that the outcome is determined by sporting ability and performance.

1.2 To achieve this purpose, and subject to the scope of the Classification Code, each International Federation must develop and implement a Classification system that complies with the Classification Code and the International Standards.

### **2. Classification and the IPC's vision and mission**

2.1 The IPC is the worldwide governing body of the Paralympic Movement.

2.2 As set out in the Constitution, the IPC's *vision* is to make for an inclusive world through Para sport, and the IPC's *mission* is to lead the Paralympic Movement, oversee the delivery of the Paralympic Games, and support IPC Members to enable athletes to achieve sporting excellence.

2.3 Para sport provides athletes with the opportunity to participate in competitive sport with a pathway to sporting excellence, the pinnacle of which is the Paralympic Games. The hallmark of high-performance sport is meaningful competition, where rigorous competitive integrity ensures (i) uncertainty of outcome, and (ii) that the outcome is determined by the factors that the sport values and wishes to celebrate and reward, and not by other extraneous factors. In this respect, Classification systems perform two critical functions: (i) defining who is eligible to compete in Para sport; and (ii) grouping eligible athletes into Sport Classes to minimise the impact of impairment. This facilitates meaningful competition and brings sporting excellence to the foreground.

2.4 By providing the framework for high-performance Para sport, the IPC creates a stage for athletes to demonstrate sporting excellence to the world. That gives athletes a global platform, increases disability visibility worldwide thereby breaking down barriers, and inspires people with disabilities to participate in sport, all of which drive social inclusion and so advance the IPC's vision of a more inclusive world.

2.5 High performance Para sport (which is by nature exclusive) is what advances the IPC's vision. Para sport does not - and is not intended to - provide competition opportunities for all people with all disabilities in all sports.

### 3. The Classification Code and supporting framework

3.1 The Classification Code is the fundamental document upon which Classification in the Paralympic Movement is based. It is designed to uphold confidence in Classification and is fundamental for the continued development of the Paralympic Movement.

3.2 The Classification Code is intended to be specific enough to achieve harmonisation on Classification where standardisation is required, and general enough in other areas to permit flexibility regarding the implementation of its principles.

3.3 All provisions of the Classification Code are mandatory in substance. The Classification Code does not, however, replace or eliminate the need for comprehensive classification rules to be adopted by each International Federation. While some provisions of the Classification Code must be incorporated without substantive change by each International Federation in its own classification rules, other provisions of the Classification Code establish mandatory guiding principles that allow flexibility in the formulation of rules by each International Federation or establish requirements that must be followed by each International Federation but need not be repeated in its own classification rules.

3.4 The Classification Code is supplemented by International Standards. Compliance with the International Standards is mandatory. They include:

3.4.1 the International Standard for Classifier Personnel and Training; and

3.4.2 the International Standard for Classification Data Protection.

3.5 The Classification Code is also supplemented by:

3.5.1 Models of Best Practice and guidelines, which are recommended, but not mandatory; and

3.5.2 Position Statements, which are published conceptual models that help guide the development of classification systems.

#### 4. Scope and application

- 4.1 All IPC Members and Recognised International Federations (RIFs) are bound by and must comply with the Classification Code and the International Standards.
- 4.2 The Classification Code is mandatory for International Competitions only. However, International Federations may in their classification rules extend the application of the Classification Code to national or lower-level competitions.
- 4.3 The International Federation's classification rules must apply to and bind the following persons (each a **Participant**):
- 4.3.1 Athletes;
  - 4.3.2 Athlete Support Personnel;
  - 4.3.3 National Representatives;
  - 4.3.4 other persons under its jurisdiction who participate in any aspect of Classification in relation to International Competitions; and
  - 4.3.5 any other persons who agree in writing to be bound by its classification rules.
- 4.4 Unless specified otherwise, RIFs must comply with all provisions in the Classification Code and the International Standards that apply to International Federations. Accordingly, any reference to National Federations will be construed as a reference to national members of RIFs, and any reference to National Representatives will be construed as a reference to any person who is an office-holder or member of staff of, or who otherwise represents and/or works on behalf of, a national member of a RIF.



## CHAPTER 2: CLASSIFICATION

### PART I: INTRODUCTION

#### 5. Fundamental Principles

##### 5.1 Classification comprises four main stages:

<p><b>Underlying Health Condition Assessment</b></p>	<p><b>Stage 1:</b> an assessment as to whether an Athlete has an Underlying Health Condition (<b>Underlying Health Condition Assessment</b>) (see Part IV.A).</p>
<p><b>Evaluation Session</b></p>	<p><b>Stage 2:</b> a review of all evidence/information submitted as part of Stage 1 (see Part IV.B.1) and an assessment as to whether an Athlete's Underlying Health Condition leads to an Eligible Impairment catered for by the sport (<b>Eligible Impairment Assessment</b>) (see Part IV.B.2).</p>
	<p><b>Stage 3:</b> an evaluation as to whether an Athlete's Eligible Impairment meets the applicable Minimum Impairment Criteria for the sport (see Part IV.B.3).</p>
	<p><b>Stage 4:</b> the allocation to an Athlete of (i) a Sport Class based on an evaluation of the extent to which an Athlete's Eligible Impairment impacts on their ability to execute the specific tasks and activities fundamental to the sport, and (ii) a Sport Class Status to indicate whether and when an Athlete may be required to undergo Classification in the future (see Part IV.B.4).</p>

[It is understood that the way in which Classification is currently conducted, and the bodies responsible for conducting different aspects of Classification, differ in some material respects for VI and II in comparison to PI. We welcome feedback on any specific nuances / differences applicable to VI and II that it is considered should be reflected in the Classification Code.]

5.2 The stages must be followed in order, and an Athlete will progress to subsequent stages only if they meet the requirements of the previous stages.

5.2.1 If an Athlete does not meet the requirements of stages 1 or 2, they will not be eligible to participate in International Competitions and must

- be designated as 'Not Eligible - Eligible Impairment' (see Article 14); and
- 5.2.2 If an Athlete does not meet the requirements of stage 3, they will not be eligible to participate in International Competitions and must be designated as 'Not Eligible - Minimum Impairment Criteria' (see Article 21).
- 5.3 An Athlete who progresses to stage 4 will be evaluated for (and allocated) a Sport Class and a Sport Class Status, unless (i) they are required by the Classification Panel to undergo Observation Assessment (Article 24) and are subsequently designated as 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria', or 'Classification Not Completed', (ii) they fail to attend the evaluation (Article 28), or (iii) their evaluation is suspended (Article 29).
- 5.4 An International Federation must develop and implement classification rules that comply with the Classification Code and the International Standards. Those classification rules must (among other things):
- 5.4.1 state the purpose of Classification (as specified in Article 1);
- 5.4.2 state that to be eligible to participate in International Competitions an Athlete must:
- (a) have an Underlying Health Condition that leads to an Eligible Impairment;
  - (b) have an Eligible Impairment that meets the applicable Minimum Impairment Criteria for that Eligible Impairment; and
  - (c) be allocated a Sport Class and Sport Class Status;
- 5.4.3 detail the Eligible Impairments catered for by the sport, which may include some or all of the Eligible Impairments listed in Article 8, but must not include any Non-Eligible Impairments;
- 5.4.4 set Minimum Impairment Criteria for each Eligible Impairment catered for by the sport, which criteria must be based upon and assessed using objective and reliable methods;
- 5.4.5 require that Athletes be allocated a Sport Class and a Sport Class Status, unless they are designated as 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria', or 'Classification Not Completed'; and

- 5.4.6 set processes, procedures, and methodologies for assessing/evaluating Athletes and allocating them Sport Classes and Sport Class Statuses.
- 5.5 Classification must take place in a manner that is consistent with the International Standard for Classification Data Protection and the International Standard for Classification Personnel and Training.

## **PART II: BODIES RESPONSIBLE FOR CLASSIFYING ATHLETES**

### **6. Assessment Body**

- 6.1 International Federations are responsible for conducting Underlying Health Condition Assessments.
- 6.2 An International Federation may appoint a person who represents and/or works on behalf of the International Federation, whether on a permanent or ad hoc basis, to conduct some or all Underlying Health Condition Assessments. In such circumstances, references below to the Assessment Body below will be deemed to include that representative.
- 6.3 An International Federation may delegate responsibility for conducting Underlying Health Condition Assessments to an Assessment Body, whether on a permanent or ad hoc basis. Such Assessment Body may be:
  - 6.3.1 a centralised body that is institutionally independent of the International Federation, established to conduct Underlying Health Condition Assessments; or
  - 6.3.2 a body appointed by the International Federation, whether internal or external.
- 6.4 The Assessment Body must meet the following criteria:
  - 6.4.1 [criteria to be confirmed]
- 6.5 All members of the Assessment Body must sign appropriate confidentiality undertakings.
- 6.6 An International Federation may alternatively delegate responsibility for conducting some or all Underlying Health Condition Assessments to a Classification Panel. In such circumstances, references to the Assessment Body will be deemed to include the Classification Panel.
- 6.7 An International Federation may alternatively appoint a person who represents and/or works on behalf of the International Federation to conduct

some or all Underlying Health Condition Assessments. In such circumstances, references to the Assessment Body will be deemed to include that representative.

## 7. Classification Panel

7.1 International Federations must arrange for Classification Panels to conduct Evaluations Sessions. Classification Panels are responsible for conducting Evaluation Sessions.

7.2 Subject to Article 7.3, each Classification Panel must consist of a minimum of two Classifiers. If a Chief Classifier is a member of a Classification Panel, they may not exercise responsibilities on behalf of an International Federation under Part II of Chapter 3 in relation to a Protest of a decision of that Classification Panel.

7.3 In exceptional circumstances, an International Federation may authorise a Classification Panel to consist of only one Classifier, provided that the sole Classifier has a medical qualification that is relevant to the Eligible Impairment of the Athlete being evaluated.

*[Comment to Article 7.3: For example, 'exceptional circumstances' will arise if there are genuine and unavoidable practical difficulties at a Competition (such as travel delays, Classifier illness, or conflicts of interest) that result in an insufficient number of Classifiers being available to constitute Classification Panels with two or more persons.]*

7.4 At least one member of the Classification Panel must not be of the same nationality as the Athlete being assessed. Where an International Federation has authorised a Classification Panel to consist of only one Classifier pursuant to Article 7.3, the sole Classifier must not be of the same nationality as the Athlete being assessed.

7.5 All members of the Classification Panel must sign appropriate confidentiality undertakings.

## **PART III: ELIGIBLE IMPAIRMENTS**

### **8. Eligible Impairments**

8.1 The 'Eligible Impairments' in the Paralympic Movement are:

#### **8.1.1 Impaired Muscle Power**

Athletes with Impaired Muscle Power have an Underlying Health Condition affecting the structure and physiology of the central or peripheral nervous system or the muscles (including the muscle origin and muscle insertion) that reduces or eliminates their ability to generate force to contract their muscles in order to move a joint.

#### **8.1.2 Impaired Passive Range of Movement**

Athletes with Impaired Passive Range of Movement have an Underlying Health Condition affecting a structure of bones, joints, connective tissue, or soft tissues resulting in an irreversible restriction or lack of passive movement in one or more joints.

#### **8.1.3 Limb Deficiency and/or Limb Length Difference**

Athletes with Limb Deficiency or Limb Length Difference have an Underlying Health Condition resulting from trauma, illness, or congenital causes affecting the bones or joints which leads to a total or partial absence of a limb or anatomically irregular dimensions.

#### **8.1.4 Short Stature**

Athletes with Short Stature have an Underlying Health Condition resulting in reduced length of the bones of the upper limbs, lower limbs, and/or trunk.

#### **8.1.5 Coordination Impairments**

Athletes with a Coordination Impairment have an Underlying Health Condition causing structural damage to the central nervous system that results in one of the following three movement disorders adversely affecting the ability to voluntarily produce skilled movement fluidly, rapidly, and accurately.

*[Comment to Article 8.1.5: Coordination is the ability to voluntarily produce skilled movement fluidly, rapidly, and accurately (Connick et al., 2015; Runciman & Derman, 2018).]*

**(a) Hypertonia/Spasticity**

Athletes with Hypertonia/Spasticity have an Underlying Health Condition causing structural damage to the central nervous system resulting in an increase in muscle tension by increasing angular velocity and a reduced ability of a muscle to stretch.

**(b) Ataxia**

Athletes with Ataxia have an Underlying Health Condition causing structural damage to the central nervous system resulting in an impairment in direction and velocity of voluntary movement.

**(c) Dyskinesia (athetosis, dystonia, chorea)**

Athletes with Dyskinesia have an Underlying Health Condition causing structural damage to the central nervous system resulting in continual involuntary movements that interfere with the velocity and accuracy/direction of voluntary movements.

**8.1.6 Vision Impairment**

Athletes with Vision Impairment have an Underlying Health Condition causing damage to the eye structure, optic nerves or pathways, or visual cortex of the brain resulting in reduced or no vision that cannot be fully compensated through equipment or surgery or other intervention.

**8.1.7 Intellectual Impairment**

Athletes with an Intellectual Impairment have a restriction in general mental functions required to understand and constructively integrate the various mental functions including all cognitive functions and their development over the life span.

**9. Non-Eligible Impairments**

9.1 Any impairment that is not listed as an Eligible Impairment in Article 8 is a **'Non-Eligible Impairment'**.

9.2 Examples of Non-Eligible Impairments include, but are not limited to, the following:

- pain
- hearing impairment
- low muscle tone
- hypermobility of joints

- joint instability, such as unstable shoulder joint or recurrent dislocation of a joint
- impaired muscle endurance
- impaired motor reflex functions
- impaired cardiovascular functions
- impaired respiratory functions
- impairment metabolic functions
- tics and mannerisms, motor stereotypies, and motor perseverations
- vestibular impairment
- impairments in muscle metabolism resulting in fatigue or pain
- functional impairments stemming from psychological and/or psychosomatic causes

## 10. Rationale for Eligible Impairments

10.1 Eligible Impairments do not include all impairment types. Instead, they are limited to those that have historically been part of the Paralympic Movement. The list of Eligible Impairments may only be expanded with the approval of the General Assembly, following consideration of the criteria in Article 10.2.

