



## **ELIGIBILITY RULES**

*(Approved by Council on 13 July 2022 and effective from 15 August 2022)*



## Specific Definitions

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

**“Chief Executive Officer (or their nominee)”** means the chief executive officer of World Athletics or a nominee appointed by them.

**"Citizenship"** means legal citizenship of a Country, or in the case of a Territory, legal citizenship of the Territory's parent Country and appropriate legal status in the Territory under applicable laws.

**"Competition Rules"** means the World Athletics Competition Rules as amended from time to time.

**“Country”** has the meaning defined in the Generally Applicable Definitions.

**"Eligibility Rules"** means these World Athletics Eligibility Rules as amended from time to time.

**“Mechanical Aid”** has the meaning defined in the Mechanical Aids Regulations.

**“National Representative Competitions"** means the International Competitions listed in paragraph 1.1 of the International Competition definition that are contested by teams of Athletes who are entered by Members to represent their respective Countries or Territories, whether at senior level or at U20 or U18 or any other age group level.

**“Nationality Review Panel”** means the Panel established by the Council from time to time pursuant to the Regulations on Eligibility to Represent a Member in National Representative Competitions.

**"Neutral Athletes"** means as specified in Rule 3.1.2 of these Eligibility Rules, an Athlete who is granted special eligibility by the Council to compete in one or more International Competitions in an individual capacity and who satisfies at all relevant times any conditions to such eligibility specified by the Council. All provisions in the Rules and Regulations that are applicable to Athletes shall apply equally to Neutral Athletes, unless expressly stated otherwise; and any coach, trainer, manager, Athlete Representative, agent, team staff, official, medical or para-medical personnel, parent or any other Person employed by or working with a Neutral Athlete participating in an International Competition shall be an Athlete Support Personnel for purposes of these Rules.

**"Other Relevant Competition"** means any competition that is not a National Representative Competition but that is contested by teams of Athletes who are entered by bodies authorised to submit entries to that competition to represent a Country or Territory, whether at senior level or at U20 or U18 or any other age group level. Examples include the Olympic Games, the Youth Olympic Games, and the Commonwealth Games.

**"Residence"** means the place or location in which the Athlete is registered with the relevant authorities as having their primary and permanent home and/or where they ordinarily live for at least 75% of the time, excluding trips away to train or compete; and the word ‘Reside’ is to be interpreted accordingly;

**“Territory”** has the meaning defined in the Generally Applicable Definitions.



## 1. Definition of Eligible Athlete

An Athlete is eligible to compete provided they agree to abide by the Rules and Regulations and have not been declared ineligible.

## 2. Payments to Athletes

Athletics is an open sport and subject to the Rules and Regulations, Athletes may be paid in cash or in kind in any way appropriate for appearing, participating or performing in any athletics competition or engaging in any other commercial activity related to their participation in Athletics.

## 3. Restriction of Competition to Eligible Athletes

### 3.1 Competition under the Rules is restricted to:

3.1.1 Athletes who are under the jurisdiction of a Member and who are eligible to compete under the Rules; and

3.1.2 Neutral Athletes who satisfy the conditions of eligibility specified by the Council, including signing agreements on terms acceptable to World Athletics, in which they agree (among other things) to be bound by the Rules and Regulations (as amended from time to time) and to submit all disputes they may have with World Athletics or a Member to arbitration only in accordance with these Rules, accepting not to refer any such disputes to any Court or authority which is not provided for in these Rules.

3.2 The eligibility of an Athlete competing under these Rules must at all times be guaranteed by the Member to which the Athlete is affiliated. The burden of proving that an Athlete is eligible in accordance with this Rule rests with the Member and the Athlete concerned. The Member must provide World Athletics or the Area Association (as applicable) upon demand with valid, authentic, accurate and complete documentation demonstrating the Athlete's eligibility and such other evidence as may be necessary to prove the Athlete's eligibility on a definitive basis in any squad or team nominated or entered by the Member in a National Representative Competition or Other Relevant Competition. If required by World Athletics or the Area Association (as applicable), a Member shall provide a copy (certified by a public notary or other similar officer or witness) of all documentation on which it seeks to rely in demonstrating the Athlete's eligibility under this Rule.

