AQUATICS GB POLICY ON ELIGIBILITY

FOR THE MEN'S AND WOMEN'S COMPETITION CATEGORIES

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aquaticsgb.com | info@aquaticsgb.com | 01509 618700
SportPark, 3 Oakwood Drive, Loughborough, LE11 3QF

Aquatics GB is the trading name of British Swimming Ltd.

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1. INTRODUCTION

1.1 British Swimming Limited (a company limited by guarantee with registered number 4092510) ("**British Swimming**") trading as "**Aquatics GB"** is a Member Federation and is the national governing body ("**NGB**") responsible for regulating within its jurisdiction the participation of persons as competitors in all the disciplines of the sport of swimming in Great Britain (being swimming, diving, high diving, water polo, artistic swimming, para-swimming and open water marathon swimming ("**Aquatic Sports**"). Aquatics GB is responsible for determining the competition framework for Aquatic Sports including whether single Sex and/or mixed Sex competitions are sanctioned.

1.2 Aquatics GB has a duty of care to all Athletes competing in Aquatic Sports and it is Aquatic GB's view that gender identity should not be a barrier to participation. The purpose of this document is to provide clear eligibility and inclusion criteria ("**Eligibility Criteria**") and processes which enable Transgender and 46 XY DSD Athletes to participate in the men's and women's categories in Aquatic Sports (this "**Policy**"). This Policy reflects Aquatic GB's commitment to providing safe, fair, inclusive, and non-discriminatory opportunities for all Athletes.

1.3 Aquatics GB undertakes to make available (on request) to Athletes electronic copies of this Policy, the World Aquatics Policy and WPS Regulations as amended from time to time. Electronic copies of this Policy are available on the Aquatics GB's website ("the Website"). The Website will also contain contact details in the event that (i) any person is unable to download this Policy; and/or (ii) any person requires this Policy in another form, for example, in braille or large print. All requests will be considered on their merits on a case-by-case basis. In circumstances where an individual has been classified as having an intellectual impairment, Aquatics GB shall use all reasonable endeavours to communicate the contents of this Policy to such individual in the most appropriate manner and form in liaison with the parent of, or other person with parental responsibility for such individual.

2. DEFINITIONS AND INTERPRETATION

2.1 The following terms have the following meanings:

Affirmed Gender:	the Sex that a person identifies as or has transitioned/is transitioning to as opposed to that which was assigned at birth;
Athlete:	any athlete including Para-Athletes who compete at an elite level in Aquatic Sports under the jurisdiction of British Swimming;
Athlete Support Personnel:	any coach, trainer, manager, agent, team staff, official, nutritionist, medical, paramedical personnel, parent or any other person working with, treating or assisting an Athlete participating in or preparing for sports competition under the jurisdiction of British Swimming;
Association:	any of the three member associations of British Swimming;
Aquatics GB Competition(s):	all competitions and events owned, run and organised by or on behalf of Aquatics GB in the Aquatic Sports;
Aquatics GB Record(s):	a British record time, score or result achieved by an Athlete in Aquatics GB Competitions and in other event(s) recognised by Aquatics GB wherever they are held;
Chromosomal Sex:	the chromosomes of an individual which determine their genetic or Biological Sex;

Data Protection Legislation:	all applicable laws relating to data protection, the processing of personal data and privacy, including: the Data Protection Act 2018, the General Data Protection Regulation (EU) 2016/679 (EU GDPR) and UK General Protection Regulation (UK GDPR) , the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications), and any other data protection and/or privacy legislation applicable in the UK from time to time, (each as amended, updated, replaced or re-enacted from time to time and including all subordinate legislation made from time to time under or giving effect to the same) and references to "sensitive personal information" have the meaning set out in, and will be interpreted in accordance with, such applicable laws;
DSD:	differences (or disorders) in sexual development where external genital appearance is discordant with internal Sex organs (testes and ovaries). This Policy is only concerned with 46 XY DSD;
46 XY DSD:	DSD affecting athletes with testes i.e., Males;
46 XY DSD Athlete:	an Athlete with 46 XY DSD;
Eligible Impairment:	an Impairment designated as being a prerequisite for Para-Athletes competing in Aquatic Sports;
Female:	possession of XX chromosomes and (in the absence of medical intervention) ovaries and increased circulating oestrogen and progesterone starting at puberty;
Gender Reassignment:	under the Equality Act 2010, a person has the characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning that person's Sex by changing physiological or other attributes of Sex;
Impairment:	a physical, visual or intellectual impairment;
IPC:	International Paralympic Committee;
Legal Gender:	the Sex or gender that is recognised under the law;
Male:	possession of XY chromosomes and (in the absence of medical intervention) testes and increased circulating testosterone starting at puberty;
Masters:	a special class of competitive swimming for swimmers 25 years and older (with the exception of water polo which has a minimum participation of 30 years);
Member Federation:	a national governing body for aquatic disciplines which is a member of World Aquatics;
Para-Athlete:	an Athlete with an Eligible Impairment;
Sex:	natural biological differences between Females and Males, including chromosomes, sex organs, and endogenous

	hormonal profiles. This Policy uses the word Sex and the term "Biological Sex" interchangeably;
Scottish Swimming:	the national governing body for aquatic disciplines in Scotland and a member Association of British Swimming;
Swim England:	the national governing body for aquatic disciplines in England and a member Association of British Swimming;
Swim Wales:	the national governing body for aquatic disciplines in Wales and a member Association of British Swimming;
Tanner Stages:	the five stages of puberty during which individuals develop secondary Sex characteristics. Tanner Stage 2 denotes the onset of puberty. The normal time of onset of puberty ranges from 8 to 13 years old in females and from 9 to 14 years old in males;
Transgender:	people whose gender is not the same as, or does not sit comfortably with the Sex they were assigned at birth;
Transgender Woman/ Women:	an Athlete who is assigned male at birth but identifies and lives as a Female. This may be shortened to trans woman, or MTF, an abbreviation for male-to-female;
Transgender Man/Men:	an Athlete who is assigned female at birth but identifies and lives as a Male. This may be shortened to trans man, or FTM, an abbreviation for female-to-male**;**
Therapeutic Use Exemption:	a Therapeutic Use Exemption (also known as "TUE") allows an Athlete with a medical condition to use a Prohibited Substance or Prohibited Method as defined in the WADA Code; but only if the conditions set out in the International Standard for Therapeutic Use Exemptions are met;
UKAD:	United Kingdom Anti-Doping (or any successor to, or replacement thereof). UKAD is responsible for ensuring sports bodies in the United Kingdom are compliant with the WADA Code through implementation and management of the UKAD Rules;
UKAD Rules:	the rules of UKAD known as the United Kingdom Anti-Doping Rules (as in place from time to time);
WADA:	World Anti-Doping Agency (or any successor to, or replacement thereof);
WADA Code:	the Code of WADA (as in place from time to time) which provides the framework for anti-doping policies, rules, and regulations within sport organisations and among public authorities. It is designed to harmonise anti-doping policies and ensure the standards are the same for all athletes within all sports and countries;
World Aquatics:	the international federation (formerly known as the Fédération Internationale de Natation, FINA) recognised by the International Olympic Committee for administering international competitions for swimming events, being swimming, water polo, diving, artistic swimming, open water swimming and high diving;