10.2 The following criteria must be used to assess whether an impairment may be added to the list of Eligible Impairments:

### 10.2.1 Scientific criteria:

- (a) the impairment must be listed in the International Classification of Functioning, Disability and Health (known more commonly as ICF, i.e. the World Health Organization framework for measuring health and disability at both individual and population levels);
- (b) the impairment must be the result of one or more Permanent Health Conditions that are listed in the International Classification of Diseases (known more commonly as ICD, i.e. the World Health Organization diagnostic tool that is used to classify and monitor diseases and disorders);
- (c) there is scientific evidence to indicate that, where the impairment is sufficiently severe, it will lead to an activity limitation in one or more Para sports;

- (d) the impairment must be able to be objectively and reliably measured; and
- (e) the impairment must be Stable or Progressive for a defined period of no less than the duration of a Competition.

#### 10.2.2 Pragmatic criteria:

- (a) the application for including the impairment on the list of Eligible Impairments must be conducted by an international organisation acting as a representative of people with the impairment;
- (b) there must be sufficient demand for competition opportunities from people with the impairment (such that competitions would be viable);
- (c) the sport specific classification system must be based on impairment type and severity;
- (d) the system of classification for the impairment must be based on a robust foundation of well researched and evidenced practice; and
- (e) the methods for establishing and measuring the impairment type and the classification process must be compliant with the Classification Code.

## **PART IV: CLASSIFYING ATHLETES**

### **A. Underlying Health Condition Assessment**

#### **11. Requirement**

11.1 An Athlete must have a medically/clinically diagnosed Underlying Health Condition.

#### **12. Information/evidence**

12.1 A National Federation must (on behalf of the Athlete) provide to the Assessment Body the following evidence/information by the specified deadline:

- 12.1.1 evidence (including any Diagnostic Information) that the Athlete has an Underlying Health Condition; and



- 12.1.2 any further information (including any Diagnostic Information) requested by the Assessment Body to conduct the Underlying Health Condition Assessment.
- 12.2 Where the Assessment Body requests further Diagnostic Information, it must notify the Athlete's National Federation, and explain what evidence is required and why.
- 12.3 Information and evidence provided to the Assessment Body must be provided in original format (i.e the original document or a copy thereof) along with an English translation (if the original format is in another language), unless the Assessment Body specifies otherwise.
- 13. Conducting the assessment**
- 13.1 The Assessment Body will conduct the Underlying Health Condition Assessment on the papers (i.e. based only on written documentation).
- 13.2 The individual members of the Assessment Body will review the information and evidence provided pursuant to Article 12 independently and determine whether it establishes the existence of an Underlying Health Condition.
- 13.3 If they are unable to reach a majority decision, an additional member with appropriate professional qualifications will be appointed to determine the matter. If the additional member is unable to determine the matter because their view is inconclusive, the person appointed as the head of the Assessment Body will determine the most appropriate course of action.
- 13.4 If the Assessment Body determines that the Athlete has an Underlying Health Condition, the Assessment Body must notify the Athlete's National Federation, and the Athlete will then be evaluated by a Classification Panel in accordance with Part IV.B.
- 13.5 If the Assessment Body is not satisfied that the Athlete has an Underlying Health Condition:
- 13.5.1 The Assessment Body must notify the Athlete's National Federation of its decision and provide a written explanation setting out the basis upon which it is not satisfied that the Athlete has an Underlying Health Condition.
- 13.5.2 The Athlete's National Federation must be given an opportunity to comment on the decision and may provide further Diagnostic Information for review.

- 13.5.3 If, following further review, the Assessment Body determines that the Athlete has an Underlying Health Condition, the Assessment Body must notify the Athlete's National Federation, and the Athlete will then be evaluated by a Classification Panel in accordance with Part IV.B.
- 13.5.4 If, following further review, the Assessment Body is still not satisfied that the Athlete has an Underlying Health Condition, the Assessment Body must notify the Athlete's National Federation of its decision and provide a written explanation setting out the basis upon which it has reached that decision. The Athlete will be designated as 'Not Eligible - Eligible Impairment' in accordance with Article 14.

#### **14. Designation of 'Not Eligible - Eligible Impairment'**

- 14.1 Subject to Articles 14.3 (multiple impairment types), 37 (Medical Review) and 38.1.1 (changes to classification rules), an Athlete designated as 'Not Eligible - Eligible Impairment' ('NE - EI') for a particular Eligible Impairment:
- 14.1.1 will not be permitted to compete in International Competitions based on that Eligible Impairment type; and
- 14.1.2 has no right (and may not apply) to be re-assessed for the same Eligible Impairment type in any Para sport.
- 14.2 The designation of an Athlete as 'Not Eligible - Eligible Impairment' is not subject to review or Protest but may be Appealed in accordance with Part III of Chapter 3.
- 14.3 If the Athlete has a combination of Eligible Impairment types and was designated as 'Not Eligible - Eligible Impairment' based on one Eligible Impairment type, they may apply to the Assessment Body for assessment of a different Eligible Impairment type.
- 14.4 The International Federation must include all designations of 'Not Eligible - Eligible Impairment' on its Classification Master List in accordance with Article 35.

#### **B. Evaluation Session**

##### ***B.1 Review***

#### **15. Purpose**

- 15.1 A Classification Panel must review all evidence/information submitted to the Assessment Body by the Athlete's National Federation pursuant to Part IV.A, prior to conducting an Eligible Impairment Assessment (see Part IV.B.2 below).

15.2 Pursuant to Article 32.1, the Classification Panel may conduct the review remotely.

## 16. Conducting the review

16.1 Where an Assessment Body has determined that the Athlete has an Underlying Health Condition, the National Federation must promptly provide to the Classification Panel all evidence/information submitted to the Assessment Body by the Athlete's National Federation pursuant to Part IV.A. This obligation will not apply where the National Federation is notified by the International Federation that such evidence/information has already been, or will be, made available to the Classification Panel by other means.

16.2 Following receipt of such evidence/information - but prior to conducting the Eligible Impairment Assessment - the Classification Panel must review all such evidence/information in order to:

16.2.1 establish whether sufficient evidence/information has been provided to enable the Classification Panel to plan and conduct the Athlete's Evaluation Session (including to conduct the Eligible Impairment Assessment), or whether further evidence/information is required for that purpose; and

16.2.2 establish whether the Classification Panel agrees with the determination of the Assessment Body that the Athlete has an Underlying Health Condition.

16.3 Where the Classification Panel:

16.3.1 pursuant to Article 16.2.1, determines that no further evidence/information is required; and

16.3.2 pursuant to Article 16.2.2, agrees with the determination of the Assessment Body that the Athlete has an Underlying Health Condition;

the Classification Panel will proceed to conduct the Eligible Impairment Assessment.

16.4 Where the Classification Panel, pursuant to Article 16.2.1, determines that further evidence/information is required:

16.4.1 The Classification Panel will detail any further evidence/information (including Diagnostic Information) relevant to the Athlete's Eligible Impairment that the Classification Panel considers it requires in order

- to plan and conduct the Evaluation Session, and specify the deadline by which such evidence/information must be provided.
- 16.4.2 Where the Classification Panel requests further Diagnostic Information, it must explain what evidence is required.
- 16.4.3 The National Federation must (on behalf of the Athlete) provide - by the deadline specified by the Classification Panel - the evidence/information requested by the Classification Panel.
- 16.4.4 Information and evidence provided to the Classification Panel must be provided in original format (i.e. the original document or a copy thereof) along with an English translation (if the original format is in another language), unless the Classification Panel specifies otherwise.
- 16.5 If the National Federation fails, or is unable, to provide the further evidence/information requested by the Classification Panel within the timeframe specified, the Classification Panel may suspend the Evaluation Session in accordance with Article 29.
- 16.6 If the National Federation provides the further evidence/information requested by the Classification Panel, the Classification Panel will - subject to Article 16.7 - proceed to conduct the Eligible Impairment Assessment.
- 16.7 Where the Classification Panel, pursuant to Article 16.2.2, disagrees with the determination of the Assessment Body that the Athlete has an Underlying Health Condition, the Classification Panel will designate the Athlete as 'Not Eligible - Eligible Impairment' in accordance with Article 14. The Classification Panel will notify both the International Federation and the Athlete's National Federation of its decision, and provide an explanation setting out the basis upon which it disagrees with the determination of the Assessment Body.

## ***B.2 ELIGIBLE IMPAIRMENT ASSESSMENT***

### **17. Requirement**

- 17.1 An Athlete's Underlying Health Condition must lead to an Eligible Impairment.
- 17.2 The Classification Panel must, pursuant to Article 32.1, conduct the Eligible Impairment Assessment in person.

### **18. Conducting the assessment**

- 18.1 Each International Federation must specify in their classification rules how a Classification Panel will assess whether or not an Athlete's Underlying Health

Condition leads to an Eligible Impairment. At a minimum these provisions must set out the following:

18.1.1 [to be confirmed]

18.2 If the Classification Panel determines that an Athlete's Underlying Health Condition leads to an Eligible Impairment, the Athlete will progress to the next stage of the Evaluation Session (see Part IV.B.3).

18.3 If the Classification Panel determines that an Athlete's Underlying Health Condition does not lead to an Eligible Impairment, the Athlete will be designated as 'Not Eligible - Eligible Impairment' in accordance with Article 14.

### ***B.3 MINIMUM IMPAIRMENT CRITERIA***

#### **19. Requirement**

19.1 An Athlete must have an Eligible Impairment that meets the relevant Minimum Impairment Criteria for that Eligible Impairment.

19.2 The Classification Panel must, pursuant to Article 32.1, conduct the evaluation of whether or not an Athlete has an Eligible Impairment that meets the relevant Minimum Impairment Criteria for that Eligible Impairment in person.

#### **20. Minimum Impairment Criteria**

20.1 Each International Federation must in their classification rules define the Minimum Impairment Criteria for each Eligible Impairment catered for by the sport, which criteria must be based on and assessed using accurate and reliable methods.

20.2 International Federations must also specify in their classification rules how a Classification Panel will assess whether or not an Athlete's Eligible Impairment meets the Minimum Impairment Criteria. At a minimum these provisions must set out the following:

20.2.1 The evaluation will be determined solely based on an evaluation of the Athlete's Eligible Impairment (i.e. impairment-based testing) and not based on sport performance. The International Federation's classification rules must also specify the specific means by which that testing will be conducted and how the results will be evaluated.

20.2.2 Where an Athlete uses Adaptive Equipment:

- (a) the Minimum Impairment Criteria for Vision Impairment must consider the extent to which the use of Adaptive Equipment

might affect how the Athlete is able to execute the specific tasks and activities fundamental to the sport; and

- (b) the Minimum Impairment Criteria for Eligible Impairments other than Vision Impairment must not consider the extent to which the use of Adaptive Equipment might affect how the Athlete is able to execute the specific tasks and activities fundamental to the sport.

*[Comment to Article 20.2.2: The role of Adaptive Equipment in defining Minimum Impairment Criteria is different to the role of Adaptive Equipment in the allocation of a Sport Class (see Article 23). The difference in approach for Athletes with Vision Impairment must be seen within the historical context of Classification for these Athletes, which is an assessment with 'best correction' as used in the context of medical diagnostics for visual acuity.]*

## **21. Designation of 'Not Eligible - Minimum Impairment Criteria'**

- 21.1 If a Classification Panel determines that an Athlete's Eligible Impairment does not meet the Minimum Impairment Criteria for a sport, the Athlete will be designated as 'Not Eligible - Minimum Impairment Criteria' ('NE - MIC') for that sport.
- 21.2 An Athlete designated as 'Not Eligible - Minimum Impairment Criteria' is entitled to undergo a second Evaluation Session before a second Classification Panel as soon as reasonably practicable. The Athlete may not compete in International Competitions pending the outcome of that second Evaluation Session.
  - 21.2.1 If the second Classification Panel determines that an Athlete has an Eligible Impairment that meets the applicable Minimum Impairment Criteria, the Athlete will progress to the next stage of the Evaluation Session (see Part IV.B.4).
  - 21.2.2 If the second Classification Panel determines that an Athlete does not meet the applicable Minimum Impairment Criteria, or the Athlete declines to be reviewed by the second Classification Panel, the Athlete will remain designated as 'Not Eligible - Minimum Impairment Criteria' and will not be eligible to compete in International Competitions for that sport. However, the Athlete may be eligible to compete in a different sport if they meet the applicable Minimum Impairment Criteria for that other sport.

- 21.3 Where an Athlete designated as 'Not Eligible - Minimum Impairment Criteria' for a sport:
- 21.3.1 has not yet undergone a second Evaluation Session pursuant to Article 21.2, the Classification Panel may add '(Subject to Re-evaluation)' to the Athlete's designation; and
  - 21.3.2 has (i) undergone a second Evaluation Session pursuant to Article 21.2, and the second Classification Panel has determined that the Athlete's Eligible Impairment does not meet the applicable Minimum Impairment Criteria, or (ii) declined to be reviewed by a second Classification Panel, the Classification Panel may add '(Re-evaluation Completed)' to the Athlete's designation.
- 21.4 Subject to Articles 37 (Medical Review) and 38.1.2 (Changes to classification rules), an Athlete designated as 'Not Eligible - Minimum Impairment Criteria' for a particular sport:
- 21.4.1 will not be permitted to compete in International Competitions in that sport; and
  - 21.4.2 has no right (and may not apply) to be re-assessed for the same Eligible Impairment type in that sport.
- 21.5 The designation of an Athlete as 'Not Eligible - Minimum Impairment Criteria' is not subject to review or Protest but may be Appealed in accordance with Part III of Chapter 3.
- 21.6 The International Federation must include all designations of 'Not Eligible - Minimum Impairment Criteria' on its Classification Master List in accordance with Article 35.

#### ***B.4 SPORT CLASS AND SPORT CLASS STATUS***

### **22. Requirement**

- 22.1 If an Athlete has an Eligible Impairment that meets the applicable Minimum Impairment Criteria, they must then be evaluated for (and allocated) a Sport Class, unless they fail to attend the evaluation (Article 28) or their evaluation is suspended (Article 29).
- 22.2 If a Classification Panel allocates a Sport Class to an Athlete, the Athlete must also be allocated a Sport Class Status. A Sport Class Status indicates whether and when an Athlete will be required to undergo Classification in the future.

## 23. Sport Class

- 23.1 The Classification Panel must, pursuant to Article 32.1, evaluate an Athlete for a Sport Class in person.
- 23.2 Sport Classes must be defined by reference to the extent to which an Athlete's Eligible Impairment impacts their ability to execute specific tasks and activities fundamental to the sport.
- 23.3 The International Federation must specify in its classification rules what Sport Classes are available for the sport(s) that it governs, and the assessment methodology and assessment criteria that the Classification Panel will use in evaluating which Sport Class to allocate.