3.3 Rule 3.2 does not apply to Neutral Athletes.

3.4 An Athlete shall only be eligible to compete in an age group competition as described in Rule 3 of the Technical Rules if they are within the age range specified in the relevant age group classification. In addition to the requirements set out at Rule 3.2 above, an Athlete must provide proof of their age through presentation of a valid passport or other form of evidence as permitted by the applicable regulations for the competition in which they want to compete. An Athlete who fails or refuses to provide the requisite proof shall not be eligible to compete.

3.5 An Athlete shall be eligible to compete in men's (or universal) competition if they either were born and, throughout their life, have always been recognised as a male or comply with the applicable provisions relating to male Transgender Athletes of the Eligibility Regulations Transgender Athletes and are eligible to compete under the Rules and Regulations.

- 3.6 An Athlete shall be eligible to compete in women's (or universal) competition if they either were born and, throughout their life, have always been recognised as female or comply with the applicable provisions relating to female Transgender Athletes under the Eligibility Regulations Transgender Athletes and are eligible to compete under the Rules and Regulations.
- 3.7 An Athlete who has differences of sex development shall be eligible to compete in women's competition if they comply with the applicable provisions of the Eligibility Regulations for the Female Classification.
- 3.8 An Athlete wishing to compete using a Mechanical Aid shall be eligible to compete in competitions if they comply with the Mechanical Aids Regulations.

#### **4. Eligibility to Represent a Member Federation**

- 4.1 In National Representative Competitions, Members shall be represented only by Athletes who comply with the eligibility requirements of these Eligibility Rules.
- 4.2 An Athlete who has never been entered to compete or competed on behalf of a Country or Territory in a National Representative Competition or in any Other Relevant Competition shall be eligible to represent a Member in a National Representative Competition if they are a Citizen of the Country or Territory that the Member represents by virtue of:
- 4.2.1 having been born, or having a parent or grandparent who was born, in the Country or Territory (as applicable); or
  - 4.2.2 having Resided in the Country or Territory (as applicable) for at least three years; or
  - 4.2.3 they have been granted refugee status or asylum status and permission to Reside in the Country of the Member (or in the parent Country of the Territory of the Member, where applicable); or
  - 4.2.4 marriage, or Residence for a period less than three years, or any other means of naturalisation not otherwise set out in Rule 4.2, but only in these specific circumstances if the approval of World Athletics is granted, which approval shall be conditional upon:
    - a. the Athlete observing a waiting period of three years from the date that the application for approval is made to World Athletics (during which period the Athlete must not represent any Member in National Representative Competition or compete in any Other Relevant Competition); and
    - b. the Athlete demonstrating that they have a genuine, close, credible and established link to that Country or Territory (as applicable) and/or will have such a link by the end of the waiting period;
    - c. such other conditions to be met by the Athlete and/or Member as World Athletics reasonably believes appropriate in the circumstances. Where World Athletics sets a condition as part of its approval it shall state whether that condition is to be met by the end of the waiting period or a specific date.

For the avoidance of doubt, any conditions set under this Rule 4.2.4 can be overridden and World Athletics can, in its sole discretion, refuse to give its approval if World Athletics reasonably believes that the Council imperatives, set out, in Regulation 1.2 of the Transfer of Allegiance Regulations, are being impinged or compromised.