World Aquatics Competition(s):	World Aquatics World Championships, World Cups, Grand Prix, World Leagues, and World Series events and tournaments, and other international competitions events;
World Aquatics World Record(s):	a world record time, score or result achieved by an Athlete in World Aquatics Competitions and in other event(s) recognised by World Aquatics wherever they are held;
WPS:	the international federation recognised by the International Paralympic Committee for administering international competitions for para swimming; and
WPS Competition(s):	all competitions and events owned, run and organised by or on behalf of WPS.

2.2 References to "include" and "including" in this Policy are to be construed without limitation.

2.3 If any provision or part-provision of this Policy is or becomes invalid, illegal or unenforceable, it shall be deemed deleted, but that shall not affect the validity and enforceability of the rest of this Policy.

2.4 No failure or delay by Aquatics GB to exercise any right, make any decision or take any action provided under this Policy or by law shall constitute a waiver of that right, decision or action, nor shall it prevent or restrict the further exercise of that right, decision or action. No single or partial exercise of such right, decision or action shall prevent or restrict the further exercise of that right, decision or action.

3. BACKGROUND TO THE POLICY

3.1 Historically, Aquatics Sports have been separated into men's and women's competition categories. It is generally regarded that the purpose of Sex segregation relates to the fairness of competition and safety of Athletes. Due to the performance gap that emerges at puberty between biological males as a group and biological females as a group, separate Sex competition is necessary for the attainment of these objectives. Sport, therefore, uses Sex segregation as a mechanism to protect those who are physiologically disadvantaged due to their Sex. Aquatics GB is committed to: (1) ensuring equal opportunity for both male and female Athletes to participate and succeed in Aquatic Sports, including through the equal representation in its programmes and competitions of Athletes of both Biological Sexes; and (2) ensuring competitive fairness and physical safety within Aquatics GB Competition categories.

3.2 On 12th November 2021, the International Olympic Committees ("**IOC**") issued its new "Framework on Fairness, Inclusion and Non-Discrimination on the basis of Gender Identity and Sex Variations" (the **"IOC Framework"**). The IOC Framework granted autonomy to sporting international federations (including World Aquatics and the WPS) to determine the eligibility and inclusion criteria and frameworks for their particular sports.

3.3 World Aquatics recently conducted its own transgender eligibility and inclusion review which concluded in the release of its new eligibility and inclusion policy (the "**World Aquatics Policy**") which was considered and ratified by Member Federations during the World Aquatics Extraordinary Congress in Budapest on 19 June 2022. The World Aquatics Policy, which came into effect on 20 June 2022, governs the eligibility of Athletes to compete in the men's category and in the women's category in World Aquatics Competitions and to set World Aquatics World Records. The World Aquatics Policy also recommends that each Member Federation adopts its own Sex and gender

policy to determine eligibility to compete in events taking place under its jurisdiction (Rule G 8 of the World Aquatics Policy).

3.4 In accordance with the terms and conditions of its World Aquatics membership and specifically under Rules C 8.2.1, C 8.2.2 and C 8.2.3 of the World Aquatics Constitution (Approved by the World Aquatics Congress in Abu Dhabi (UAE) on 18 December 2021); Aquatics GB shall comply with the rules of World Aquatics including the World Aquatics Policy. Where there is a conflict, the rules of World Aquatics shall prevail (Rule C 7.4 World Aquatics Constitution). Compliance with the rules of World Aquatics including the World Aquatics Policy is mandatory in order for Aquatics GB to ensure its Athletes are eligible for consideration to participate in World Aquatics Competitions and be eligible to set World Aquatics World Records.

3.5 WPS last updated its transgender and inclusion provisions in 2018 as part of its "World Para Swimming Technical Rules & Regulations" ("**WPS Regulations**"); the relevant provisions are included at Rules 4.5.3 and 4.5.4 of the WPS Regulations and conclude that WPS shall deal with any cases involving Transgender Athletes in accordance with the IOC's Transgender guidelines and WPS Regulations (as amended from time to time).

3.6 Following the IOC Framework, the World Aquatics Policy and the earlier publication by the Sports Council Equality Group on the 30th September 2021 of "The UK's Sports Councils Guidance for Transgender Inclusion in Domestic Sport", Aquatics GB has undertaken a review of its 2015 "Policy on Trans" resulting in the creation and adoption of this Policy. This Policy is intended to be comprehensive, fair and equitable and to be compliant with Aquatics GB's obligations under the World Aquatics Policy and WPS Regulations.

4. THE POLICY OBJECTIVES

4.1 Aquatics GB is committed to the inclusion of all Athletes in Aquatic Sports, subject to the Eligibility Criteria set out in this Policy.

4.2 It is committed to the separation of Aquatic Sports into men's and women's categories according to Sex, as this is necessary for the attainment of the goals that are set out in Section 1 of this Policy. It is also committed to providing the opportunity for Transgender and 46 XY DSD Athletes to compete in Aquatic Sports pursuant to Eligibility Criteria that are consistent with and do not undermine those goals.

4.3 In light of these commitments, the objectives of this Policy are:

4.3.1 to maintain the separation of Aquatic Sports into men's and women's categories according to scientifically-grounded, Sex-based criteria;

4.3.2 to provide opportunities for Transgender and 46 XY DSD Athletes to compete in Aquatics GB Competitions in the competition category that reflects their Affirmed Gender based on Eligibility Criteria that are consistent with and do not undermine Aquatics GB's goals for the women's category; and

4.3.3 to provide a comprehensive, fair and equitable process by which Athletes may establish their eligibility for Aquatics GB Competitions and for setting Aquatics GB Records.