*[Comment to Article 23.3: Sport Classes may be allocated in relation to a sport or individual disciplines within a sport (for example, Sport Classes are allocated in swimming for different strokes, and in athletics for individual track or field events).]*

- 23.4 When evaluating which Sport Class to allocate to an Athlete, the Classification Panel must:
- 23.4.1 base its evaluation solely on the extent to which the Athlete's Eligible Impairment impacts on their ability to execute the specific tasks and activities fundamental to the sport;
- 23.4.2 discount the following factors so that they do not affect the Sport Class allocated: low fitness level, poor technical proficiency, exceptionally good technical proficiency, and/or aging;
- [Comment to Article 23.4.2: To determine the extent to which these factors affect an Athlete's performance in the sport, a Classification Panel should consider an Athlete's training history, technical skills, and age. Consideration of these factors will assist the Classification Panel in determining the influence of these factors on the Athlete's ability to execute the specific tasks and activities fundamental to the sport that might affect the allocation of Sport Class.]*
- 23.4.3 conduct the evaluation in a controlled non-competitive environment that allows for the repeated observation of key tasks and activities; and
- 23.4.4 evaluate the Athlete when they are using the Adaptive Equipment that they will use in competition (if any), taking into account the (optimal) use of such equipment (such as strapping or gloves) during competition.



*[Comment to Article 23.4.4: For example, if the rules of the sport permit wheelchair Athletes to use abdominal strapping, and an Athlete with poor sitting balance does not use such strapping and performs poorly as a result, this Athlete should not be allocated a Sport Class reserved for Athletes with more severe impairments and/or impairments that have a greater impact on their ability to execute the specific tasks and activities fundamental to the sport.]*

- 23.5 Following the above evaluation, the Classification Panel will either:
- 23.5.1 allocate the Athlete a *provisional* Sport Class that is subject to confirmation at an Observation Assessment, using the tracking code 'OA' for 'Observation Assessment'; or
  - 23.5.2 allocate the Athlete a *final* Sport Class, in which the Athlete must also be allocated a Sport Class Status.
- 23.6 An Athlete must compete in the Sport Class allocated to them.
- 23.7 [Consider the position to be adopted in the Classification Code regarding combining classes, competing up, factor systems, staggered starts, etc.]

## **24. Observation Assessment**

- 24.1 A Classification Panel may require an Athlete to undergo an Observation Assessment before it allocates a final Sport Class to that Athlete, and the Athlete is allocated a Sport Class Status.

*[Comment to Article 24.1: An Observation Assessment is used to confirm that the Athlete has been allocated the correct Sport Class by observing and evaluating the Athlete in a competitive environment. By contrast, the preceding components of an Evaluation Session are carried out in a controlled non-competitive environment.]*

- 24.2 The Classification Panel must, pursuant to Article 32.1, conduct the Observation Assessment in person.
- 24.3 An International Federation must specify in its classification rules whether or not (and, if so, in what circumstances) Observation Assessment will be required, what a Classification Panel will observe, and how the Observation Assessment will be conducted.
- 24.4 If an Observation Assessment is required:
- 24.4.1 The same Classification Panel that conducted the preceding components of the Evaluation Session in relation to an Athlete must

also conduct the Observation Assessment, except in exceptional circumstances in accordance with Article 27.1.3(a).

24.4.2 The Observation Assessment must be conducted at the Competition (at which the Evaluation Session is taking place) where the Athlete competes in a Sport Class for the first time (**First Appearance**). The Athlete may compete at First Appearance with their provisional Sport Class.

24.4.3 The Classification Panel may require the Athlete to be observed at one or more events during their First Appearance:

(a) First Appearance within a Sport Class applies to participation in all events within the same Sport Class.

*[Comment to Article 24.4.3(a): For example, in Para swimming, the Sport Class with the prefix "S" encompasses events in three different strokes - freestyle, butterfly and backstroke. If an Athlete has been provisionally allocated such a Sport Class, the Classification Panel may observe that Athlete at one or more events in any or all of the strokes in which the Athlete is competing.]*

(b) Whenever possible, the Observation Assessment should not take place at the final of an event.

(c) For Team Sports, wherever possible, First Appearance should take place during the non-elimination (i.e. preliminary) rounds of a Competition. Unless the International Federation specifies otherwise, teams may not select Athletes for participation in elimination rounds if those Athletes have not made a First Appearance in earlier non-elimination rounds.

24.5 Following an Observation Assessment, the Classification Panel may either:

24.5.1 allocate the Athlete a final Sport Class (in which case the Athlete will also be allocated a Sport Class Status); or

24.5.2 require the Athlete to redo any or all of the components of the Evaluation Session (including Observation Assessment) that the Classification Panel deems necessary.

24.6 If an Athlete is required to undergo further evaluation pursuant to Article 24.5.2, the Classification Panel may subsequently (i) allocate the Athlete a final Sport Class (in which case the Athlete will also be allocated a Sport Class

Status), or (ii) designate the Athlete as 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria', or 'Classification Not Completed'.

- 24.7 If the final Sport Class allocated to the Athlete differs from the provisional Sport Class initially allocated to the Athlete by the Classification Panel, or the Athlete is designated as 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria' or 'Classification Not Completed' when the Athlete had initially been allocated a provisional Sport Class by the Classification Panel, the change will be effective immediately. International Federations must specify in their classification rules (or relevant sport technical rules) what impact such changes will have on the results and prizes in the Competition.

## 25. Sport Class Status

- 25.1 As noted at Article 22.2 above, if a Classification Panel allocates a Sport Class to an Athlete, a Sport Class Status must also be allocated to that Athlete.

- 25.2 An Athlete must be allocated one of the following Sport Class Statuses:

25.2.1 New (N);

25.2.2 Confirmed (C);

25.2.3 Review at the Next Available Opportunity (R - NAO);

25.2.4 Review with a Fixed Review Date (R - FRD); or

25.2.5 Lapsed (L).

- 25.3 Sport Class Statuses must be allocated in accordance with the below:

25.3.1 An Athlete will automatically be allocated the Sport Class Status '**New (N)**' if they have not previously been classified at the international-level.

25.3.2 A Classification Panel may allocate an Athlete the Sport Class Status '**Confirmed (C)**' if it is satisfied that the Athlete's Sport Class is unlikely to change given the nature of the Athlete's Eligible Impairment and the extent to which the Athlete's Eligible Impairment impacts their ability to execute specific tasks and activities fundamental to the sport.

25.3.3 A Classification Panel may allocate an Athlete the Sport Class Status '**Review at the Next Available Opportunity (R - NAO)**' if:

- (a) they were classified by only one Classifier;

- (b) they are 'borderline' (i.e. their Eligible Impairment narrowly meets the Minimum Impairment Criteria for the sport, or the Athlete is on the boundary of two Sport Classes); and/or
- (c) the Classification Panel believes that a further Evaluation Session will be required within less than one year.

*[Comment to Article 25.3.3(c): A further Evaluation Session might be required for a number of reasons, including where the Athlete has only recently started competing in International Competitions, has one or more fluctuating and/or Progressive impairment(s) that is/are permanent but are not Stable, and/or has not reached full (muscular skeletal) or sports maturity.]*

**Next Available Opportunity** in this context means the next available opportunity at which the Athlete can undergo Classification, as determined by the International Federation.

25.3.4 A Classification Panel may allocate an Athlete the Sport Class Status '**Review with a Fixed Review Date (R - FRD)**' where it believes that a further Evaluation Session will be required, but not for at least one year after the evaluation. The Classification Panel must set a date (no earlier than one year after the Evaluation Session) *after* which the Athlete must attend a new Evaluation Session (the **Fixed Review Date**).

25.3.5 Subject to Articles 25.4.1 and 25.4.3, an Athlete will automatically be allocated the Sport Class Status '**Lapsed (L)**' where they:

- (a) do not complete an Evaluation Session within the time period specified in the International Federation's classification rules; and/or
- (b) retire, or do not compete in any International Competition for a continuous period, in accordance with the International Federation's classification rules.

The International Federation must specify in its classification rules: (i) the maximum period of time for which the Sport Class Status 'Review at the Next Available Opportunity' will remain valid; (ii) the maximum period of time for which the Sport Class Status 'Review with a Fixed Review Date' will remain valid after the Fixed Review Date has passed; (iii) the requirements for an Athlete to retire; and (iv) the

length of the continuous period of time after which an Athlete will be considered inactive in International Competition.

#### 25.4 Where an Athlete:

- 25.4.1 has been allocated the Sport Class Status 'Confirmed', Article 25.3.5 will not apply (i.e. they cannot be allocated the Sport Class Status 'Lapsed').
- 25.4.2 has been allocated the Sport Class Status 'Review at the Next Available Opportunity', an International Federation or Classification Panel may defer an Evaluation Session to a date later than the Next Available Opportunity.
- 25.4.3 has been allocated the Sport Class Status 'Review at the Next Available Opportunity' pursuant to Article 38.1.3 (Changes to classification rules), and the Athlete does not complete an Evaluation Session within the specified deadline (such that they would usually automatically be allocated the Sport Class Status 'Lapsed' pursuant to Article 25.3.5(a)), an International Federation may determine that the Athlete should retain the Sport Class Status 'Review at the Next Available Opportunity' if the Athlete's failure to complete an Evaluation Session is due to the lack of Classification opportunities provided by the International Federation.

#### 25.5 Impact of Sport Class Status on participation in International Competitions:

- 25.5.1 An Athlete allocated the Sport Class Status 'Confirmed' is not required to undergo any further Classification, except where (i) their Sport Class is the subject of a Protest or Appeal, and/or (ii) they are subject to a Medical Review pursuant to Article 37. An Athlete with Sport Class Status 'Confirmed' may also be required to undergo further Classification pursuant to Article 38.1.3 (Changes to classification rules).
- 25.5.2 Unless the International Federation specifies otherwise, where an Athlete has been allocated the Sport Class Status:
  - (a) 'Review at the Next Available Opportunity', the Athlete must complete an Evaluation Session prior to competing at any International Competition.
  - (b) 'Review with a Fixed Review Date', the Athlete must complete an Evaluation Session on or after the Fixed Review Date prior to competing at any International Competition.

25.5.3 Where an Athlete has been allocated the Sport Class Status 'Lapsed':

- (a) an International Federation must remove the Athlete's allocated Sport Class; and
- (b) the Athlete is not permitted to compete in any International Competition, unless and until the Athlete undergoes a new Evaluation Session and obtains a Sport Class Status that enables the Athlete to compete.

## 26. Eligibility for multiple Sport Classes

26.1 Subject to Article 26.2, an Athlete may only be allocated one Sport Class for a sport per Paralympic cycle even if they meet the criteria to be allocated two or more Sport Classes for that sport.

*[Comment to Article 26.1: Some Athletes are in a position to be allocated more than one Sport Class within a sport. This might be the case if an Athlete has a combination of physical, vision, and/or intellectual impairment. If, for example, an Athlete is allocated a Sport Class for their physical impairment in one Paralympic cycle, they may not be allocated a Sport Class for their vision impairment until the following Paralympic cycle (and vice versa).]*

26.2 An Athlete may be allocated one Sport Class for each discipline within a sport.

*[Comment to Article 26.2: For example, in Para athletics, an Athlete may be allocated a 'T' Sport Class (for track events) and a 'F' Sport Class (for field events). In Para swimming, an Athlete may be allocated a 'S' Sport Class (for freestyle, butterfly and backstroke events) and a 'SB' Sport Class (for breaststroke events), as well as an 'SM' entry index (for individual medley events) calculated using the Athlete's 'S' and 'SB' Sport Classes.]*

26.3 Where a sport provides that an Athlete may compete in a particular discipline in one of two different formats (e.g., sitting or standing; wheelchair or prosthetics), an Athlete may only be allocated a Sport Class for one of those formats per Paralympic cycle.

*[Comment to Article 26.3: For example, an Athlete competing in Para athletics may be eligible to compete in field events in either a sitting or standing format. If an Athlete is allocated a Sport Class for field events in a sitting format in one Paralympic cycle, they may not be allocated a Sport Class for field events in a standing format until the following Paralympic cycle (and vice versa).]*

## **B.5 GENERAL**

### **27. Evaluation Session procedures**

27.1 International Federations must set out in their classification rules the procedures and duties that must be complied with during an Evaluation Session. At a minimum these provisions must specify that:

27.1.1 The Athlete's National Federation is responsible for ensuring that the Athlete complies with the duties applicable to them during the Evaluation Session.

27.1.2 In respect of Athletes:

- (a) Athletes may be accompanied or assisted by (i) a person for whom the Athlete's National Federation or NPC is responsible (including, but not limited to, a duly authorised representative of the Athlete's National Federation or NPC) who has specific knowledge of the Athlete's Underlying Health Condition, and (ii) if required, by an interpreter.
- (b) Athletes who are minors or lack legal capacity in accordance with the laws applicable in their country of residence must be accompanied or assisted by a member of the Athlete's National Federation or NPC who has specific knowledge of the Athlete's Underlying Health Condition.
- (c) The Athlete must attend the Evaluation Session with any sports attire and Adaptive Equipment that they intend to compete with.
- (d) An Athlete must disclose the use of any medication and/or medical device/implant to the Classification Panel.
- (e) An Athlete must comply with all reasonable instructions given to them by a Classification Panel. Failure to do so may result in the Evaluation Session being suspended and the Athlete being designated 'Classification Not Completed'.

27.1.3 In respect of the Classification Panel:

- (a) The same Classification Panel must conduct all of the components of an Evaluation Session in relation to an Athlete, except in exceptional circumstances.