- 4.3 If an Athlete is eligible to represent more than one Member under Rules 4.2.1 to 4.2.3, they may choose which Member to represent, by representing that Member in a National Representative Competition or by competing on behalf of the Country or Territory of that Member in the Athletics programme of any Other Relevant Competition. In accordance with Rule 3.2, a Member may, at any time, be requested to provide assistance, co-operate with, respond to any questions or queries and/or provide any further information or documentation to World Athletics or the Athletics Integrity Unit to establish or prove the Athlete's eligibility under Rules 4.2.1 to 4.2.3.
- 4.4 An Athlete who has been entered to compete or competed on behalf of the Country or Territory of a Member in a National Representative Competition or in any Other Relevant Competition ("**the First Member**") shall not be eligible to represent another Member in a National Representative Competition ("**the Second Member**"), except as follows:
- 4.4.1 in the following circumstances:
- a. if the Country or Territory (as applicable) of the First Member is subsequently incorporated in another Country that is or subsequently becomes a new Member, they may represent the new Member with immediate effect; or
  - b. if the Country or Territory (as applicable) of the first Member ceases to exist and the Athlete becomes a Citizen as of right of a newly formed Country ratified by treaty or otherwise recognised at international level that subsequently becomes a new Member, they may represent the new Member with immediate effect; or
  - c. if the Territory of a Member does not have a National Olympic Committee or other relevant body authorised to enter teams in Other Relevant Competitions, the Athlete may compete for the Territory's parent Country in Other Relevant Competitions without affecting their eligibility to compete for the Member representing that Territory in National Representative Competitions;
- 4.4.2 alternatively, an Athlete may represent a Second Member with the approval of World Athletics in accordance with the Transfer of Allegiance Regulations, which approval shall be conditional upon:
- a. the Athlete observing a waiting period of three years from the date that the application for approval is made to World Athletics (during which period the Athlete must not represent any other Member in National Representative Competition or compete in any Other Relevant Competition); and
  - b. the Athlete demonstrating that as at the end of the waiting period:
    - i. they are or will be aged twenty or over; and

ii. they are or will be a Citizen of the Country or of the parent Country of the Territory which the Member represents; and

iii. they have or will have a genuine, close, credible and established link to that Country or Territory (e.g., through Residence there);

c. such other conditions to be met by the Athlete and/or Member as World Athletics reasonably believes appropriate in the circumstances. Where World Athletics sets a condition as part of its approval it shall state whether that condition is to be met by the end of the waiting period or a specific date.

For the avoidance of doubt, any conditions set under this Rule 4.4.2 can be overridden and World Athletics can, in its sole discretion, refuse to give its approval if World Athletics reasonably believes that the Council imperatives, set out, at Regulation 1.2 of the Transfer of Allegiance Regulations, are being impinged or compromised.

4.5 As a general rule, an Athlete will only be permitted to transfer allegiance in accordance with Rule 4.4.2 once. In exceptional circumstances, World Athletics may permit the Athlete to transfer allegiance a second time, but only back to the original Member.

4.6 The Nationality Review Panel shall have discretion to waive or vary any of the requirements of Rule 4 in circumstances that are deemed exceptional and in accordance with the Transfer of Allegiance Regulations. For the avoidance of doubt, Members may not agree between themselves on any waiver or variation of any of the requirements set out in these Rules (e.g., a shortening of the waiting period) in a particular case.

4.7 The following is a non-exhaustive list of factors that World Athletics (or its delegate) may take into account in exercising the discretion conferred on it under Rule 4.6 above, should it see fit to do so:

4.7.1 where a Member applies for World Athletics approval of eligibility of an Athlete based on Citizenship acquired after birth, or for World Athletics approval of a transfer of allegiance from another Member, and/or requests a waiver or variation of some or all of the requirements for such approval, factors relevant to the exercise of discretion may include:

a. whether the application is motivated by circumstances outside of the Athlete's control (e.g., war, refugee status) or by personal circumstances (e.g., a family move) that are unconnected to the Athlete's sporting abilities;

b. whether the application is motivated by the First Member being suspended from participation in International Competitions;

c. whether the First Member agrees to the transfer, and what (if anything) the Second Member has offered to the First Member to secure such agreement;

d. what (if anything) the Second Member has offered to the Athlete to induce them to agree to the transfer (i.e., in addition to Citizenship);



