

HYPERANDROGENISM

Referral of a case to the Expert Panel

1. A request to investigate a potential case of female hyperandrogenism (“a Request”) may be made by the ITF at its sole discretion or any person with a legitimate interest in such an investigation. All such Requests shall be made to the Executive Director, Science & Technical, in the form of a written statement regarding the eligibility of an athlete, and must include:
 - a. Detailed reason(s) for the Request, including any evidence which might suggest that an athlete may have female hyperandrogenism;
 - b. The name, title, address, contact information and signature of the person making the Request.

Admissibility of a Request

2. If the Executive Director, Science & Technical, determines that the Request:
 - a. Meets the formal requirements set out in Section 1, and;
 - b. Appears to have sufficient merit to be investigated,

Then the Executive Director, Science & Technical shall determine that the Request is admissible and shall proceed with an investigation in accordance with sections 4-7. Otherwise, the Request shall be deemed inadmissible and shall not be investigated. This determination is final and binding and not subject to appeal, and shall be communicated to the person(s) making the request.

Expert Panel

3. An Expert Panel shall be appointed on an *ad hoc* basis to evaluate suspected cases of female hyperandrogenism. The experts are appointed by the ITF Board of Directors, and consist of at least one person with expertise in gynaecology, one person with expertise in genetics and one person with expertise in endocrinology. The Expert Panel may request the input from additional specialists as necessary. It is not necessary for the Expert Panel to meet in person.

Procedure for investigating a potential case of female hyperandrogenism

4. If a Request is admissible, all relevant available documents of the player under investigation (the “Player”), including (but not limited to) medical history, sex hormone levels, diagnosis and treatment shall be provided by the Player and/or her physician to the Executive Director, Science & Technical. The Executive Director, Science & Technical shall provide this information to the Expert Panel such that the Expert Panel is not able to identify the name of the Player.
5. The Expert Panel may request that the Player and/or her physician provide further information and/or that the Player undergo further examination(s) to determine whether female hyperandrogenism is present and can be considered to confer a competitive advantage.
6. The Expert Panel may provide the Player and/or her physician with an opportunity to be heard before the Expert Panel prior to making its determination. If the Player and/or her physician refuses to (a) provide any information requested and/or (b) undergo any examination requested by the Expert Panel, the Expert Panel may recommend to the Executive Director, Science & Technical that the Player is suspended from competition pending compliance with the refusal.
7. The Expert Panel shall examine all available information and establish:
 - a. Whether the Player’s androgen level, measured by reference to testosterone levels in serum, is within the male range, and, if so;
 - b. Whether such hyperandrogenism is ‘functional’ or not¹.

Determination

8. On completion of its investigation, the Expert Panel shall determine that:
 - a. The Player does not have female hyperandrogenism, in which case the case shall be closed, and the Player shall be eligible to compete in women’s Pro Circuit events. Such decision is final and binding and not subject to appeal, or;
 - b. The Player has female hyperandrogenism that does not confer a competitive advantage because it is non-functional or the androgen level is below the male range, in which case the case shall be closed, and the Player shall be eligible to compete in women’s Pro Circuit events. Such decision is final and binding and not subject to appeal, or;
 - c. The Player has female hyperandrogenism that confers a competitive advantage (because it is functional and the androgen level is in the male range), in which case the Player shall be deemed ineligible to compete in women’s Pro Circuit events with immediate effect.

¹ There are some cases of hyperandrogenism that do not confer a competitive advantage because of ‘non-functional’ androgen receptors.

The Expert Panel may only determine that the Player has female hyperandrogenism under Section 8(c) if it is unanimous in that view. The Expert Panel may, at any time, decide to re-open a case under these regulations where it determines, in its absolute discretion, that there has been a change in a Player's circumstances that might affect the Player's eligibility to participate in women's Pro Circuit events pursuant to these regulations.

9. The Executive Director, Science & Technical, in conjunction with the Head of Pro Circuits may, at their sole discretion, impose further sanctions on the physician and/or any relevant person covered under the Pro Circuit/ITF Junior Circuit Regulations.

Appeal

10. Decisions that a Player is ineligible due to female hyperandrogenism pursuant to Section 8(c), that a Player is suspended for non-compliance pursuant to Section 6, and to impose sanctions under Section 9 may be appealed exclusively to the Court of Arbitration for Sport ("CAS") by the Player or other person who is the subject of the decision being appealed. The time to file an appeal to CAS shall be within twenty-one (21) days from the date of communication by the ITF to the appealing party of the decision.