5. APPLICATION OF THE POLICY

5.1 This Policy came into effect on 1st July 2024.

5.2 Subject to Section 5.3, this Policy shall apply to:

5.2.1 all Athletes competing in Aquatics GB Competitions;

5.2.2 all Aquatics GB Records; and

5.2.3 all Athlete Support Personnel.

5.3 This Policy shall not apply to:

5.3.1 competitions outside of Aquatics GB Competitions including World Aquatics Competitions and WPS Competitions;

5.3.2 Athletes and Athlete Support Personnel involved in training camps, activities, competitions or events within the jurisdiction of Swim England, Scottish Swimming or Swim Wales and/or any other body outside of Aquatics GB's jurisdiction;

5.3.3 Masters athletes and/or Masters' training camps, activities, competitions or events including within the jurisdiction of Swim England, Scottish Swimming or Swim Wales, in which case the relevant policy (if any) of the organiser shall apply including any such policy of Swim England, Swim Scotland or Swim Wales (as the case may be);

5.3.4 any other Aquatics GB Competition where Aquatics GB has sub-licensed the organisation of the competition to Swim England, Swim Scotland or Swim Wales where the relevant policy (if any) of Swim England, Swim Scotland or Swim Wales (as the case may be) shall apply;

5.3.5 any case involving a prohibited substance or other offence under the WADA Code, World Aquatics Doping Control Rules ("**AQUA DCR**"), WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules)(as in place from time to time) and shall be dealt with by WADA, World Aquatics , WPS, IPC, UKAD and/or Aquatics GB according to those Anti-Doping Rules.

6. POWER TO CHANGE, RESCIND OR ADD TO THE PROVISIONS OF THE POLICY

6.1 In the event an issue arises that is not foreseen in this Policy, it will be addressed by Aquatics GB in a manner that protects and promotes the objectives identified in this Policy.

6.2 Aquatics GB is committed to reviewing this Policy periodically which may be amended from time to time by British Swimming.

7. LAWS

7.1 The laws of England and Wales shall apply to this Policy.

8. ATHLETE SUPPORT

8.1 Parents, or other persons with parental responsibility for all Athletes aged under 18 ("**Minor**") understand and agree, in respect of the Minor for which they have legal responsibility, for the Minor as an Athlete to be bound by all aspects of this Policy.

8.2 Any individual seeking information on the application of this Policy should contact Aquatics GB or assistance at dei@aquaticsgb.com

9. ELIGIBILITY CRITERIA

9.1 All Athletes are eligible to compete in the men's category or in the women's category in Aquatics GB Competitions and to set Aquatics GB Records, whatever their Legal Gender and/or Affirmed Gender subject to the Eligibility Criteria set out below. Subject

to that criteria, no Athlete is excluded from a Aquatics GB Competition or from setting a Aquatics GB Record based on their Legal Gender and/or Affirmed Gender.

9.2 All issues relating to the eligibility of an Athlete under this Policy to compete in a particular Sex category will be determined by Aquatics GB's Equality and Participation Panel (the "**Panel**"). The Panel shall comprise of three independent representatives including one medical expert, one legal representative and one Aquatic Sports representative (e.g., a coach from the specific discipline within which the Athlete wishes to compete); all of whom shall possess the appropriate expertise. Aquatics GB shall select one member from the Panel at its discretion to act as Chair. The Panel shall not consist of any members of the Aquatics GB Board.

9.3 Where a Transgender or 46 XY DSD Athlete from another sport wishes to participate in Aquatic Sports, Aquatics GB shall not recognise nor give effect to the decision of the other sport governing body.

10. CHROMOSOMAL SEX CERTIFICATION

10.1 All Athletes must certify their Chromosomal Sex in order to be eligible to compete in Aquatics GB Competitions. Failure to do so, or provision of a false certification, will render the Athlete ineligible.

10.2 In accordance with Rule F.2.a of the World Aquatics Policy, all Athletes must certify their Chromosomal Sex with Aquatics GB as their Member Federation in order to be eligible for World Aquatics Competitions and to set World Aquatics World Records. Failure to do so, or provision of a false certification, will render the Athlete ineligible.

10.3 Athletes are to note that:

10.3.1 in accordance with Rule F.2.b of the World Aquatics Policy, Aquatics GB must confirm an Athlete's Chromosomal Sex certification when registering its Athletes to compete in World Aquatics Competitions;

10.3.2 World Aquatics (in accordance with Rule F.2.c of the World Aquatics Policy) reserves the right to include a Chromosomal Sex screen as part of its anti-doping protocol to confirm such certification;

10.3.3 in accordance with Appendix Two (Operational Requirements in Relation to the World Aquatics Policy) Rule B.4, prior to competition, Aquatics GB as a Member Federation must register its Athletes with the World Aquatics General Management System. At registration, Aquatics GB will be required to identify each Athlete's Chromosomal Sex in accordance with Section F.2 of the World Aquatics Policy and either confirm compliance with the World Aquatics Policy or identify that the matter requires further consideration under the World Aquatics Policy;

10.3.4 Aquatics GB must retain an accurate record of Athletes' Chromosomal Sex and understanding of the application of the World Aquatics Policy;

10.3.5 every Athlete must cooperate promptly and in good faith with Aquatics GB and enable Aquatics GB to discharge its responsibilities under the World Aquatics Policy;

10.3.6 when providing information pursuant to this Policy, Athletes must provide accurate and complete information, and must not provide any information in bad faith or for an improper purpose; and

10.3.7 all Athletes agree that they hereby provide the consent and waivers necessary to allow Aquatics GB to comply with its obligations set out in this Section 10.3.

10.4 For the avoidance of doubt neither legal recognition of an Athlete's Affirmed Gender as the Athlete's Legal Gender nor surgical anatomical changes are required in order for a Transgender or 46 XY DSD Athlete to be eligible to compete at a Aquatics GB Competition or World Aquatics Competition or to set a Aquatics GB Record or World Aquatics World Record in the competition category that is consistent with their Affirmed Gender subject to the Eligibility Criteria.

11. ELIGIBILITY CRITERIA FOR MEN'S CATEGORY COMPETITION

11.1 All Male Athletes, including 46 XY DSD Athletes, are eligible to compete in Aquatics GB Competitions and to set Aquatics GB Records in the men's category, regardless of their Legal Gender and/or Affirmed Gender.