*[Comment to Article 27.1.3(a): 'Exceptional circumstances' will*

*arise if there are genuine and unavoidable practical difficulties (such as Classifier illness) that mean the same Classification Panel is not available to conduct all aspects of the Evaluation Session.]*

- (b) The Classification Panel must conduct Evaluation Sessions in English, unless specified otherwise in the International Federation's classification rules. If the Athlete requires an interpreter, the Athlete's National Federation must arrange for (and pay the costs of) an interpreter.
- (c) At any stage of an Evaluation Session, the Classification Panel may request that an Athlete provide medical documentation (including Diagnostic Information) relevant to the Athlete's Eligible Impairment if the Classification Panel believes that this will be necessary for it to complete the Evaluation Session. If the Athlete provides such documentation within the timeframe specified by the Classification Panel, the Evaluation Session may continue. If the Athlete is unable or fails to provide such documentation within the timeframe specified by the Classification Panel, the Classification Panel may suspend the Evaluation Session in accordance with Article 29.
- (d) At any stage of an Evaluation Session, the Classification Panel may seek medical, technical, or scientific opinion(s), with the agreement of the International Federation, if it considers that such expertise is necessary for it to complete the Evaluation Session.
- (e) When conducting an Evaluation Session, the Classification Panel may only consider the evidence supplied to it by the relevant Athlete, National Federation, or International Federation, and the opinions obtained under paragraph (d) above. If relevant evidence becomes available (such as through social media or whistleblowers) that might be relevant to an ongoing Evaluation Session, it will be for the International Federation to assess that evidence and (if relevant) provide it to the Classification Panel. Failure by the International Federation to provide relevant evidence to the Classification Panel will constitute a failure to comply with the Classification Code, and may be pursued by the IPC in compliance proceedings.

27.1.4 Where the Classification Panel is evaluating an Athlete who has previously undergone one or more Evaluation Sessions:



- (a) The Classification Panel must review the applicable forms completed by the Classification Panel(s) that conducted the prior Evaluation Session(s). The Classification Panel may only do so after it has completed its own evaluation (excluding Observation Assessment), but before it (i) designates the Athlete as 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria' or 'Classification Not Completed', or (ii) allocates the Athlete a Sport Class and Sport Class Status (as applicable).
- (b) The Classification Panel may not speak to or consult with any of the members of the Classification Panel(s) who conducted the prior Evaluation Session(s) regarding their evaluation of the Athlete.
- (c) The Classification Panel may, having reviewed the applicable forms, require the Athlete to redo any or all of the components of the Evaluation Session that the Classification Panel deems necessary.

27.2 An Athlete who has both an Eligible Impairment and a Non-Eligible Impairment may be evaluated by a Classification Panel on the basis of their Eligible Impairment, provided that their Non-Eligible Impairment does not affect the Classification Panel's ability to conduct an Evaluation Session and allocate a Sport Class.

*[Comment to Article 27.2: For example, an Athlete with severe osteoarthritis might have Impaired Passive Range of Movement (an Eligible Impairment) and pain (a Non-Eligible Impairment). If the presence of pain restricts a Classification Panel's ability to conduct an Evaluation Session the Athlete might not be allocated a Sport Class, notwithstanding that the Athlete has an Eligible Impairment.]*

## **28. Failure to attend an Evaluation Session**

28.1 An Athlete is personally responsible for attending all stages of their Evaluation Session(s). Without limiting the Athlete's personal responsibility, an Athlete's National Federation must take reasonable steps to ensure that the Athlete attends their Evaluation Session(s).

28.2 If an Athlete fails to attend an Evaluation Session as required, the Classification Panel will report the failure to the International Federation. The International Federation may, if satisfied that a reasonable explanation exists for the failure to attend the Evaluation Session, specify a revised date and time for the Evaluation Session.

- 28.3 If the Athlete is unable to provide a reasonable explanation for their failure to attend the Evaluation Session or if the Athlete fails to attend the rescheduled Evaluation Session, the Athlete will be designated as 'Classification Not Completed'.

*[Comment to Article 28: International Federations are under no obligation to provide unlimited opportunities for an Athlete to attend an Evaluation Session.]*

## 29. Suspension of an Evaluation Session

- 29.1 A Classification Panel, in consultation with the International Federation, may suspend an Evaluation Session if it is unable to complete the Evaluation Session for any reason, including in one or more of the following circumstances:
- 29.1.1 a failure on the part of the Athlete to comply with any part of the applicable classification rules;
  - 29.1.2 a failure on the part of the Athlete to provide any information or evidence that is reasonably required by the Classification Panel;
  - 29.1.3 the Classification Panel believes that any medical procedure or use (or non-use) of any medication or medical device/implant disclosed by the Athlete will affect their ability to conduct an Evaluation Session in accordance with the applicable classification rules;
  - 29.1.4 the Athlete has a Health Condition or impairment that limits or prevents them from complying with the requests of the Classification Panel during an Evaluation Session, which the Classification Panel considers will affect its ability to conduct an Evaluation Session in accordance with the applicable classification rules;
  - 29.1.5 the Athlete is unable to communicate effectively with the Classification Panel;
  - 29.1.6 in the reasonable opinion of the Classification Panel, the Athlete is physically or mentally unable to comply with the instructions of the Classification Panel;
  - 29.1.7 the Athlete refuses to comply with any reasonable instructions given by Classification Personnel; and/or
  - 29.1.8 the Athlete's representation of their abilities is inconsistent with other information available to the Classification Panel.

- 29.2 If an Evaluation Session is suspended by a Classification Panel:
- 29.2.1 the Classification Panel must designate the Athlete as 'Classification Not Completed'; and
  - 29.2.2 the following steps must be taken:
    - (a) the Classification Panel must record on the applicable form (among other things) (i) why the designation has been applied, (ii) details of the remedial action (to the extent such action can be taken) that is required on the part of the Athlete for the Evaluation Session to be resumed, and (iii) whether the Classification Panel has any concerns about inconsistencies in the Athlete's performance or possible International Misrepresentation that led to the designation being applied;
    - (b) an explanation for the suspension of the Evaluation Session and details of the remedial action (to the extent that such action can be taken) that is required on the part of the Athlete for the Evaluation Session to be resumed must be provided to the Athlete and/or their National Federation;
    - (c) if an Athlete takes the remedial action to the satisfaction of the International Federation, the Evaluation Session will be rescheduled as soon as reasonably practicable and resumed; and
    - (d) if (i) remedial action cannot be taken, or (ii) an Athlete fails to or otherwise does not take the specified remedial action to the satisfaction of the International Federation, the Evaluation Session will be terminated, and the Athlete will remain designated as 'Classification Not Completed'.
- 29.3 An International Federation must keep an internal record of the form completed by the Classification Panel pursuant to Article 29.2.2(a), which may be provided by the International Federation to future Classification Panels who evaluate the Athlete.
- 29.4 A suspension of an Evaluation Session may be subject to further investigation into any possible Intentional Misrepresentation pursuant to Article 54.
- 29.5 An International Federation may bring disciplinary proceedings in respect of (i) any Athlete whose improper behaviour resulted in the suspension of an Evaluation Session, and/or (ii) any person bound by the International Federation's classification rules who was complicit in any such improper

behaviour or failed to take reasonable steps to avoid the suspension of the Evaluation Session.

### 30. Designation of 'Classification Not Completed'

- 30.1 If a Classification Panel designates an Athlete as 'Classification Not Completed' ('CNC') following the suspension of an Evaluation Session, the Athlete may not compete in International Competitions until they complete the suspended Evaluation Session.
- 30.2 If a Classification Panel designates an Athlete as 'Classification Not Completed' following the termination of an Evaluation Session, the Athlete may not compete in International Competitions until they complete a new Evaluation Session.
- 30.3 A designation of 'Classification Not Completed' is not subject to Protest or Appeal.
- 30.4 Where an Athlete has been designated as 'Classification Not Completed' on three or more consecutive occasions, the International Federation may determine that the Athlete is not entitled to undergo any further Evaluation Sessions for a specified period of time.

### 31. Location of Evaluation Sessions

- 31.1 Evaluation Sessions may take place either In-Competition or Out-of-Competition.

*[Comment to Article 31.1: Evaluation Sessions may take place Out-of-Competition to provide Athletes with the greatest possible opportunity to be evaluated by a Classification Panel and allocated a Sport Class]*

- 31.2 All Evaluations Sessions, whether they take place In-Competition or Out-of-Competition, must be conducted in a manner that complies with the Classification Code and the International Standards.
- 31.3 International Federations must specify in their classification rules:
- 31.3.1 which parts of an Evaluation Session must take place In-Competition and which parts (if any) may take place Out-of-Competition; and
  - 31.3.2 which impairment types must be evaluated In-Competition and which impairments types (if any) may be evaluated Out-of-Competition.
- 31.4 An Evaluation Session may take place Out-of-Competition in two different ways:

31.4.1 an Evaluation Session is conducted at a Competition in which the Athlete is not competing; or

31.4.2 an Evaluation Session is conducted at a place and time other than at a Competition.

Where an International Federation decides to allow some or all parts of an Evaluation Session to be conducted at a place and time other than at a Competition, the venue at which the Evaluation Session takes place must be properly equipped to conduct all necessary aspects of the Evaluation Session (such as a sports science institute or a low vision expertise centre) without compromising the standard of the Evaluation Session. The International Federation must specify the certification procedure for such 'other location'.

31.5 If an International Federation intends to conduct any part(s) of an Evaluation Session Out-of-Competition, it must (on reasonable notice) advise the relevant National Federations:

31.5.1 of the location at which, and the date(s) on which, the Evaluation Sessions will take place; and

31.5.2 the sports and impairment types in respect of which the Evaluation Sessions will be made available.

31.6 If the allocation of a Sport Class in respect of a sport might require an Observation Assessment, and the International Federation decides that some part(s) of the Evaluation Session may take place Out-of-Competition, the International Federation must (in advance of the Evaluation Session) advise the relevant National Federations that a Classification Panel may conclude that it is unable to allocate a final Sport Class without an Observation Assessment, in which case:

31.6.1 the Athlete may be allocated Sport Class Status 'Review at the Next Available Opportunity' and be required to undergo a further Evaluation Session (comprising the full procedure set out in Part IV.B) at a later date; or

31.6.2 the Athlete may be designated 'Classification Not Completed' and be required to undergo a further Evaluation Session (comprising the full procedure set out in Part IV.B) at a later date, unless the same Classification Panel is available at a future Competition to conduct the Observation Assessment (in accordance with Article 27.1.3(a)).

## 32. Remote participation and use of technology during Evaluation Sessions

32.1 Members of the Classification Panel must attend Evaluation Sessions in person, excluding the review conducted under Part IV.B.1 (which may be conducted remotely).

32.2 The following persons may attend Evaluation Sessions remotely, whether by telephone or video (or other virtual technology), provided that they can do so without adverse impact on the Evaluation Session:

32.2.1 any person entitled to attend an Evaluation Session pursuant to Article 27.1.2(a);

32.2.2 any person from whom the Classification Panel seeks medical, technical, or scientific advice in accordance with Article 27.1.3(d); and/or

32.2.3 any person the Classification Panel needs to consult with during an Evaluation Session.

*[Comment to Article 32.2: An Evaluation Session would be adversely impacted if (for example) the internet connection of the person attending the Evaluation Session remotely was so weak or intermittent that the Evaluation Session was continually interrupted.]*

32.3 Subject to Article 32.4, no photography or audio or video recording of the Evaluation Session is permitted. An Athlete or other person may not make their participation in an Evaluation Session conditional upon being permitted to photograph or record the session. Where an Athlete or other person insists on photographing or recording the session in violation of this provision, the Evaluation Session may be suspended and the Athlete designated 'Classification Not Completed', and the International Federation may also bring disciplinary proceedings against that Athlete and/or person for breach of the International Federation's rules.

32.4 The Classification Panel may make, create, and/or use photographs and/or audio-visual technology to assist it during an Evaluation Session, including during any Observation Assessment. Copies of any such materials must be provided to the Athlete or their National Federation on request. Such materials must be dealt with in accordance with the International Standard for Classification Data Protection.

*[Comment to Article 32.4: Caution must be exercised when using video evidence not to infringe third-party rights. It is recommended that International Federations develop and publish policies regarding the use of third-party material to avoid any potential misuse.]*

## **PART V: NOTIFICATION AND PUBLICATION**

### **33. Notification of Classification outcome**

33.1 International Federations must notify the outcome of Classification to the Athlete concerned and/or their National Federation as soon as reasonably practicable after completion of Classification. International Federations must identify the means by which such notification will be made in their classification rules.

33.2 In the context of a Competition, a Chief Classifier must advise any International Federation technical delegate and any event organising committee representative as to the Sport Classes and Sport Class Status allocated to each Athlete. If Observation Assessment has been required, this notification should take place as soon as reasonably practicable after the event in which First Appearance took place.

### **34. Publication of Sport Class and Sport Class Status**

34.1 International Federations must make available the following information to participants at the venue for an International Competition:

34.1.1 an interim outcome of Classification prior to the start of Competition detailing the Sport Class and Sport Class Status allocated to each Athlete entered in the Competition after completion of the initial components of an Evaluation Session; and

34.1.2 the final outcome of Classification detailing the Sport Class and Sport Class Status allocated to each Athlete entered in the Competition as soon as reasonably practicable after completion of the Classification.

### **35. Classification Master List**

35.1 To assist in the process of Classification, International Federations must maintain a Classification Master List of Athletes, which must include (at a minimum) the Athlete's name, gender, year of birth, nationality, Sport Class and Sport Class Status, any designations (including 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria', and 'Classification Not Completed'), and any tracking codes (such as 'OA' for Observation Assessment).

35.2 International Federations must make their Classification Master List available to their respective National Federations and to the IPC.

35.3 International Federations must update their Classification Master Lists following any Classification.

35.4 Classification Master Lists must be dealt with in accordance with the International Standard for Classification Data Protection.

## 36. Data sharing

36.1 International Federations may share Classification data with other International Federations, provided that such sharing is done in accordance with the International Standard for Classification Data Protection. For the avoidance of doubt, this includes any Classification data regarding Athletes who have been designated as 'Not Eligible', such as the data reviewed as part of the Underlying Health Condition and Eligible Impairment Assessments and the outcomes of those assessments.

## PART VI: CHANGE IN CIRCUMSTANCES

### 37. Medical Review

37.1 A change in the nature or degree of an Athlete's impairment might mean that a review is needed either (i) to re-assess an Athlete previously designated as 'Not Eligible', or (ii) to ensure that the Sport Class allocated to an Athlete is correct (**Medical Review**).

*[Comment to Article 37.1: Examples of situations where a Medical Review Request would be appropriate include where the effect of surgery, a new medication or device, or some other medical procedure has resulted in changes to an Athlete's ability to execute the specific tasks and activities relevant to a sport, either positively or negatively. They also include situations where an Athlete appears to have a new Underlying Health Condition or Eligible Impairment.]*

37.2 International Federations must set out the procedures for requesting and conducting Medical Reviews in their classification rules.