- e. whether the Second Member can show that the Athlete would actively promote a development programme that the Second Member has in place for home-grown Athletes, and would act as a role model for such Athletes;
  - f. the athlete prior to obtaining Citizenship of a Country had refugee or asylum status and permission to Reside in that Country (or, in the case of a Territory, in the parent Country of the Territory of the Second Member);
  - g. where approval is sought under Rule 4.2.4 (i.e. the athlete has never competed on behalf of a Country or Territory) and the athlete is a dual national from birth;
  - h. the athlete has their Residence in a freedom of movement area and the approval concerns a Second Member from a Country or Territory within that freedom of movement area; and
  - i. the athlete last represented the First Member in the U20 age category or below in a National Representative Competition or Other Relevant Competition.
- 4.8 In addition, in the context of an application for approval made further to Rules 4.2.4 or 4.4.2 above, a Member is entitled to apply, to have a period prior to the date of the application credited towards the waiting period, provided that it is able to demonstrate to the satisfaction of World Athletics that the requirements for approval have been met throughout the entire period (including the period pre-application). This may be particularly applicable, for example, where the Athlete in question was born in Country A to nationals of Country B and as a result has to wait until a given age (e.g., the age of majority) to acquire the Citizenship of Country B.
- 4.9 In the event that an issue arises in relation to eligibility to compete on behalf of a Member in National Representative Competitions that is not already addressed in these Rules, the Nationality Review Panel will address it in a manner that protects and advances the imperatives identified in Regulation 1.2 of the Transfer of Allegiance Regulations, and its decision will be final and binding on all parties.
- 4.10 For the avoidance of doubt, there is no limit on the number of Athletes that a Member may field in a National Representative Competition who have transferred allegiance to that Member in accordance with this Rule 4.
- 4.11 The Transfer of Allegiance Regulations shall govern the practical implementation of this Rule 4 (as applicable).

## **5. Requirements to Compete in International Competitions**

- 5.1 Rule 5 applies to International Competitions where an Athlete is not representing their Member Federation but rather is competing in their own right. No Athlete may take part in an International Competition unless they:
- 5.1.1 are a member of a Club or a region affiliated to a Member; or
  - 5.1.2 are themselves affiliated to a Member; or
  - 5.1.3 have otherwise agreed to abide by the rules of a Member; or

- 5.1.4 have been granted special eligibility by the Council to compete in that International Competition as a Neutral Athlete, and have satisfied any conditions to such eligibility specified by the Council; and
- 5.1.5 for International Competitions at which World Athletics is responsible for doping control, have signed an agreement in a form set by World Athletics by which they agree to be bound by the Rules and Regulations (as amended from time to time) and to submit all disputes they may have with World Athletics or a Member to arbitration only in accordance with these Rules, accepting not to refer any such disputes to any Court or authority which is not provided for in these Rules.
- 5.2 Members may require that no Athlete or Club affiliated to the Member may take part in an International Competition in a foreign Country or Territory without the Member's written approval. In such a case, no Member hosting a competition shall allow any foreign Athlete or Club of the Member in question to take part without evidence of such permit certifying that the Athlete or Club is eligible and permitted to compete in the Country or Territory concerned. Members shall notify World Athletics of all such permit requirements. To facilitate compliance with this Rule, World Athletics shall maintain on its website a list of Members with such requirements. This Rule does not apply to Neutral Athletes.
- 5.3 No Athlete affiliated to a Member Federation may be affiliated to another Member without previous authorisation from their Member Federation of origin, if the rules of that Federation require such authorisation. Even then, the Member Federation of the Country or Territory in which the Athlete is residing cannot enter any Athlete's name for competitions in another Country or Territory without previous authorisation from the Member Federation of origin. In all cases under this Rule, the Member Federation of the Country or Territory in which the Athlete is residing shall send a written request to the Athlete's Member Federation of origin, and the Member Federation of origin shall send a written reply to that request within 30 days. Both of these communications shall be by a means that generates an acknowledgement of receipt. E-mail that includes a receipt function is acceptable for this purpose. If the response of the Athlete's Member Federation of origin is not received within the 30-day period, the authorisation shall be deemed to have been given.
- 5.4 In the event of a negative response to a request for authorisation under Rule 5.3, which response must be supported by reasons, the Athlete or the Member Federation of the Country or Territory in which the Athlete is residing may appeal against any such decision to the Chief Executive Officer.
- 5.5 Rule 5.3 only concerns Athletes aged 18 or over as at the 31st of December of the year in question. Rule 5.3 does not apply to Athletes who are not Citizens of a Country or Territory or to political refugees or to Neutral Athletes.