11.2 Transgender Men are eligible to compete in Aquatics GB Competitions and to set Aquatics GB Records in the men's category, except all Athletes who are undergoing treatment involving testosterone or other anabolic substances as part of female-to-male gender-affirming hormone treatment are required to obtain a Therapeutic Use Exemption for that treatment in accordance with the WADA Code, AQUA DCR, WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules) (as in place from time to time).

12. ELIGIBILITY CRITERIA FOR WOMEN'S CATEGORY COMPETITION

12.1 All Female Athletes are eligible to compete in Aquatics GB Competitions and to set Aquatics GB Records in the women's category, regardless of their Legal Gender and/or Affirmed Gender under the following conditions:

12.1.1 Athletes who have previously used testosterone as part of female-to-male gender-affirming hormone treatment (with or without a Therapeutic Use Exemption) but are no longer following that treatment are eligible to compete in the women's category in Aquatics GB Competitions and to set Aquatics GB Records in the women's category if they can establish to Aquatics GB's comfortable satisfaction that (a) the testosterone use was for less than a year in total (i.e., from the date of first use to the date of last use) and did not take place during pubertal growth and development, and (b) their testosterone levels in serum (or plasma) are back to pre-treatment normal and any associated anabolic effects have been eliminated.

12.1.2 Female Athletes who have used testosterone in violation of the WADA Code, AQUA DCR, WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules) (as in place from time to time) may return to competition after they have served their period of ineligibility.

12.2 Transgender Women and 46 XY DSD Athletes whose Legal Gender and/or Affirmed Gender is Female are eligible to compete in the women's category in Aquatics GB Competitions and to set Aquatics GB Records in the women's category if they can establish to Aquatics GB's comfortable satisfaction that they have not experienced any part of male puberty beyond Tanner Stage 2 or before age 12, whichever is later. Specifically, the Athlete must establish that:

12.2.1 they have complete androgen insensitivity and therefore could not experience male puberty; or

12.2.2 they are androgen sensitive but had male puberty suppressed beginning at Tanner Stage 2 or before age 12, whichever is later, and they have since continuously maintained their testosterone levels in serum (or plasma) below 2.5 nmol/L.

12.3 With regard to Section 12.2.2:

12.3.1 an unintentional deviation from the below 2.5 nmol/L requirement may result in retrospective disqualification of results and/or a prospective period of ineligibility; and

12.3.2 an intentional deviation from the below 2.5 nmol/L requirement may result in retrospective disqualification of results and a prospective period of ineligibility equal or commensurate in length to periods imposed under the WADA Code, AQUA DCR, WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules) (as in place from time to time) for intentional anti-doping rule violations involving anabolic steroids.

12.4 For purposes of this Policy, all measurements of serum testosterone must be conducted by means of liquid chromatography coupled with mass spectrometry.

13. COMPETITIVE OPPORTUNITIES WITHIN AND OUTSIDE OF THE MEN'S AND WOMEN'S CATEGORIES

13.1 Classifying Athletes on the basis of Sex is necessary to meet Aquatics GB's goals for female Athletes and the women's competition category. Aquatics GB's eligibility standards for the women's category are narrowly tailored so that they can achieve those goals without unnecessarily limiting participation by gender-diverse athletes.

13.2 Transgender Women and 46 XY DSD Athletes and a female Legal Gender and/or Affirmed Gender are eligible to compete in the women's category in Aquatics GB Competitions and to set Aquatics GB Records in the women's category if they meet the applicable Eligibility Criteria.

13.3 Transgender Men are eligible to compete in the men's category at Aquatics GB Competitions and to set Aquatics GB Records in the men's if they meet the applicable Eligibility Criteria.

13.4 Otherwise, everyone who qualifies according to the applicable eligibility conditions has a place in Aquatics GB Competition categories based on their Sex.

13.5 Within those categories, gender diversity is welcome. For example; Transgender Men who are not using exogenous androgens remain eligible for, and are welcome to compete in, the women's category; and Transgender Women remain eligible for, and are welcome to compete in, the men's category whether or not they are suppressing their endogenous androgens.

13.6 Athletes who do not meet the Eligibility Criteria for the men's category or the women's category may compete in any open events that Aquatics GB may develop in the future based upon any open events created by World Aquatics.

13.7 Athletes may also seek to qualify for and compete in events that are organised and sanctioned by bodies other than British Swimming. Aquatics GB does not seek to limit the development by others of opportunities to participate in different competitions.

14. SATISFACTION OF THE ELIGIBILITY CRITERIA AND ATHLETE APPLICATIONS

14.1 The Eligibility Criteria for competing in the men's and women's categories in Aquatics GB Competitions and for setting Aquatics GB Records in the men's and women's categories are set out in this Policy.

14.2 Any Athlete (including any Transgender or 46 XY DSD Athlete) who wishes to be eligible to participate in a Aquatics GB Competition or to set a Aquatics GB Record, as a condition to such eligibility, and subject always to the confidentiality provisions set out in this Policy shall:

14.2.1 fully comply with this Policy;

14.2.2 cooperate promptly and in good faith with Aquatics GB and any Panel and any Appeal Panel in the discharge of their respective responsibilities under this Policy, including to provide them with all of the information and evidence (including physical examinations) they request to enable them to assess compliance and/or monitor continuing compliance with the Eligibility Criteria;

14.2.3 when providing information pursuant to this Policy provide accurate and complete information, and not provide any information in bad faith or for an improper purpose;

14.2.4 to the fullest extent permitted and required under Data Protection Legislation and other laws of the United Kingdom (and any other applicable jurisdictions) consent to the collection, processing, disclosure, and use of information (including their sensitive personal information) as required to implement and apply this Policy effectively and efficiently; and

14.2.5 follow the procedures set out in this Policy and not to bring any proceedings in any court or other forum that are not set out in this Policy.

14.3 The performance in an event recognised by Aquatics GB of an Athlete who has not been registered with Aquatics GB(i.e., a non-Aquatics GB Competitions) in accordance with the foregoing requirements may be recognised as a Aquatics GB Record if the Athlete satisfies Aquatics GB that the Athlete met all of the relevant Eligibility Criteria of this Policy at the time of the event.

14.4 If, in Aquatics GB's discretion, a case arises that requires further consideration under this Policy, that matter will be dealt with in accordance with this Policy.