37.3 A Medical Review must be requested if a change in the nature or degree of an Athlete's Eligible Impairment changes the Athlete's ability to perform the specific tasks and activities fundamental to a sport in a manner that is clearly distinguishable from changes attributable to levels of training, fitness, and proficiency.

37.4 A request for Medical Review must be made by a National Federation on behalf of an Athlete, unless the International Federation provides in its classification rules that an Athlete may also submit such request where it would be impractical for the National Federation to do so.



37.5 A request for Medical Review must explain in detail why the request is being made (including how and to what extent the Athlete's relevant impairment has changed and/or why it is believed that the Athlete's Sport Class may no longer be accurate, as applicable) and provide all relevant supporting documentation. Medical personnel associated with the National Federation may complete and submit a request for Medical Review on behalf of an Athlete, but they may not author any medical documentation (including Diagnostic Information) supporting the request.

*[Comment to Article 37.5: It will generally be the case that any request for Medical Review will need to be accompanied by reasonably detailed medical records.]*

37.6 International Federations may require National Federations to pay a non-refundable fee when submitting a request for Medical Review.

37.7 If an Athlete, Athlete Support Person, or National Representative becomes aware of changes in their/the Athlete's circumstances that would require a Medical Review but fails to draw these changes to the attention of their International Federation, the Athlete, Athlete Support Person and/or National Representative may be investigated in respect of a possible Intentional Misrepresentation violation.

37.8 The International Federation must decide whether to grant a request for Medical Review as soon as reasonably practicable following receipt of the request.

37.9 If the request for Medical Review is granted by the International Federation, the Athlete's Sport Class Status must be amended to 'Review at the Next Available Opportunity' with immediate effect.

37.10 If the request for Medical Review is dismissed by the International Federation, the relevant decision-maker must produce a written explanation setting out the basis upon which the request for Medical Review is dismissed. The International Federation must notify the Athlete's National Federation of the decision and provide a copy of the written explanation.

## **38. Changes to classification rules**

38.1 If an International Federation changes its classification rules relating to:

38.1.1 how an Underlying Health Condition Assessment and/or Eligible Impairment Assessment is/are conducted, it must identify any Athletes that it has designated as 'Not Eligible - Eligible Impairment' whose designation might be subject to change as a result of the rule changes and notify those Athletes (through their National

- Federations) that they are entitled to undergo a new Evaluation Session;
- 38.1.2 the defined Minimum Impairment Criteria for an Eligible Impairment catered for by the sport and/or how a Classification Panel will assess whether or not an Athlete's Eligible Impairment meets the Minimum Impairment Criteria, it must identify any Athletes that it has designated as 'Not Eligible - Minimum Impairment Criteria' whose designation might be subject to change as a result of the rule changes and notify those Athletes (through their National Federations) that they are entitled to undergo a new Evaluation Session; or
- 38.1.3 the assessment methodology and/or assessment criteria to be used in evaluating which Sport Class to allocate to an Athlete, it must identify any Athletes with a Sport Class that it considers may be impacted by those changes and allocate those Athletes the Sport Class Status 'Review - Next Available Opportunity' (unless that is already their Sport Class Status).
- 38.2 If a National Federation considers that changes to an International Federation's classification rules will impact the Classification of any Athletes under its jurisdiction who are designated as 'Not Eligible - Eligible Impairment' or 'Not Eligible - Minimum Impairment Criteria', it must notify the International Federation accordingly.

## **CHAPTER 3: PROTESTS AND APPEALS**

### **PART I: OVERVIEW**

#### **39. Overview**

39.1 International Federations must provide processes in their classification rules that permit for challenges to the outcome of Classification, by way of Protest and Appeal.

39.1.1 A '**Protest**' is a challenge filed against the Sport Class allocated to an Athlete.

39.1.2 An '**Appeal**' is a challenge to any aspect of a Classification process on the grounds that:

- (a) a breach of an International Federation's classification rules occurred during a Classification process; and
- (b) that breach could reasonably have caused the Athlete to be incorrectly designated as 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria', or allocated an incorrect Sport Class and/or Sport Class Status.

### **PART II: PROTESTS**

#### **40. Scope of Protests**

40.1 A Protest may only be made in respect of the Sport Class allocated to an Athlete.

40.2 For the avoidance of doubt, a Protest may not be made in respect of (i) an Athlete's Sport Class Status, (ii) any designation of 'Not Eligible - Eligible Impairment', 'Not Eligible - Minimum Impairment Criteria', or 'Classification Not Completed', or (iii) any other matter where Protests are expressly excluded under the Classification Code.

#### **41. Parties permitted to make a Protest**

41.1 A Protest may only be made by one of the following bodies:

41.1.1 a National Federation; or

41.1.2 an International Federation.

41.2 For the avoidance of doubt, an Athlete may not make a Protest; rather, a Protest may only be made on behalf of the Athlete by one of the bodies listed under Article 41.1.

## 42. National Federation Protest

42.1 A National Federation Protest may be made where the National Federation has a reasonable basis to believe that the Athlete may have been allocated an incorrect Sport Class. To establish a 'reasonable basis', the National Federation must provide evidence (if any) in support of that basis and identify a specific mandatory rule (or rules) that were not applied or misapplied.

42.2 National Federation Protests will be upheld where the International Federation determines that the National Federation has complied with the requirements of Article 42.7 and is satisfied that the Athlete may have been allocated an incorrect Sport Class.

42.3 A National Federation may only make a Protest in respect of an Athlete under its jurisdiction. It may not make a Protest in respect of a Sport Class allocated to an Athlete from another Country/Territory.

42.4 A National Federation Protest must be submitted in connection with an Evaluation Session, whether conducted In-Competition or Out-of-Competition. The International Federation must specify the period during which National Federation Protests may be made.

42.5 Where an Athlete is allocated a provisional Sport Class that is subject to confirmation at an Observation Assessment, the National Federation may:

42.5.1 make a Protest both prior to and following the Observation Assessment, in which case the Protest made following the Observation Assessment may not relate to any aspect of the Evaluation Session that preceded the Observation Assessment; or

42.5.2 make a Protest only following the Observation Assessment, in which case the Protest may relate to both the aspects of the Evaluation Session that preceded the Observation Assessment and the Observation Assessment itself.

42.6 If an Athlete is required to undergo an Observation Assessment, and a National Federation Protest is made and accepted before the Athlete's First Appearance, the Athlete may not compete at the Competition until the National Federation Protest has been resolved.

42.7 To submit a Protest, a National Federation must:

42.7.1 complete a Protest Form in the form prescribed by the International Federation, which must at a minimum require the following:

- (a) the name and sport of the Protested Athlete;
- (b) the details of and/or a copy of the Protested Decision;
- (c) a detailed explanation of the basis for the National Federation's belief that the Athlete may have been allocated an incorrect Sport Class, including (i) any supporting evidence for that belief, and (ii) details of any specific mandatory rule(s) that the National Federation considers were not applied or were misapplied;

*[Comment to Article 42.7.1(c): An example of a non-mandatory (i.e. discretionary) rule includes where a Classification Panel is assessing Ataxia: tests that may be useful for determining this include finger-to-nose test; finger-to-finger test; toe-to-finger test; heel shin test; tandem walk; gait. If a Classification Panel exercises its discretion, and, in this example, chooses to use only the finger-to-nose test to assess ataxia, a National Federation Protest cannot be made on the basis that the Classification Panel chose to conduct the finger-to-nose test and none of the other identified tests. However, a National Federation Protest may be made on the basis that the Classification Panel allegedly conducted the finger-to-nose test in a way that is inconsistent with the applicable rules.]*

42.7.2 submit a duly completed Protest Form by the deadline set by the International Federation; and

42.7.3 pay the applicable Protest Fee (which will be refunded if the Protest is upheld and will not be refunded if the Protest is rejected).

42.8 A Protest that does not comply with the requirements of Article 42.7 will be dismissed. Upon receipt of the Protest Form, the International Federation must conduct a review of the Protest in accordance with Article 42.2.

42.9 The International Federation must (as soon as reasonably practicable) notify the National Federation of the outcome of the Protest, and (where the Protest is dismissed) they must also provide a written explanation for the dismissal.

### **43. International Federation Protest**

- 43.1 International Federation Protests may be made where the International Federation considers that the Athlete may have been allocated an incorrect Sport Class.
- 43.2 An International Federation may make a Protest at any time.
- 43.3 If an International Federation submits a Protest, it must:
- 43.3.1 notify the relevant National Federation of the Protest as soon as reasonably practicable; and
  - 43.3.2 provide a written explanation as to why the Protest has been made and the basis on which it considers that the Athlete may have been allocated an incorrect Sport Class.

### **44. Protest Panel procedures**

- 44.1 International Federations must provide processes in its classification rules to enable Protests to take place at the location where an Evaluation Session is conducted, whether In-Competition or Out-of-Competition.
- 44.2 If a National Federation Protest is accepted or if an International Federation Protest is made:
- 44.2.1 the Protested Athlete's Sport Class must remain unchanged pending the outcome of the Protest, and their Sport Class Status must immediately be changed to 'Review - Next Available Opportunity' (unless that is already their Sport Class Status);
  - 44.2.2 the International Federation must appoint a Protest Panel in accordance with Article 45 to conduct a new Evaluation Session as soon as reasonably practicable, and notify all relevant parties of the time and date that the new Evaluation Session will be conducted by the Protest Panel; and
  - 44.2.3 If the Protest is made In-Competition, the Evaluation Session should be conducted at that Competition if reasonably practicable.
- 44.3 The Protest Panel must conduct the new Evaluation Session in accordance with Part IV.B. For these purposes, any reference to the Classification Panel in Part IV.B will be deemed to include the Protest Panel (which will fulfil the role of the first Classification Panel). Furthermore, the reference to 'applicable forms' in Article 27.1.4 will be deemed to include the Protested Decision and any document submitted as part of the Protest.

- 44.4 All relevant parties must be notified of the Protest Panel's final decision as soon as reasonably practicable.
- 44.5 Where a National Federation Protest is accepted, or where an International Federation Protest is made in relation to an Athlete's Sport Class within █ months or less since the Athlete was allocated that Sport Class, the decision of a Protest Panel in relation to the Protest is final, and not subject to further Protest by a National Federation or the International Federation. However, the decision of a Protest Panel may be Appealed by a National Federation if the requirements in Article 47 are satisfied.
- 44.6 Where an International Federation makes a Protest in relation to an Athlete's Sport Class over █ months since the Athlete was allocated that Sport Class, the decision of a Protest Panel in relation to the Protest is not final, and may be subject to further Protest by a National Federation or the International Federation. In these circumstances, the decision of a Protest Panel will be treated as if it were a decision of a Classification Panel. The decision of a Protest Panel may also be Appealed by a National Federation if the requirements in Article 47 are satisfied.
- 44.7 International Federations must specify in their classification rules (or relevant sport technical rules) the consequences to any results and prizes where an Athlete's Sport Class is changed following a Protest.

#### **45. Protest Panel composition**

- 45.1 The International Federation must appoint a Protest Panel in a manner consistent with the provisions for appointing a Classification Panel in Article 7.
- 45.2 A Protest Panel must not include any person who:
- 45.2.1 was a member of the Classification Panel that made the Protested Decision;
  - 45.2.2 in the case of a National Protest, was the representative of the International Federation who conducted a review of the Protest; or
  - 45.2.3 was involved in any assessment or evaluation of the Protested Athlete for classification purposes (whether at the national or international level) within a period of 12 months prior to the date of the Protested Decision, except where both the National Federation and International Federation agree to proceed despite the conflict.

#### 46. Circumstances where a Protest Panel is not available

46.1 If a Protest is made following an Evaluation Session but there is no opportunity for the Protest to be resolved promptly following that Evaluation Session:

46.1.1 the Protested Athlete must be permitted to compete within the Sport Class that is the subject of the Protest, pending resolution of the Protest; and

46.1.2 all reasonable steps must be taken to ensure that a Protest Panel is appointed, and the Protest is resolved, as soon as reasonably practicable.

*[Comment to Article 46.1: This Article reflects the reality that it might not be possible to resolve a Protest promptly following an Evaluation Session. This might happen where there are a limited number of Classifiers or Evaluation Session slots available or the Classifiers who are available to participate in a Protest Panel are precluded from participating in a Protest Panel due to a conflict of interest.]*

### **PART III: APPEALS**

#### 47. Scope of Appeals

47.1 An Appeal will be upheld if a National Federation establishes that:

47.1.1 a breach of an International Federation's classification rules occurred during the Classification process; and

47.1.2 that breach could reasonably have caused the Athlete to be allocated an incorrect Sport Class and/or Sport Class Status or incorrectly be designated 'Not Eligible - Eligible Impairment' or 'Not Eligible - Minimum Impairment Criteria' (as applicable).

*[Comment to Article 47: The limited scope of review available to the Appeal Body is a fundamental aspect of an Appeal. The allocation of a Sport Class and Sport Class Status or designation as 'Not Eligible - Eligible Impairment' or 'Not Eligible - Minimum Impairment Criteria' is a sport decision and must be made by persons who are authorised and certified by an International Federation to do so. Those decisions should not be changed except by other persons who are similarly authorised and certified. In particular, the right to submit an Appeal must not be seen as an opportunity to dispute the opinion of the relevant experts. The Appeal Body will only review the process by which the decisions have been arrived at to ensure that such process has been*



*conducted in accordance with the International Federation's classification rules.]*

#### **48. Parties permitted to make an Appeal**

- 48.1 An Appeal may not be submitted whilst a Protest is ongoing.
- 48.2 An Appeal may only be submitted by a National Federation in respect of an Athlete under its jurisdiction. An Athlete may not submit an Appeal.
- 48.3 The applicable time period within which an Appeal must be submitted (as specified by the relevant Appeal Body) must commence on:
- 48.3.1 (where no Protest has been made) the date on which the Athlete was allegedly (i) allocated an incorrect Sport Class and/or Sport Class Status, or (ii) incorrectly designated as 'Not Eligible - Eligible Impairment' or 'Not Eligible - Minimum Impairment Criteria'; or
- 48.3.2 (where a Protest has been made) the date on which the relevant parties were notified of the Protest Panel's final decision.