## **6. Ineligibility for International and Domestic Competitions**

- 6.1 The following persons shall be ineligible for competitions, whether held under these Rules or the rules of an Area Association or a Member:

Any Athlete, Athlete Support Personnel or other person:

- 6.1.1 whose Member Federation is currently suspended by World Athletics. This does not apply to national competitions organised by the currently suspended Member for the Citizens of that Country or Territory;

- 6.1.2 who has been provisionally suspended or declared ineligible under the rules of their Member Federation from competing in competitions under the jurisdiction of that Member Federation, in so far as such suspension or ineligibility is consistent with these Rules;
  - 6.1.3 who is currently serving a period of provisional suspension from competition under the Rules or Regulations;
  - 6.1.4 who does not meet the eligibility requirements set out in these Eligibility Rules or the Eligibility Regulations Transgender Athletes or the Eligibility Regulations for the Female Classification;
  - 6.1.5 who does not meet the requirements of the Eligibility Regulations for Athletes using Mechanical Aids;
  - 6.1.6 who has been declared ineligible as a result of a breach of the Anti-Doping Rules;
  - 6.1.7 who has been suspended, disqualified, banned or otherwise declared ineligible by the Disciplinary Tribunal for a violation of the Integrity Code of Conduct including the violation of any Rule deemed to be part of or incorporated into the Integrity Code of Conduct;
  - 6.1.8 who has been suspended or banned by the Ethics Board for a violation of the Former Code of Ethics;
  - 6.1.9 who has been declared ineligible as a result of conduct specified in Rule 7 below.
- 6.2 Notwithstanding Rule 6.1.1, upon application, the Council (or its delegate(s)) may exceptionally grant eligibility for some or all International Competitions, under conditions defined by the Council (or its delegate(s)), to an Athlete whose Member Federation is currently suspended by World Athletics, if (and only if) the Athlete is able to demonstrate to the comfortable satisfaction of the Council (or its delegate(s)) that:
- 6.2.1 the suspension of the Member Federation was not due in any way to its failure to protect and promote clean Athletes, fair play, and the integrity and authenticity of the sport;
  - 6.2.2 if the suspension of the Member Federation was due in any way to its failure to put in place adequate systems to protect and promote clean Athletes, fair play, and the integrity and authenticity of the sport:
    - a. the Athlete is not directly implicated in any way (knowingly or unknowingly) by that failure; and
    - b. they have been subject to other, fully adequate, systems (including fully WADA Code-compliant drug-testing) for a sufficiently long period to provide substantial objective assurance of integrity; or
  - 6.2.3 the Athlete has made a truly exceptional contribution to the protection and promotion of clean Athletes, fair play, and the integrity and authenticity of the sport.

The more important the International Competition in question, the more corroborating evidence the Athlete must provide in order to be granted special eligibility under Rule 6.2 of these Rules. Where such eligibility is granted, the Athlete shall not represent the suspended Member Federation in the International Competition(s) in question, but rather shall compete in an individual capacity, as a 'Neutral Athlete'. The Council (or its delegate(s)) may reconsider a decision to grant or deny an application for eligibility under this Rule 6.2 where it deems it appropriate to do so (e.g., if new facts or new evidence emerge).