14.5 A Transgender Man, Transgender Woman, or 46 XY DSD Athlete whose Legal Gender and/or Affirmed Gender is female, who wishes to establish their eligibility under this Policy must file an eligibility and participation application in writing to dei@aquaticsgb.com (the "**Application**").

14.6 An Athlete may revoke at any time, with or without giving reasons, the Application and/or any consents granted as part of their Application, in which case they will be deemed to have withdrawn any claim to satisfy the Eligibility Criteria.

14.7 The Application must contain the following:

14.7.1 the consents and waivers necessary to allow Aquatics GB to provide the Athlete's Application to the Panel who will conduct the eligibility assessment detailed herein;

14.7.2 the Athlete's Aquatics GB membership number and the consents and waivers necessary to allow the Panel to review the Athlete's membership records;

14.7.3 a comprehensive medical history and such other information as is required to demonstrate their satisfaction of the Eligibility Criteria;

14.7.4 details of the specific Aquatic Sport the Athlete wishes to participate in, their competition and participation history and to what level they aspire to participate in the future; and

14.7.5 in addition to the medical matters addressed in this Policy, the Athlete must provide if reasonably requested information relating to any additional medical conditions that may affect their ability to safely compete and/or perform which the Athlete considers the Panel should be aware of.

14.8 Transgender Athletes must also include an update as to the progress of their transition, specifically addressing:

14.8.1 how long the Athlete has been living as a Transgender Man or Transgender Woman;

14.8.2 whether the Athlete is undergoing Gender Reassignment; and if so:

14.8.2.1 what therapy the Athlete is currently receiving;

14.8.2.2 how long the Athlete has been undergoing therapy;

14.8.2.3 at what level that therapy is being administered; and

14.8.2.4 confirmation as to whether the Athlete's testosterone levels are being monitored (for example by way of blood tests) and if so, how regularly;

14.8.3 confirmation as to whether the Athlete has or is scheduled to undergo surgery (the Panel require this information in order to assess the Athlete's application in conjunction with the Aquatics GB "Swimwear Guidance" (as in place from time to time)).

14.9 Within 14-days of receiving the Application, Aquatics GB shall acknowledge the Application and proceed to appoint the Panel and then notify the Athlete of the Panel members as soon as is practicably possible. At the time of appointment, the Panel shall be provided with a copy of the Application.

14.10 Upon notification of the Panel members, if the Athlete wishes to object to the appointment of a Panel member the objection must be made in writing within 7 days. The Athlete must include the basis of that objection. Unless the applicable Panel member withdraws or the other Panel members support the objection, the Chair of the Panel (unless the Chair is the subject of the objection in which case Aquatics GB shall decide), shall determine the matter and shall, if necessary, request that Aquatics GB appoint a replacement Panel member. If no such objection is received within that 7 days, the identity of the Panel members shall be deemed accepted by the Athlete.

14.11 Once appointed in accordance with Section 14.10, the Panel shall write to the Athlete to confirm the Panel's appointment in addition to setting out the next stages of the process as detailed below.

14.12 Within 14-days of being appointed, the Panel shall convene (either in person or remotely) to discuss the Application and to determine whether it requires further information from the Athlete in order to fully assess the Application.

14.13 The Panel shall then write to the Athlete to confirm whether any further information or clarity is required. For the disciplines of Water Polo and High Diving, the Panel may require that the Athlete speaks with a qualified medical specialist to ensure their physical ability to participate in the event in the men's category and to ensure that they understand the attendant risks. If the Panel requires further information or clarity from the Athlete such information must be provided in accordance with the deadline set by the Panel. In the event that further time is required, the Athlete must write to the Panel to request such an extension.

14.14 As part of the Application process, the Panel may need to interview third parties associated with the Athlete for example, coaches, club representatives and/or medical professionals. If so, the Panel shall write to the Athlete to obtain the consents and waivers necessary to allow the Panel to contact the appropriate parties.

14.15 For the avoidance of doubt, the Athlete shall not approach, intimidate or influence any panel member and/or third party involved in the Application process.

14.16 Once the Panel is satisfied with the information provided by the Athlete, it shall invite the Athlete to meet virtually, during which the Panel and Athlete will discuss the Athlete's current circumstances, their understanding of the risks both physically and mentally arising as a result of competing within male category competitions and any questions the Panel may have as a result of the Athlete's disclosures and the Athlete may have.

14.17 Following the meeting with the Athlete, the Panel shall convene within 14-days to determine the outcome of the Application.

14.18 Upon the conclusion of the Panel meeting, the agreed decision of the Panel (with supporting reasons) will be communicated in writing within 14-days to the Athlete and British Swimming.

14.19 The Panel's decision will be final and binding on all parties. It may only be challenged by way of appeal in accordance with Section 15.

14.20 In the event that the Application is successful the Athlete shall not be entitled to participate in their desired Aquatic Sport and gender category until such time as they have been provided with written clearance by British Swimming.

14.21 The decision of the Panel shall be communicated to all appropriate third parties (for example; World Aquatics, WPS, WADA and/or UKAD) for the purpose of enforcement. So far as is practicable, confidentiality will be maintained at all times in respect of all those involved unless there is an overriding obligation for such information to be shared with other interested parties. Any such information shared shall be on a need-to-know basis only.

14.22 The Panel shall conduct its Application assessment as expeditiously as possible and in accordance with the principles of natural justice. The Athlete should however be aware that the length of the assessment will be dictated by a number of factors, including the number and availability of persons to be interviewed or contacted their and the Athlete's co-operation. In the circumstances, the assessment process may be lengthy and potentially may span a number of months.

14.23 In its decision making, the Panel will consider the following factors:

14.23.1 the Eligibility Criteria including:

14.23.1.1 evidence as to whether or not an Athlete wishing to compete in the women's category has complete androgen insensitivity;

14.23.1.2 evidence as to whether or not an Athlete wishing to compete in the women's category suppressed male puberty beginning at Tanner Stage Two or before age 12;

14.23.1.3 evidence as to whether or not an Athlete wishing to compete in the women's category continuously maintained their testosterone levels in serum (or plasma) below 2.5 nmol/L beginning at Tanner Stage Two or before age 12;

14.23.1.4 evidence as to whether or not an Athlete wishing to compete in the men's category obtained a TUE authorizing the use of exogenous androgens in accordance with this Policy; and

14.23.1.5 evidence as to whether or not an Athlete wishing to return to competition in the women's category satisfies the conditions set out in this Policy.