#### **49. Appeal Body**

- 49.1 Each International Federation must designate an Appeal Body to hear and determine Appeals.
- 49.2 The parties to an Appeal must be provided with, at a minimum, a fair hearing within a reasonable time by a fair and impartial Appeal Body that meets the criteria in Article 49.3. The parties to an Appeal have the right to be heard before the Appeal Body.
- 49.3 Each International Federation must ensure that its Appeal Body:
- 49.3.1 is Operationally Independent from the International Federation; and
- 49.3.2 comprises at least three members (i) with the appropriate skills and experience to objectively hear the Appeal, and (ii) who were not involved in any way with any of the procedures that are the subject of the Appeal, or whose impartiality or independence could otherwise be reasonably questioned.
- 49.4 The IPC has established the Board of Appeal of Classification (BAC) to hear and determine Appeals. Subject to agreement with the IPC, International Federations may designate the BAC as their Appeal Body.

*[Comment to Article 49.4: The BAC has been established by the IPC as a specialist dispute resolution body to adjudicate on Appeals. The IPC may make*

*the BAC available to any International Federation that wishes to utilise it as its resolution body for Appeals, subject to an agreement between that International Federation and the IPC on the costs that are payable by the International Federation in respect of the BAC.]*

49.5 Where the BAC is the Appeal Body, it will hear and determine the Appeal in accordance with its procedural rules. In all other instances, an Appeal must be made and resolved in accordance with the Classification Code and the relevant rules of the International Federation.

49.6 International Federations may require appellants to pay an appeal fee.

## **50. Appeal decision**

50.1 The Appeal Body must either affirm or set aside the decision under Appeal. It does not have the power to modify that decision or to allocate an Athlete a new Sport Class and/or Sport Class Status.

50.2 The Appeal Body must issue a written reasoned decision within the timeframe set by the relevant International Federation after the hearing. The written decision must include the reasons for Appeal Body's decision, including the evidence relied on, and the actions that are required as a result. If the decision is set aside, the Appeal Body must specify the error(s) committed.

50.3 The decision must be provided to the appellant and the respondent. In the case of an Appeal in connection with a Competition, the outcome of the decision must also be communicated to the organising committee of the Competition.

50.4 The decision of the Appeal Body is final and not subject to any further appeal or challenge.

## **CHAPTER 4: INTENTIONAL MISREPRESENTATION**

### **51. Overview**

- 51.1 Intentional Misrepresentation presents a major threat to the integrity of Classification and Para sport. Intentional Misrepresentation occurs when an Athlete's skills and/or abilities, and/or the existence, nature, or degree of an Athlete's impairment, are intentionally misrepresented during or after Classification. Intentional Misrepresentation is a very serious offence; it is an attempt to deceive an International Federation and/or achieve an unfair advantage that undermines meaningful competition. Consequently, potential incidents of Intentional Misrepresentation must be investigated thoroughly, and if evidence indicates that Intentional Misrepresentation has occurred, disciplinary action must be taken.
- 51.2 Each International Federation must include in its classification rules procedures regarding the identification, investigation, and prosecution of alleged Intentional Misrepresentation violations that are at least equivalent to those in this Chapter 4.

### **52. Intentional Misrepresentation**

- 52.1 Conduct falling within the scope of Article 52.2 and/or Article 52.3 constitutes Intentional Misrepresentation.
- 52.2 Participants must not at any time, whether by act or omission, intentionally mislead or attempt to intentionally mislead an International Federation or any of its representatives (such as Classification Personnel or members of a Classification Panel) in relation to any aspect of Classification.

*[Comment to Article 52.2: For example, Intentional Misrepresentation would include: (a) submitting forged medical documentation attesting to the existence of an impairment that the Athlete does not have; (b) intentionally misleading the Eligibility Assessment Body or a Classification Panel during any aspect of Classification (including, for example, the Athlete failing to give their best efforts during an Evaluation Session); (c) disrupting an Evaluation Session, or refusing to cooperate with a Classification Panel during an Evaluation Session, with the intention of misleading the Classification Panel; and (d) failing to notify the relevant International Federation that there has been a change in the nature or degree of an Athlete's impairment that may necessitate a Medical Review. Further guidance on what conduct constitutes Intentional Misrepresentation can be found in the IPC guidance document].*

- 52.3 A Participant must not, whether by act or omission, assist, encourage, aid, abet, conspire, cover up, or engage in any other type of intentional complicity in respect of any violation or attempted violation of Article 52.2.
- 52.4 A Participant does not need to know that their conduct will constitute a violation of Article 52.2 or Article 52.3 for their conduct to be intentional.
- 52.5 For the avoidance of doubt, a Participant can commit an Intentional Misrepresentation violation irrespective of any designation, Sport Class, and/or Sport Class Status allocated to an Athlete.

### **53. Obligations to report and cooperate**

- 53.1 Each Participant, and each National Federation to which the Participant is affiliated, must:
- 53.1.1 report to the International Federation promptly, truthfully, completely, and in good faith any information they possess that a reasonable person would consider might evidence or otherwise reflect:
    - (a) any approach or invitation by any Participant (including themselves) to engage in conduct that might constitute Intentional Misrepresentation; and
    - (b) any incident, fact, or matter that might indicate potential Intentional Misrepresentation by any Participant (including themselves);
  - 53.1.2 cooperate promptly, truthfully, completely, and in good faith with all investigations carried out by the International Federation, including by answering any questions and providing access to any information, data, and/or documentation requested as part of that investigation;
  - 53.1.3 cooperate promptly, truthfully, completely, and in good faith with any proceedings brought by the International Federation against any Participant for Intentional Misrepresentation; and
  - 53.1.4 not do anything (by act or omission) that has the object or effect of obstructing, preventing, delaying, or otherwise interfering with or frustrating any such investigation or proceeding.
- 53.2 The International Federation must have disciplinary rules in place to sanction Participants who fail to comply with Article 53.1.

## 54. Investigations

- 54.1 Where there are reasonable grounds to suspect that a Participant might have committed an Intentional Misrepresentation violation, an International Federation must initiate an investigation. Grounds do not need to be given to a Participant for the initiation of an investigation and the decision to initiate an investigation may not be contested.
- 54.2 The objective for each investigation will be to gather information necessary to determine whether a Participant has a case to answer for an Intentional Misrepresentation violation. This will include gathering and recording all relevant information, developing that information into reliable and admissible evidence, and identifying and pursuing further lines of enquiry that might lead to the discovery of such evidence.
- 54.3 An International Federation must conduct each investigation fairly, objectively, and impartially. It must be open to and consider all possible outcomes at each key stage of the investigation and must seek to gather not only any available evidence of a violation but also any available evidence indicating that there is no case to answer.
- 54.4 An International Federation must notify the Participant of the investigation and give the Participant an opportunity to make a written submission as part of the investigation. The International Federation will decide when this notification should be made.
- 54.5 An International Federation may make requests of any Participant, and of any National Federation to which the Participant is affiliated, to assist an investigation by producing documents, information, and/or other material and/or by answering questions and providing information.
- 54.6 Where during the course of any investigation an International Federation identifies any additional Participants who might also have committed an Intentional Misrepresentation violation, the investigation may be expanded to cover such additional Participants or (alternatively) a separate investigation may be commenced.

## 55. Proceedings

- 55.1 If an International Federation determines that a Participant has a case to answer for an Intentional Misrepresentation violation, the International Federation may bring disciplinary proceedings against the Participant.
- 55.2 If an International Federation determines that a Participant has a case to answer for an Intentional Misrepresentation violation, but elects not to bring

disciplinary proceedings against the Participant, the International Federation must notify the IPC and provide the IPC with a written reasoned decision.

55.3 Disciplinary proceedings for an alleged Intentional Misrepresentation violation must be heard before the International Federation's designated First Instance Body. The International Federation's designated First Instance Body must be:

55.3.1 Operationally Independent from the International Federation; and

55.3.2 comprised of at least three members who (i) are not currently Classifiers for that International Federation, (ii) have the appropriate skills and experience to hear and determine the matter, and (iii) have not had any prior involvement with the matter or any facts arising in the proceedings, and whose impartiality and independence could not otherwise be reasonably questioned.

#### *Provisional Suspension*

55.4 If an International Federation brings disciplinary proceedings against the Participant for Intentional Misrepresentation, the International Federation may impose a provisional suspension.

55.4.1 Where the International Federation decides to impose a provisional suspension on a Participant, the International Federation must ensure that the Participant upon whom the provisional suspension has been imposed is promptly notified of (i) the reasons why the provisional suspension has been imposed, (ii) the scope of the provisional suspension, (iii) the terms and conditions of the provisional suspension, (iv) the date on which the provisional suspension will take effect (which may be immediate), and (iii) the Participant's right to apply to have the provisional suspension lifted.

55.4.2 A Participant who is subject to a provisional suspension may not, during the period of provisional suspension, participate in any capacity in any Competition, event, programme, or other activity organised, authorised, or recognised by the International Federation. Unless lifted, a provisional suspension will otherwise remain in force pending the final determination of the charge.

55.4.3 A Participant who receives notice of a provisional suspension may apply to the International Federation for the provisional suspension to be lifted on the basis that facts exist that make it clearly unfair, in all of the circumstances, to make the Participant serve a provisional suspension prior to the determination of the charge against the

Participant. The application to lift the provisional suspension will be heard by the International Federation's First Instance Body.

55.4.4 The provisional suspension may be lifted or limited if the Participant demonstrates to the satisfaction of the International Federation's First Instance Body that:

- (a) the facts alleged in support of the charge(s) do not give rise to a *prima facie* case;
- (b) the case against the Participant has no reasonable prospect of success, e.g., because of a material defect in the evidence on which the case is based;
- (c) there are no reasonable grounds to suspect that the Participant might have committed an Intentional Misrepresentation violation;
- (d) there is no real risk to public confidence in the integrity of the sport if the Participant is allowed to continue to participate in the sport pending the outcome of the investigation; or
- (e) other facts exist that make it clearly unfair, in all of the circumstances of the case, to make the Participant serve a provisional suspension prior to the completion of the investigation. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. The fact that the provisional suspension would prevent the Participant from participating in a particular Competition will not qualify as exceptional circumstances for these purposes.

55.4.5 If an International Federation imposes a provisional suspension, it must ensure that an expedited hearing can be held no later than 14 days after the date of imposition of the provisional suspension, in case the Participant requests such a hearing.

55.4.6 A Participant who is not provisionally suspended by the International Federation may at any time notify the International Federation that they will accept a voluntary provisional suspension pending conclusion of the International Federation's determination of the charge.

55.4.7 Any period of provisional suspension served (and respected in full) by a Participant must be credited against any final period of ineligibility imposed on the Participant.

### *Notice of Charge*

- 55.5 Where an International Federation brings disciplinary proceedings against the Participant, the International Federation must prepare and send a Notice of Charge to the Participant, which must contain (at a minimum) the following information:
- 55.5.1 the facts alleged in support of the charge and any other relevant information;
  - 55.5.2 where applicable, the details of any provisional suspension imposed on the Participant and the right of the Participant to challenge the same;
  - 55.5.3 the sanction(s) that the International Federation says should be imposed if the charge is upheld;
  - 55.5.4 the Participant's right:
    - (a) to admit the charge and to accept the sanctions specified in the Notice of Charge;
    - (b) to admit the charge but dispute (or seek to mitigate) the sanctions specified in the Notice of Charge, and to have the matter of sanctions determined by the International Federation's First Instance Body if it cannot be agreed between the parties; or
    - (c) to dispute the charge and to have the charge determined (along with any sanctions, where a charge is upheld) by the International Federation's First Instance Body; and
  - 55.5.5 the deadline for the Participant to provide a response to the charge (which must be no fewer than 14 days from the date of receipt of the Notice of Charge by the Participant).
- 55.6 Subsequent to sending a Notice of Charge to the Participant, an International Federation may adduce further facts and/or other relevant information in support of the charge, provided that the Participant is given a reasonable opportunity to respond to those facts/that information.



### *Resolution of charges without a hearing*

55.7 Where the Participant:

55.7.1 admits the charge and accepts the sanctions specified in the Notice of Charge (or accepts other sanctions proposed by the International Federation); or

55.7.2 fails to respond by the deadline specified in the Notice of Charge (which failure will be deemed to amount to (a) a waiver of the Participant's right to have the charge and/or sanctions determined by the International Federation's First Instance Body, (b) an admission of the charge, and (c) an acceptance of the sanctions specified in the Notice of Charge),

a hearing before the International Federation's First Instance Body will not be required and the International Federation may issue a public notice confirming that the Participant has committed an Intentional Misrepresentation violation and the sanctions imposed, and that notice will take effect as if it were a final decision of the International Federation's First Instance Body. Alternatively, where it sees fit, the International Federation may refer the matter to the International Federation's First Instance Body to determine the sanction(s) to be imposed.

55.8 At any time prior to a final decision by the International Federation's First Instance Body, the International Federation may decide to withdraw a Notice of Charge for good cause. The International Federation must inform the Participant, the National Federation to which the Participant is affiliated, and the IPC, of the withdrawal of the charge and the reasons for that withdrawal. The International Federation will not publish the decision.

### *Hearing*

55.9 If the Participant wishes to have a hearing to dispute the charge and/or the sanctions specified in the Notice of Charge, the Participant must provide a written request for a hearing to the International Federation that is received by the International Federation within 14 days of the Participant's receipt of the Notice of Charge (or such longer period as may be specified in the Notice of Charge or agreed by the International Federation). The request must explain how the Participant responds to the charge and set out (in summary form) the basis for such response.

55.10 Subject to Article 55.11 below, the International Federation's First Instance Body will hear and determine Intentional Misrepresentation cases involving

any Participant under its jurisdiction in accordance with that First Instance Body's procedural rules.

55.11 In the context of an alleged Intentional Misrepresentation violation, the procedural rules of the International Federation's First Instance Body must provide that:

55.11.1 no formal rules as to the admissibility of evidence will apply;

55.11.2 the International Federation's First Instance Body will have the power to call Classifiers as fact or expert witnesses;

55.11.3 the International Federation's First Instance Body will have the power to decide on the admissibility and relevance of and the weight to be given to any evidence (including the testimony of any fact or expert witness) and will not be bound by any judicial or evidential rules in relation to such matters;

55.11.4 facts may be established by any reliable means; and

55.11.5 the burden of proof will be on the party asserting the claim or fact in issue, and the standard of proof to be met will be the balance of probabilities.