- 6.3 If an Athlete competes or has competed in a competition when not eligible to do so under Rule 3 of the Technical Rules or the Regulations thereunder or any previous version of the Rules in force at the relevant time (or any Regulations thereunder), without prejudice to any other disciplinary action that may be taken under the Rules, the Athlete and any team for which the Athlete competed may be disqualified from the competition with all resulting consequences for the Athlete and the team, including the forfeiture of all titles, awards, medals, points and prize and appearance money.
- 6.4 If an Athlete competes (or an Athlete Support Personnel or other person participates) in a competition, whether held under these Rules or the rules of an Area Association or Member, whilst Ineligible (as defined in the Anti-Doping Rules) to do so under the Anti-Doping Rules, the consequences set out in the Rules therein shall apply.
- 6.5 If an Athlete competes (or an Athlete Support Personnel or other person participates) in a competition, whether held under these Rules or the rules of an Area Association or Member, whilst ineligible to do so under any other Rule, the period of their ineligibility shall recommence from the time they last competed as though no part of a period of ineligibility had been served.

## **7. Persons Subject to Declaration of Ineligibility**

- 7.1 Any Athlete, Athlete Support Personnel or other person:
- 7.1.1 who takes part or has taken part in an athletics competition or event in which any of the competitors were, to their knowledge, suspended from participation or ineligible to compete under these Rules or any previous version of the Rules or any Regulations thereunder, or which takes place in a Country or Territory of a suspended Member. This does not apply to any athletics competition which is restricted to the Masters' age group (in accordance with Rule 3 of the Technical Rules);
- 7.1.2 who takes part or has taken part in any athletics competition which is or was not authorised in accordance with Rule 1 of the Competition Rules;
- 7.1.3 who contravenes or has contravened these Eligibility Rules or the Transfer of Allegiance Regulations or the Neutral Athletes Regulations, or any previous version of those Rules or any Regulations thereunder;
- 7.1.4 who contravenes or has contravened the Athletes' Representatives Rules or any Regulations made thereunder, or any previous version of those Rules or any Regulations thereunder;
- 7.1.5 who commits or has committed a breach of any other Rule in force at the relevant time or any Regulation thereunder;

may be declared ineligible under Rules 7.2 to 7.6 of these Rules.

- 7.2 In addition to any declaration of ineligibility or annulment of results, or if at any time it is found that either an Athlete or their representatives and/or Member Federation has been acting or, has acted against the letter or spirit of these Rules or the Transfer of Allegiance Regulations (including any Rules or Regulations prior to these Rules coming into force), then the Chief Executive Officer (or their nominee) reserves the right to apply a range of sanctions including but not limited to:
- 7.2.1 annulling any results obtained when the Athlete was not eligible to compete and making appropriate amendments to competition and other records to reflect the annulment(s);
  - 7.2.2 issuing a warning to the Athlete and/or Member Federation;
  - 7.2.3 imposing a fine on the Athlete and/or their Member Federation;
  - 7.2.4 suspending the Member Federation from submitting an application under the Transfer of Allegiance Regulations for a period of time;
  - 7.2.5 disqualifying the Athlete and declaring the Athlete's performance as invalid for non-compliance with these Rules with all resulting consequences for the Athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money.
- 7.3 The Chief Executive Officer (or their nominee) may, if it considers it appropriate, announce, publish or otherwise communicate the reasons for any sanction applied pursuant to this Rule 7.
- 7.4 The Chief Executive Officer (or their nominee) will in addition to taking action under these Rules refer any potential breach of these Rules, by Applicable Persons, to the Athletics Integrity Unit.
- 7.5 Any potential breach of these Rules by Applicable Persons may amount to a breach of the Integrity Code of Conduct and, in addition to any action taken under these Rules, may be subject to investigation and prosecution by the Athletics Integrity Unit under the Athletics Integrity Unit Reporting, Investigation and Prosecution Rules (Non-Doping) and possible proceedings under the Disciplinary Tribunal Rules.
- 7.6 Any potential breach of these Rules (or any previous version of the Rules or Regulations) may also be referred to the relevant Member Federation and the Member Federation may be required by World Athletics to investigate and prosecute the matter as appropriate. If a Member Federation fails to investigate or prosecute such a referral or to deal with the matter in a way that is satisfactory to World Athletics, World Athletics may take appropriate action itself for the potential breach of these Rules.