14.23.2 Aquatics GB's legal obligation that it must not restrict the participation of Transgender Athletes unless it is strictly necessary in order to uphold fair and/or safe competition; any other restriction would amount to direct discrimination;

14.23.3 Aquatics GB's duty of care to all of its Athletes;

14.23.4 the Athlete's competitive advantage (if any);

14.23.5 the Athlete's safety and the safety of the other Athletes;

14.23.6 the risks associated with the specific Aquatic Sport for example where it involves high degrees of physical contact as in water polo;

14.23.7 the Athlete's understanding of the mental and physical risks associated with participating in male category competitions; and

14.23.8 any other factor that it deems necessary pursuant to this Policy.

14.24 For the avoidance of doubt no Athlete is required to undergo any medical assessment and/or treatment under this Policy. It is the Athlete's responsibility, in consultation with their medical team, to decide on the advisability of proceeding with any assessment and/or treatment.

14.25 The Eligibility Criteria operate without prejudice to all other rules and regulations that are applicable to all Athletes including of British Swimming, World Aquatics, WPS, UKAD and WADA which must also be satisfied at all relevant times. In particular, nothing in this Policy is intended to undermine or affect in any way any of the requirements of the WADA Code, of the WADA International Standards (including the International Standard for Therapeutic Use Exemptions),WADA Code, AQUA DCR, WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules) (as in place from time to time). . Nothing in this Policy permits, excuses, or justifies non-compliance with any of those requirements, including any requirement for an Athlete to obtain a Therapeutic Use Exemption for the use of substances on the WADA Prohibited List, such as testosterone, spironolactone, or GnRH agonists (see further the WADA Transgender Athletes Therapeutic Use Exemption Physician Guidelines, available at www.wada-ama.org).

15. APPEAL PROCESS

15.1 All Athletes have a right to appeal the decision of the Panel by giving written notice with reasons to Aquatics GB to dei@aquaticsgb.com within 14-days of receiving notification of the Panel decision (the **"Notice of Appeal"**).

15.2 The Notice of Appeal shall:

15.2.1 state the date and decision against which the appeal is lodged;

15.2.2 set out the statement of facts upon which the appeal is based, specifying the grounds of appeal relied upon which may include that:

15.2.2.1 information was ignored or not considered by the Panel; or

15.2.2.2 the process was tainted by reasonable bias or conflict of interest; or

15.2.2.3 provisions of the procedure were not adhered to in a material fashion; or

15.2.2.4 the findings of the Panel were irrational or otherwise exhibited in error of general law; or

15.2.2.5 additional information has come into the Athlete's possession which is integral to the Application;

15.2.3 include any supporting documentation upon which the Athlete seeks to rely; and

15.2.4 contain the consents and waivers necessary to allow Aquatics GB to provide the Athlete's Notice of Appeal to the Appeal Panel.

15.3 Within 14-days from receipt of the Notice of Appeal, Aquatics GB shall acknowledge the Notice of Appeal and proceed to appoint an Appeal Panel and then notify the Athlete of the Appeal Panel members as soon as is practically possible. The Appeal Panel which shall comprise of three independent representatives including one medical expert, one legal representative and one Aquatic Sports representative (e.g., a coach from the specific discipline within which the Athlete wishes to compete); all of whom shall possess the appropriate expertise. Aquatics GB shall select one member from the Appeal Panel at its discretion to act as Chair. The Appeal Panel shall not consist of any members of the Aquatics GB Board. At the time of appointment, the Appeal Panel shall be supplied with a copy of the Notice of Appeal including any supplementary information provided by the Athlete during the course of the previous Application process.

15.4 The Athlete will be advised of the identity of the Appeal Panel members. If the Athlete wishes to object to the appointment of an Appeal Panel member the objection must be made in writing within 7 days. The Athlete must include the basis of the objection unless the applicable Appeal Panel member withdraws or the other Appeal Panel members support the objection, the Chair of the Appeal Panel (unless the Chair is the subject of the objection in which case Aquatics GB shall decide), shall determine the matter and shall, if necessary, request that Aquatics GB appointment a replacement Appeal Panel member. If no such objection is received within that 7 days, the identity of the Panel Members shall be deemed accepted by the Athlete.

15.5 Within 14-days of being appointed, the Appeal Panel shall convene (either in person or remotely) to discuss the Application and to determine whether it requires further information or clarity from the Athlete in order to fully assess the Notice of Appeal.

15.6 The Appeal Panel shall then write to the Athlete to confirm whether any further information or clarity is required. For the disciplines of Water Polo and High Diving, the Appeal Panel may require that the Athlete speaks with a qualified medical specialist to ensure their physical ability to participate in the event in the men's category and to ensure that they understand the attendant risks. If the Appeal Panel requires further information or clarity from the Athlete such information must be provided in accordance with the deadline set by the Appeal Panel. In the event that further time is required, the Athlete must write to the Appeal Panel to request such an extension.

15.7 As part of the Appeal process, the Appeal Panel may need to interview third parties associated with the Athlete for example, coaches, club representatives and/or medical professionals. If so, the Appeal Panel shall write to the Athlete to obtain the consents and waivers necessary to allow the Appeal Panel to contact the appropriate parties.

15.8 For the avoidance of doubt, the Athlete shall not approach, intimidate or influence any panel member and/or third party involved in the Appeal.

15.9 Once the Appeal Panel is satisfied with the information provided by the Athlete, the Panel shall invite the Athlete to meet virtually to discuss the Appeal.

15.10 Following the meeting with the Athlete the Panel shall convene within 14-days to determine the outcome of the Notice of Appeal.

15.11 Upon the conclusion of the Appeal Panel meeting, the agreed decision of the Appeal Panel (with supporting reasons) will be communicated in writing within 14-days to the Athlete and British Swimming.

15.12 The Appeal Panel has the power to:

15.12.1 dismiss the appeal and uphold the Panel's original decision; or

15.12.2 substitute an alternative finding.

15.13 The Panel's decision will be final and binding on all parties.

15.14 In the event that the Notice of Appeal is successful the Athlete shall not be entitled to participate in their desired Aquatic Sport and gender category until such time as they have been provided with written clearance by British Swimming.

15.15 The decision of the Panel shall be communicated to all appropriate third parties (for example; World Aquatics, WPS, WADA and/or UKAD) for the purpose of enforcement. So far as is practicable, confidentiality will be maintained at all times in respect of all those involved unless there is an overriding obligation for such information to be shared with other interested parties. Any such information shared shall be on a need-to-know basis only.