## 56. Sanctions

56.1 Subject to Articles 56.2 to 56.4, a Participant who is found to have committed an Intentional Misrepresentation violation may be subject to one or more of the following sanctions:

### **Disqualification of results**

56.1.1 where the Intentional Misrepresentation was committed during Classification, disqualification of all results obtained by the Athlete in any Competition at the time of or subsequent to Classification, with all resulting consequences, including forfeiture of any related medals, titles, ranking points and/or prize money;

56.1.2 where the Intentional Misrepresentation was committed after the Athlete has been allocated a Sport Class, disqualification of all results obtained by the Athlete in any Competition after the date upon which the Intentional Misrepresentation occurred, with all resulting consequences, including forfeiture of any related medals, titles, ranking points and/or prize money;

## Removal of Sport Class

56.1.3 where the Athlete has been allocated a Sport Class, the Athlete must forfeit their Sport Class and will be designated "IM" in the Classification Master List for the relevant sport for the same period of time as the period of ineligibility imposed;

## Period of ineligibility

56.1.4 a period of ineligibility from participating in (i) Classification, and (ii) in any Competition, event, programme, or other activity organised, authorised, or recognised by the International Federation, which will be a minimum of one year up to a maximum of four years, depending on the seriousness of the violation. Factors to be taken into consideration in assessing the seriousness of the violation include whether the Participant is a Minor, the Participant's experience in relation to the Classification process, and whether the Participant was pressured to commit Intentional Misrepresentation by the National Federation to which they are affiliated or any other Person. The period of ineligibility will start on the date of the relevant decision or such other date as specified; and

## Other sanctions

56.1.5 such other sanctions as the International Federation's First Instance Body considers appropriate and proportionate in all the circumstances of the case.

## 56.2 Multiple violations:

56.2.1 The period of ineligibility that will be imposed on a Participant who is found to have committed an Intentional Misrepresentation violation:

- (a) for a second time, will be twice the period of ineligibility that would otherwise be applicable; and
- (b) for a third or subsequent time, will be a lifetime period of ineligibility.

56.3 Where a Participant voluntarily admits the commission of an Intentional Misrepresentation violation before being notified by the International Federation of its investigation into that Participant, and that admission is the only reliable evidence of the violation at the time of admission, the period of ineligibility may be reduced, but not below one half of the period of ineligibility otherwise applicable.

*[Comment to Article 56.3: This Article is intended to apply where a Participant comes forward and admits to an Intentional Misrepresentation violation in circumstances where the International Federation is not aware that an Intentional Misrepresentation violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Participant believes they are about to be caught. The amount by which the period of ineligibility is reduced should be based on the likelihood that the Participant would have been caught had they not come forward voluntarily.]*

- 56.4 Where a Participant voluntarily admits the commission of an Intentional Misrepresentation violation within a reasonable period of time after being notified by the International Federation of its investigation into that Participant, the period of ineligibility may be reduced, but not below three quarters of the period of ineligibility otherwise applicable.
- 56.5 A part of the period of ineligibility imposed on a Participant who is found to have committed an Intentional Misrepresentation violation may be suspended, at the discretion of the International Federation, where the Participant has provided Substantial Assistance to the International Federation which results in the International Federation discovering or bringing forward an Intentional Misrepresentation violation by another Participant.
- 56.5.1 For purposes of Article 56.5, a Participant providing '**Substantial Assistance**' must: (i) fully disclose in a signed written statement or recorded interview all information they possess in relation to an Intentional Misrepresentation violation, and (ii) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an International Federation or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding that is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.
- 56.5.2 The extent to which the otherwise applicable period of ineligibility may be suspended will be based on the seriousness of the Intentional Misrepresentation violation committed by the Participant and the significance of the Substantial Assistance provided by the Participant to the effort to combat Intentional Misrepresentation within Para sport. No more than three-quarters of the otherwise applicable period of ineligibility may be suspended. If the otherwise applicable period of ineligibility is a lifetime, the non-suspended period of ineligibility under this Article must be no less than eight years.

- 56.5.3 If so requested by a Participant who seeks to provide Substantial Assistance, the International Federation must allow the Participant to provide the information to it subject to a “without prejudice” agreement. If the Participant fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of a period of ineligibility was based, the International Federation must reinstate the original period of ineligibility.
- 56.5.4 If the International Federation decides to reinstate a suspended period of ineligibility, that decision may be appealed by the Participant.
- 56.6 Any consequences to be applied to teams and/or National Federations in relation to a Participant’s Intentional Misrepresentation violation will be at the discretion of the International Federation.
- 56.7 Any consequences to be applied to a National Federation to which a Participant who is found to have committed an Intentional Misrepresentation violation is affiliated will be at the discretion of the International Federation.
- 56.8 Where an International Federation brings disciplinary proceedings against a Participant for an Intentional Misrepresentation violation that results in a period of ineligibility being imposed, that period of ineligibility must be recognised, respected, and enforced by all IPC Members and RIFs.
- 57. Decisions**
- 57.1 The International Federation’s First Instance Body must notify its decision to the parties in a written reasoned decision, in accordance with their respective procedural rules.
- 57.2 The International Federation may disclose and circulate the decision to the extent permitted under the procedural rules of the International Federation’s First Instance Body.
- 58. Appeals**
- 58.1 The International Federation and the Participant each have the right to appeal decisions of the First Instance Body to an independent body.
- 58.2 The independent body to which decisions of the International Federation’s First Instance Body are appealed pursuant to Article 58.1 must be:
- 58.2.1 Operationally Independent from the International Federation;

- 58.2.2 comprised of at least three members who (i) are not Classifiers, (ii) have the appropriate skills and experience to objectively hear the matter, and (iii) have not had any prior involvement with the matter or any facts arising in the proceedings, and whose impartiality or independence could not otherwise be reasonably questioned; and
- 58.2.3 comprised of members who are not members of the International Federation's First Instance Body.



## **CHAPTER 5: COMPLIANCE**

### **59. Intelligence gathering and investigations**

- 59.1 Each International Federation must have policies and procedures in place to ensure that Classification Intelligence captured or received is handled securely and confidentially, taking into account the nature of the source and the circumstances in which the intelligence has been received, and that the sources of intelligence are protected.
- 59.2 Classification Intelligence must be dealt with in accordance with the International Standard for Classification Data Protection.

### **60. Monitoring Compliance with the Classification Code**

#### **60.1 IPC Members:**

- 60.1.1 Pursuant to Article 13.1.6 of the Constitution, each IPC Member must be in compliance with the Classification Code and the International Standards.
- 60.1.2 The IPC will monitor the Compliance of IPC Members. To facilitate such monitoring, each IPC Member must, at the request of the IPC, report on its Compliance and explain the reasons for any non-Compliance.
- 60.1.3 The IPC will consider any such explanation for non-Compliance and, in extraordinary circumstances, may grant the IPC Member a temporary extension to seek to remedy the non-Compliance. In such circumstances, the non-Compliant IPC Member must submit an action plan to the IPC detailing the specific steps to be taken, and the timeframe within which those steps will be taken, to achieve Compliance. This action plan will be subject to the approval of the Governing Board.
- 60.1.4 The Governing Board may impose sanctions on IPC Members for non-Compliance with the Classification Code and/or the International Standards pursuant to Article 15 of the Constitution.
- 60.1.5 The decision to sanction an IPC Member may be challenged by that IPC Member exclusively by appeal to the Appeals Tribunal pursuant to Article 18.2 of the Constitution.

60.2 RIFs:

60.2.1 Pursuant to Articles 2.4.5 and 4.1.3 of the RIF Regulations, each RIF undertakes to comply with the Classification Code and the International Standards.

60.2.2 The IPC may monitor the Compliance of RIFs on an ad hoc basis but is under no obligation to do so. To facilitate any such monitoring, each RIF must, at the request of the IPC, report on its Compliance and provide reasons for any non-Compliance.

60.2.3 Pursuant to Article 20.2 of the Constitution, the Governing Board has absolute discretion to remove RIF status at any time with or without reasons.

60.3 The IPC may issue regulations or guidelines from time to time to facilitate Compliance monitoring.



## **CHAPTER 6: GOVERNANCE – ROLES AND RESPONSIBILITIES**

### **61. Overview**

61.1 The roles and responsibilities listed in this Chapter 6 apply in addition to any specific obligations imposed in the Classification Code and the International Standards.

### **62. IPC**

62.1 The roles and responsibilities of the IPC include to:

62.1.1 develop, maintain, and monitor the implementation of the Classification Code and the International Standards;

62.1.2 develop and publish guidelines and Models of Best Practice;

62.1.3 require, as a condition of membership, that all IPC Members are in Compliance with the Classification Code and the International Standards;

62.1.4 monitor IPC Member Compliance with the Classification Code and the International Standards; and

62.1.5 take appropriate action to ensure IPC Members comply with the Classification Code and the International Standards.

### **63. International Federations**

63.1 The roles and responsibilities of International Federations include to:

63.1.1 develop, implement, and regularly review and publish classification rules in Compliance with the Classification Code and the International Standards;

63.1.2 develop and implement a policy for its members to comply with the Classification Code and the International Standards (to the extent applicable) and establish procedures to address non-Compliance;

63.1.3 develop and deliver (with the involvement of Athletes) Classification education and awareness programmes for Athletes and Athlete Support Personnel, which must, at a minimum, explain the International Federation's classification rules and explain that those rules must comply with the Classification Code and the International Standards;

- 63.1.4 initiate and/or review Classification Research; and
- 63.1.5 develop, implement, and maintain a clear Classifier recruitment, training, and development pathway.

## **64. NPCs**

64.1 The roles and responsibilities of NPCs include to:

- 64.1.1 ensure that national classification rules conform with the Classification Code and the International Standards (to the extent applicable); and
- 64.1.2 promote the development of a national Classification strategy.

## **65. Classification Personnel**

- 65.1 An International Federation must appoint a number of Classification Personnel, each of whom will have a key role in the organisation, implementation and administration of Classification for the International Federation, in accordance with the International Standard for Classifier Personnel and Training.
- 65.2 International Federations must have within their classification rules (and/or other relevant rules) a clear set of professional conduct standards which all Classification Personnel must comply with. These standards are referred to as a 'Classifier Code of Conduct' in accordance with the International Standard for Classifier Personnel and Training.
- 65.3 International Federations must have within their classification rules (and/or other relevant rules) procedures for reporting and investigating complaints of non-compliance with the Classifier Code of Conduct and procedures for taking disciplinary measures against Classification Personnel in respect of any violation of the Classifier Code of Conduct.

## **66. Athletes and Athlete Support Personnel**

66.1 The roles and responsibilities of Athletes include to:

- 66.1.1 be knowledgeable of and comply with all applicable regulations, policies, rules, and processes adopted pursuant to the Classification Code;
- 66.1.2 participate in, and cooperate fully, honestly, and in good faith with any Classification process and/or related procedure;

- 66.1.3 ensure that adequate, accurate, and complete information (including diagnostic evidence) relating to their Underlying Health Condition and Eligible Impairment is made available to the International Federation, and that the International Federation is informed of any changes to that information;
  - 66.1.4 cooperate fully, honestly, and in good faith with any investigations concerning violations of the Classification Code and/or the International Standards;
  - 66.1.5 participate in Classification education and research; and
  - 66.1.6 provide information upon request that will assist the International Federation in the development, management, and implementation of Classification systems.
- 66.2 The roles and responsibilities of Athlete Support Personnel include to:
- 66.2.1 be knowledgeable of and comply with all applicable regulations, policies, rules, and processes adopted pursuant to the Classification Code;
  - 66.2.2 use their influence on Athlete values and behaviour to foster a positive and collaborative attitude regarding the Classification process and those involved in the Classification of Athletes (e.g. Classifiers);
  - 66.2.3 cooperate fully, honestly, and in good faith with any investigations concerning violations of the Classification Code and/or the International Standards; and
  - 66.2.4 provide information upon request that will assist the International Federation in the development, management, and implementation of Classification systems.

## **67. Other Participants**

- 67.1 The roles and responsibilities of other Participants include to:
- 67.1.1 be knowledgeable of and comply with all applicable regulations, policies, rules, and processes adopted pursuant to the Classification Code; and
  - 67.1.2 cooperate fully, honestly, and in good faith with any investigations concerning violations of the Classification Code and/or the International Standards.

## **CHAPTER 7: CLASSIFICATION SYSTEM CHANGES, DATA, AND RESEARCH**

### **68. Changes to Classification systems**

68.1 Before making any substantive changes to their classification systems or any other change(s) that might have an impact on Classification, International Federations must:

68.1.1 consider the Paralympic Games cycle, their sport's quadrennial competition cycle, and the qualification periods for the Paralympic Games and their sport's quadrennial competition, including in particular what impact any changes will have on Athletes, National Federations, and NPCs;

68.1.2 provide National Federations with:

(a) appropriate notice of the anticipated changes, along with a rationale for the changes, the proposed timelines for implementation, and any transitional rules, as applicable;

(b) an opportunity to submit feedback and comments on any substantive changes before they are adopted.

68.1.3 provide the IPC with:

(a) appropriate notice of the anticipated changes, along with a rationale for the changes, the proposed timelines for implementation, and any transitional rules, as applicable, and an overview of the consultation undertaken as part of the review process;

(b) an opportunity to submit feedback and comments on any substantive changes before they are adopted.

68.2 Where a National Federation is notified by an International Federation of anticipated changes pursuant to Article 68.1.2, the National Federation must ensure that Athletes under its jurisdiction are (i) notified about such changes, and (ii) invited to provide feedback about such changes. Where a National Federation is then notified by an International Federation that such changes will be implemented, the National Federation must ensure that Athletes under its jurisdiction are notified about such changes.

68.3 International Federations may change the assessment methodology and/or assessment criteria used for allocating Sport Classes. International Federations must specify in their classification rules that this is the case. If an

International Federation changes the assessment methodology and/or assessment criteria used to allocate Sport Classes, it must reallocate Sport Class Statuses in accordance with Article 38.1.3.

## **69. Data storage and data protection**

69.1 Each International Federation must ensure that processes and procedures are in place whereby Athlete data is stored and protected. These processes and procedures must comply with the International Standard for Classification Data Protection.

## **70. Classification Research**

70.1 International Federations must develop sports-specific Classification systems through multidisciplinary Classification Research. Such research must be evidence-informed and focus on the relationship between impairment and key performance determinants. Athlete input must be solicited to assist in research and improvement in Classification systems.