15.16 The Panel shall conduct its Notice of Appeal assessment as expeditiously as possible and in accordance with the principles of natural justice. The Athlete should however be aware that the length of the assessment will be dictated by a number of factors, including, the number and availability of persons to be interviewed or contacted their and the Athlete's co-operation. In the circumstances, the assessment process may be lengthy and potentially may span a number of months.

16. COMPLIANCE

16.1 Aquatics GB may monitor an Athlete's ongoing compliance with the Eligibility Criteria by any appropriate means, including (where relevant) random or targeted testing of the Athlete's testosterone level in serum (or plasma) or further assessment. The Athlete agrees to provide whereabouts information and blood samples for this purpose on request, and also agrees that any samples or whereabouts information that they provide for anti-doping purposes and/or any anti-doping data relating to them may also be used for this purpose.

16.2 Aquatics GB shall maintain a confidential register of Transgender Athletes who have been approved to compete in their Affirmed Gender and each Athlete's clearance, in particular any hormone-related treatment, may continue to be reviewed every year, to ensure its continued validity.

16.3 A Transgender Athlete shall not be entitled to participate in Aquatic Sports until such time as they have been provided with written clearance pursuant to this Policy.

16.4 In addition to the general power to monitor continuing compliance with the Eligibility Criteria, Aquatics GB may investigate, at any time:

16.4.1 whether an Athlete who has not filed an Application under this Policy is a Transgender or 46 XY DSD Athlete who needs to establish their eligibility to compete in a particular competition category in accordance with this Policy; and/or

16.4.2 any circumstances that indicate actual or potential non-compliance with this Policy; and/or

16.4.3 where the eligibility of an Athlete is questioned and/or disputed by a third party. Aquatics GB will work with the Athlete to undertake a sensitive and confidential review of their circumstances and shall have the authority to take all appropriate measures for the determination of the eligibility of the Athlete, if it considers that there are grounds to do so. . Aquatics GB will only consider reasonable third-party requests which are submitted in writing, and which Aquatics GB considers clearly sets out the grounds upon which the Athlete's eligibility is questioned and/or disputed.

In such cases, if they wish to retain their eligibility to compete in Aquatics GB Competitions and to set Aquatics GB Records, the Athlete must cooperate fully and in good faith with that investigation. Where necessary to safeguard the fairness and/or integrity of competition and/or the safety of the competitors, Aquatics GB may provisionally suspend the Athlete from competing in Aquatics GB Competitions and from setting Aquatics GB Records pending resolution of the matter, provided that in such cases all reasonable endeavours will be used to complete the investigation as expeditiously as possible. Any such provisional suspension may be appealed in accordance with Section 15 above.

16.5 Any investigation under Section 16.4 must be initiated in good faith and on reasonable grounds based on information derived from reliable sources, such as (without limitation) information from the affected Athlete, results from a routine pre-participation health examination, or data as to testosterone levels and/or other data obtained from analysis of samples collected for anti-doping purposes.

16.6 Without prejudice to Section 16.7 below, if it is determined that a Transgender Woman or 46 XY DSD Athlete competed in the women's competition category at a Aquatics GB Competition while having testosterone levels in serum (or plasma) of 2.5 nmol/L or more, the results obtained by the Athlete/team at that event will be disqualified, with all resulting consequences, including forfeiture of any medals, ranking points, prize money, or other rewards awarded to the Athlete based on those results.

16.7 An unintentional deviation from the 2.5 nmol/L requirement may result in retrospective disqualification of results and/or a prospective period of ineligibility.

16.8 Without prejudice to Section 16.9 below, if it is determined that a Transgender Woman or a 46 XY DSD competed in the women's category at an event recognised by Aquatics GB while having testosterone levels in serum (or plasma) of 2.5 nmol/L or more, the results obtained by the Athlete/team at that event will not be recognised for purposes of determining Aquatics GB Records.

16.9 An intentional deviation from the 2.5 nmol/L requirement may result in retrospective disqualification of results and a prospective period of ineligibility equal or commensurate in length to periods imposed under the WADA Code, AQUA DCR, WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules) (as in place from time to time) for intentional anti-doping rule violations involving anabolic agents.

16.10 Since Athletes specifically agree to comply with this Policy for eligibility purposes (and Transgender Women undergoing testosterone-suppression treatment will typically maintain serum testosterone levels below 2.5 nmol/L), the burden is on the Athlete to

establish, to Aquatics GB's reasonable satisfaction, that any deviation above 2.5nmol/L was unintentional.

16.11 In addition to the general power to monitor continuing compliance with the Eligibility Criteria, Aquatics GB may investigate, at any time any circumstances that indicate actual or potential non-compliance with this Policy by any Athlete.

17. ANTI-DOPING REQUIREMENTS

17.1 Aquatics GB condemns, and is totally opposed to, the use of performance enhancing drugs and doping practices in Aquatic Sports and fully supports the position of the IOC, IPC, WADA, UKAD, World Aquatics and WPS against the use of banned substances and methods. All Athletes have the right to compete in Aquatic Sports knowing that they, and their competitors, are clean.

17.2 Aquatics GB's Anti-Doping Rules apply to all Athletes and all Athletes shall be deemed to have made themselves familiar with, and agreed to be bound by, the Aquatics GB Anti-Doping Rules and to submit to the authority of WADA and UKAD in the application and enforcement of the Aquatics GB Anti-Doping Rules.

17.3 A copy of Aquatics GB's Anti-Doping Rules and general anti-doping information can be found via the Website at: https://www.britishswimming.org/performance/anti-doping/anti-doping-rules/

17.4 For the avoidance of doubt Athletes who are Minors are bound by Aquatics GB's Anti-Doping Rules and are subject to drug testing. For the purposes of Aquatics GB's Anti-Doping Rules, consent of parents, or other persons with parental responsibility to the testing of a Minor is deemed to follow automatically from the fact that the Minor has been permitted by their parents, or other persons with parental responsibility to be participate in Aquatic Sports. Any Minors participating in Aquatic Sports, therefore, may be subject to drug testing.

17.5 More information about this can be found on the Website or via UKAD's website at:

https://www.ukad.org.uk/violations/testing-process-minors

17.6 Aquatics GB reserves the right to include a Chromosomal Sex screen as part of its anti-doping protocol.

17.7 All Athletes who are undergoing treatment involving testosterone or other anabolic substances as part of female-to-male gender-affirming hormone treatment are required to obtain a Therapeutic Use Exemption for that treatment in accordance with the WADA Code, AQUA DCR, WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules) (as in place from time to time).

17.8 It is the responsibility of all Athlete's to ensure that their actions are compliant with the relevant anti-doping regulations including but not limited to the WADA Code, AQUA DCR, WPS Anti-Doping Rules, IPC Anti-Doping Code, UKAD Rules and Aquatics GB's Anti-Doping Rules (or any other applicable anti-doping rules) (as in place from time to time).

17.9 It is a disciplinary offence for any Athlete under Aquatics GB's jurisdiction to fail or refuse (without compelling justification) to cooperate with any IOC, IPC, WADA, World Aquatics, WPS, UKAD and/or Aquatics GB anti-doping investigation or proceedings; and/or to commit an act of misconduct related to anti-doping which does not amount to an anti-doping rule violation, with appropriate action taken where necessary.

17.10 In the event that Aquatics GB becomes aware of any information relating in any way to an apparent anti-doping rule violation by an Athlete under its jurisdiction, it shall

immediately report that information in full to the IOC, IPC, WADA, World Aquatics, WPS and/or UKAD (as appropriate).

17.11 All Athletes agree to Aquatics GB sharing their personal data, where relevant, with the IOC, IPC, WADA, World Aquatics, WPS and/or UKAD for the purpose of intelligence sharing in relation to possible anti-doping rule violations. This information will be shared in accordance with Data Protection Legislation.

18. DISCIPLINARY PROCEEDINGS AND SANCTIONS

18.1 Aquatics GB may take disciplinary action against an Athlete and/or Athlete Support Personnel in accordance with this Policy and Aquatics GB's Judicial Code (as in place from time to time) where:

18.1.1 information that is provided pursuant to this Policy is inaccurate or misleadingly incomplete;

18.1.2 an Athlete competes in a Aquatics GB Competition in a category of competition for which they have not satisfied the Eligibility Criteria;

18.1.3 an Athlete who has previously been determined to have satisfied the Eligibility Conditions fails to cooperate fully and in good faith with efforts to determine their continuing compliance with the Eligibility Criteria;

18.1.4 there has been any other breach of or non-compliance by an Athlete with this Policy; or

18.1.5 An Athlete Support Personnel has been complicit in an Athlete's breach of or non-compliance with this Policy.

18.2 In such disciplinary proceedings, the person(s) charged may not challenge the validity of this Policy, or of any decision made under this Policy.

18.3 In such disciplinary proceedings, the sanctions to be imposed, depending on all of the circumstances of the case, may include:

18.3.1 a caution, reprimand and/or warning as to future conduct;

18.3.2 the disqualification of individual and/or team results obtained in Aquatics GB Competitions, with all resulting consequences, including forfeiture of any medals, ranking points, prize money, or other rewards awarded to the Athlete(s) based on those results;

18.3.3 the non-recognition as a Aquatics GB Record of individual and/or team results with all resulting consequences, including forfeiture of any medals, ranking points, prize money, or other rewards awarded to the Athlete(s) in respect of such Aquatics GB Record;

18.3.4 a specified period of ineligibility to participate in Aquatics GB Competitions and to set Aquatics GB Records

18.3.5 a fine; and/or

18.3.6 if the breach involves more than two members of a representative team of a British Swimming, or if there are multiple breaches involving such a team, appropriate sanctions on the team (e.g., disqualification of team results; imposition of a period of future ineligibility to participate in Aquatics GB Competitions; a fine).

18.4 Without prejudice to the above, Aquatics GB may recognise and enforce any sanction imposed on an Athlete by Swim England, Swim Wales, Scottish Swimming, World Aquatics, LEN (the European governing body for Aquatic Sports), by or recognised by another Member Federation affiliated to World Aquatics or a continental body recognised by World Aquatics.

19. DATA PROTECTION AND CONFIDENTIALITY

19.1 All cases arising under this Policy and in particular all Athlete information provided to Aquatics GB under this Policy will be dealt with in strict confidence at all times in accordance with the provisions of Data Protection Legislation and Aquatics GB policies as in place from time to time.

19.2 So far as is practicable, confidentiality will be maintained at all times in respect of all those involved in any process arising under this Policy unless there is an overriding obligation in the interests of the Athlete and safety for such information to be shared with other interested parties. Any such information shared shall be on a need-to-know basis only.

19.3 All medical information and data relating to an Athlete will be treated as sensitive personal information and the Panel will ensure at all times that it is processed as such in accordance with applicable Data Protection Legislation. The information covered by this Section 19.3 will not be used for any purpose not contemplated in this Policy and will not be disclosed to any third party save as is strictly necessary for the effective application and enforcement of this Policy or otherwise as is required by law.

19.4 Aquatics GB will not comment publicly on the specific facts of a pending or decided case (as opposed to general descriptions of the process and science involved) except in response to public comments attributed to the Athlete involved or their representatives.

19.5 The Panel and Appeal Panel will be required to sign an appropriate conflict of interest declaration and confidentiality undertaking in relation to their work carried out pursuant to this Policy.

20. COSTS

20.1 Athletes are responsible for the costs associated with their Applications and any appeals under this Policy including for obtaining and transmitting their medical files to Aquatics GB and for undergoing any requested medical examinations, and (where applicable) for continuing to satisfy the Eligibility Criteria. Aquatics GB is responsible for the costs associated with the Panel and any Appeal Panel and for any monitoring under this Policy.

21. MISCELLANEOUS

21.1 In no circumstances will British Swimming, the Panel, or any of Aquatics GB's employees, officers, agents, representatives, or other persons involved in the administration of this Policy be liable in any way for any acts done (or omitted to be done) in good faith in connection with the administration of this Policy.

22. CONTINUED INVOLVEMENT

22.1 While all Athletes have a place in Aquatic Sports, Aquatics GB acknowledges that the application of this Policy means that certain individuals may not be able to compete in the category that best aligns with their Legal Gender and/or Affirmed Gender. Individuals who exercise the choice not to compete because of these Eligibility Criteria are encouraged to consider coaching, officiating, administration, and/or other ways to stay involved with Aquatic Sports.

22.2 For more information on how to become involved, please contact dei@aquaticsgb.com