70.2 Classification Research must comply with internationally recognised ethical standards and research practices.

*[Comment to Article 70.2: Classification Research should also be informed by the conceptual framework for Classification Research as presented in David L. Mann, Sean M. Tweedy, Robin C. Jackson & Yves C. Vanlandewijck (2021), Classifying the evidence for evidence-based classification in Paralympic sport, Journal of Sports Sciences, 39:sup1, 1-6].*

## **CHAPTER 8: IMPLEMENTATION AND INTERPRETATION**

### **71. Implementation of the Classification Code**

- 71.1 This Classification Code takes effect in full as of \_\_\_\_\_ (Effective Date).
- 71.2 Each International Federation must adopt classification rules that comply with this Classification Code by no later than \_\_\_\_\_, to take effect on \_\_\_\_\_, and that have been reviewed and approved by the IPC. International Federations must implement any subsequent applicable amendment(s) to the Classification Code within one year of approval by the General Assembly, unless specified otherwise by the General Assembly.
- 71.3 International Federations must implement applicable Classification Code provisions through policies, statutes, rules, or regulations according to their authority and within their relevant spheres of responsibility.
- 71.4 In implementing the Classification Code, International Federations are encouraged to use the Models of Best Practice recommended by the IPC.

### **72. Modifications to the Classification Code**

- 72.1 The Governing Board is responsible for overseeing the evolution and improvement of the Classification Code. Athletes, IPC Members, and other stakeholders will be invited to participate in such process.
- 72.2 The Governing Board will initiate proposed amendments to the Classification Code and ensure a consultative process to both receive and respond to recommendations and to facilitate review and feedback from Athletes, IPC Members, and other stakeholders on proposed amendments.
- 72.3 Amendments to the Classification Code must, after appropriate consultation, be approved by the General Assembly. Unless provided otherwise, amendments will take effect three months after such approval.

### **73. Modifications to the International Standards**

- 73.1 The Governing Board is responsible for approving any amendments to the International Standards. The International Standards any amendments thereto will be published on the IPC website and will take effect on the date specified in the International Standard.

## **74. Supplementary regulations**

74.1 The IPC may issue supplementary regulations applicable during the Paralympic Games and any other competition organised by or on behalf of the IPC to supplement the Classification Code.

## **75. Interpretation**

75.1 The official text of the Classification Code and International Standards will be maintained by the IPC and published in English.

75.2 The comments annotating various provisions of the Classification Code and the International Standards must be used to interpret the Classification Code and the International Standards.

75.3 The Classification Code must be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of IPC Members, RIFs, or governments.

75.4 Defined terms (denoted by initial capital letters) in the Classification Code have the meaning given to them in Appendix 1. The rules of interpretation set out in Appendix 1 to the Constitution apply to the Classification Code and the International Standards.

75.5 A reference to 'sport' in the Classification Code or International Standards refers to both the sport and any individual discipline within the sport.

75.6 This Classification Code does not apply retrospectively to matters pending before the Effective Date.

## **76. Transitional provisions**

76.1 [Under consideration]

## APPENDIX 1: DEFINITIONS

Terms used in the Classification Code that begin with capital letters have the meanings set out below. Defined terms from the Constitution are shown in underline. In the event of any inconsistency between a definition below and a definition in the Constitution, the version in the Constitution will prevail.

**Adaptive Equipment** means any implements, apparatus, and/or technical aids adapted to the special needs of Athletes that are used by Athletes during competition.

**Appeal** has the meaning given to that term in Article 39.1.2.

**Appeal Body** means a body designated by an International Federation for hearing and determining Appeals.

**Appeals Tribunal** means the tribunal described in Article 66 of the Constitution.

**Assessment Body** means a body formed to assess whether or not an Athlete has an Underlying Health Condition.

**Ataxia** has the meaning given to that term in Article 8.1.5(b).

**Athlete** means any athlete competing, or seeking to compete (i.e. where the athlete has not yet undergone Classification), in an International Competition.

**Athlete Support Person** means any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent, or any other person working with, treating, and/or assisting an Athlete.

**Athletes' Council** means the body described in Part IX of the Constitution.

**BAC** means the Board of Appeal of Classification, defined below.

**Board of Appeal of Classification** means the body described in Article 67 of the Constitution.

**CEO** means the Chief Executive Officer of the IPC appointed in accordance with Article 41.1.20 of the Constitution, with the responsibilities set out in Article 48 of the Constitution.

**Chief Classifier** means a Classifier appointed by an International Federation to direct, administer, co-ordinate, and implement Classification matters for a specific Competition according to classification rules of that International Federation.

**Classification** means the determination of which Athletes are eligible to compete in International Competitions and the grouping of eligible Athletes into Sport



Classes with the aim of minimising the impact of impairment so that the outcome is determined by sporting ability and performance, based on the assessments and evaluations set out in Part IV of Chapter 2.

**Classification Intelligence** means information obtained and used by an International Federation in relation to Classification.

**Classification Master List** has the meaning given to that term in Article 35.1.

**Classification Panel** means a number of Classifiers, appointed by an International Federation, to conduct Evaluation Sessions and determine Sport Class and Sport Class Status in accordance with the classification rules of that International Federation.

**Classification Personnel** means Persons, including Classifiers, acting with the authority of a Classification organisation in relation to Classification, for example administrative officers.

**Classification Research** means any systematic scientific evaluation, analysis, or investigation, which aims to enhance or understand Para sport classification systems.

**Classifier Code of Conduct** means the behavioural and ethical standards for Classifiers specified by an International Federation.

**Classifier** means a person authorised as an official and certified by an International Federation to evaluate Athletes as a member of a Classification Panel.

**Competition** means a series of individual events conducted together under one ruling body.

**Compliance** means the implementation of rules, regulations, policies, and processes that adhere to the text, spirit, and intent of the Classification Code and International Standards. Where terms such as 'comply', 'conform' and 'in accordance' are used in the Classification Code they will have the same meaning as 'Compliance.'

**Coordination Impairment** has the meaning given to that term in Article 8.1.5.

**Country** means a self-governing geographical area of the world recognised as an independent state by international law and international governmental bodies.

**Diagnostic Information** means medical records and/or any other documentation that enables the International Federation to assess the

existence or otherwise of an Eligible Impairment or Underlying Health Condition.

**Dyskinesia** has the meaning given to that term in Article 8.1.5(c).

**Effective Date** has the meaning given to that term in Article 71.1.

**Eligible Impairment** means the impairments listed in Article 8.

**Eligible Impairment Assessment** means the assessment described in Article 5.1.

**Evaluation Session** means the evaluation described in Article 5.1.

**First Appearance** has the meaning given to that term in Article 24.4.2.

**First Instance Body** means a disciplinary body designated by an International Federation to hear and determine cases of alleged Intentional Misrepresentation.

**General Assembly** has the meaning given to that term in Article 30.1 of the Constitution: 'The General Assembly is the general meeting of the IPC Members, represented by their respective delegates'.

**Governing Board** means the body described in Part VI of the Constitution.

**Fixed Review Date** has the meaning given to that term in Article 25.3.4.

**Head of Classification** means a person appointed by an International Federation to direct, administer, co-ordinate, and implement Classification matters for that International Federation.

**Health Condition** means a disease (acute or chronic), disorder, injury, or trauma.

**Hypertonia/Spasticity** has the meaning given to that term in Article 8.1.5(a).

**Impaired Muscle Power** has the meaning given to that term in Article 8.1.1.

**Impaired Passive Range of Movement** has the meaning given to that term in Article 8.1.2.

**In-Competition** means the period commencing from the day on which the International Federation offers Classification opportunities in relation to a Competition in which the Athlete is scheduled to compete through to the day such Competition ends.

**Intellectual Impairment** has the meaning given to that term in Article 8.1.7.

**Intentional Misrepresentation** has the meaning given to that term in Article 52.

**International Competition** means the Paralympic Games, the World Games, the Commonwealth Games, and any other Competition authorised, organised, or recognised by or on behalf of the IPC, an International Federation, or an International Organisation of Sport for the Disabled.

**International Federation** has the meaning given to that term in Article 10.1.2 of the Constitution: 'an international sport federation recognised by the IPC as the sole worldwide representative of a specific Para sport'.

**International Organisation of Sport for the Disabled** has the meaning given to that term in Article 10.1.3 of the Constitution: 'an international organisation recognised by the IPC as the sole worldwide representative of a specific disability group'.

**International Federation Protest** means a Protest made pursuant to Article 43.

**International Standard** means a standard adopted by the IPC to supplement the Classification Code, as amended from time to time.

**IPC** means the International Paralympic Committee e.V.

**Limb Deficiency or Limb Length Difference** has the meaning given to that term in Article 8.1.3.

**Management Team** means any person who is employed as a staff member by the IPC to undertake work for it or on its behalf under the direction of the CEO.

**Medical Review** has the meaning given to that term in Article 37.

**Minimum Impairment Criteria** means the minimum level of impairment required for a particular Eligible Impairment to participate in a sport.

**Models of Best Practice** means a guidance document prepared by the IPC to assist in the implementation of the Classification Code and the International Standards.

**National Federation** means (i) a national member of an International Federation (excluding where the IPC is acting in its capacity as an International Federation), and (ii) NPCs when acting in their role as a national federation.

**National Federation Protest** means a Protest made pursuant to Article 42.

**National Representative** means any person who is an office-holder or member of staff of, or who otherwise represents and/or works on behalf of a National Federation or NPC.

**Next Available Opportunity** has the meaning given to that term in Article 25.3.3.

**Non-Eligible Impairment** has the meaning given to that term in Article 9.

**National Paralympic Committee (NPC)** has the meaning given to that term in Article 10.1.1 of the Constitution: 'a national organisation recognised by the IPC as the sole representative of the Paralympic Movement in the NPC's Country or Territory'.

**NPC** means a National Paralympic Committee, defined above.

**Observation Assessment** means the observation of an Athlete in Competition by a Classification Panel so that the Classification Panel can complete its determination regarding the extent to which an Athlete is able to execute the specific tasks and activities fundamental to the sport.

**Operational Independence (or Operationally Independent)** means that (a) board members, staff members, commission members, consultants and officials of the International Federation, as well as any Person involved in the investigation and pre-adjudication of the matter, cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of the relevant body, and (b) the relevant body must be in a position to conduct the hearing and decision-making process without interference from the International Federation or any third party. The objective is to ensure that members of the relevant body, or individuals otherwise involved in the decision of the relevant body, are not involved in the investigation of, or decisions to proceed with, the case.

**Out-of-Competition** means any period that is not In-Competition.

**Para athlete** means any athlete competing in a Para sport

**Para sport** means any sport in which persons with a disability participate in accordance with classification rules that are compliant with the IPC Classification Code and the related International Standards.

**Paralympic Games** means the major international event owned and sanctioned by the IPC comprising summer and winter editions usually held in alternating biennial cycles where Para athletes compete in Para sports that are on the Paralympic Games Sport Programme.

**Paralympic Games Sport Programme** means the Para sports on the programme for the Paralympic Games.

**Paralympic Movement** has the meaning given to that term in Article 2.1 of the Constitution: 'The Paralympic Movement comprises the IPC, the IPC Members, the Recognised International Federations, and any other Persons that participate in

Para sport or are involved in the promotion, organisation, and/or delivery of Para sport'.

**Participant** has the meaning given to that term in Article 4.3.

**Permanent** means a Health Condition that is unlikely to be resolved, meaning that the principal effects are lifelong.

**Person** means natural persons, corporate bodies, and unincorporated bodies (whether or not having separate legal personality), and also includes the legal personal representatives, successors and permitted assigns of such person, as the context so requires. For the avoidance of doubt, the term Person does not include the IPC.

**Physical Impairment** means the Eligible Impairments listed in Articles 8.1.1 to 8.1.5.

**Progressive** means an impairment that is deteriorating.

**Protest** has the meaning given to that term in Article 39.1.1.

**Protest Fee** means the fee prescribed by an International Federation, payable by a National Federation when submitting a Protest.

**Protest Form** means the form on which a National Federation Protest must be submitted.

**Protest Panel** means a Classification Panel appointed by the Chief Classifier to conduct an Evaluation Session as a result of a Protest.

**Protested Athlete** means an Athlete whose Sport Class is being challenged.

**Protested Decision** means the Sport Class decision being challenged.

**Recognised International Federation (RIF)** has the meaning given to that term in Article 20.1 of the Constitution: 'The IPC recognises the importance of creating a Paralympic family network of recognised international federations that are not eligible to become IPC Members but contribute to the development of the Paralympic Movement. Accordingly, the Governing Board may, in its absolute discretion, grant the status of 'Recognised International Federation' (RIF) to an international federation that is not part of the Paralympic Games Sport Programme and so is not eligible to become an IPC Member as an International Federation, but still contributes to the development of the Paralympic Movement. For the avoidance of doubt, RIFs are not IPC Members'.

**RIF** means a Recognised International Federation, defined above.

**Short Stature** has the meaning given to that term in Article 8.1.4.

**Sport Class** means a category for competition defined by each International Federation in their classification rules, in which Athletes are categorised by reference to the extent to which an Athlete's Eligible Impairment impacts their ability to execute specific tasks and activities fundamental to the sport.

**Sport Class Status** means a status applied to a Sport Class to indicate whether and when an Athlete may be required to undergo an Evaluation Session in the future.

**Stable** means that an impairment will not change for a defined period of no less than the duration of the Competition. Minor fluctuations in the impairment are acceptable except where they would change the assessment of whether or not the Athlete has an Eligible Impairment that meets the applicable Minimum Impairment Criteria.

**Substantial Assistance** has the meaning given to that term in Article 56.5.1.

**Team Sport** means a sport in which the substitution of players is permitted during a competition.

**Territory** means a geographical territory or region that is not recognised as an independent state by international law and international governmental bodies but that has certain aspects of self-government, at least to the extent of being autonomous in the control of sport in its territory or region, and which is recognised as such by the IPC.

**Underlying Health Condition** means a Permanent Health Condition that may lead to an Eligible Impairment catered for by the sport.

**Underlying Health Condition Assessment** means the assessment described in Article 5.1.

**Vision Impairment** has the meaning given to that term in Article 8.1.6.

## APPENDIX 2: CLASSIFICATION FLOWCHART

[To be inserted]

