

## ATHLETE WHEREABOUTS INFORMATION POLICY

### 1.0 Background

- 1.1 The Sports Anti-Doping Rules (Article 6.4) and Rules of National Sporting Organisations developed to be consistent with the Sports Anti-Doping Rules require that “Each athlete in the *Registered Testing Pool* will be responsible for providing whereabouts information to DFS in the manner and form required by DFS.”
- 1.2 This document sets out the policy relating to DFSNZ’s whereabouts information procedures, systems and requirements, the tools available for athletes to submit their whereabouts information and the actions to be taken by DFSNZ when a possible breach of the whereabouts information requirements has occurred.

### 2.0 Responsibilities

- 2.1 DFSNZ: To provide reasonable policies and rules which meet the requirements of the Sports Anti-Doping Rules. To ensure that the policies and rules are followed. To provide a method for athletes to advise their whereabouts information. To maintain accurate records of *warnings* and *violations* committed by athletes. To report whereabouts information *warnings* and rule *violations* to the relevant organisations in a timely and accurate manner.
- 2.2 National Sporting Organisations: To provide DFSNZ with the details of athletes who are to be included in the *Registered Testing Pool*. To act in accordance with their Rules with respect to whereabouts information. To assist DFSNZ in the implementation and application of the athlete whereabouts information requirements.
- 2.3 Athletes in the DFSNZ’s Registered Testing Pool: To provide timely, accurate and complete whereabouts information in the format required by DFSNZ if required to do so by DFSNZ.
- 2.4 International-Level Athletes: If required to do so by the International Federation (IF), athletes named by their IF as International-Level Athletes must also provide their whereabouts information to their IF.

### 3.0 Informing the Athlete of the Requirement to Provide Whereabouts Information

- 3.1 The National Sporting Organisation (NSO) must provide DFSNZ with the list of athletes and the consent and details forms for athletes who are to be included in the *Registered Testing Pool (RTP)* for their Sport.
- 3.2 Once included in the *RTP*, an athlete must remain on the *RTP* for a minimum period of six (6) months unless DFSNZ receives written notification from the athlete of his or her retirement; or while the athlete is serving a period of ineligibility (see Sports Anti-Doping Rule 14.10 Reinstatement Testing).

- 3.3 DFSNZ will provide the NSO with a list of athletes in the *RTP* for their sport at least twice annually for review.
- 3.4 DFSNZ will inform athletes in the *RTP* of their requirement to provide whereabouts information as applicable.

#### **4.0 Collecting, Maintaining & Monitoring Whereabouts Information**

- 4.1 The World Anti-Doping Agency (WADA) has developed a computerised “information clearing house” programme (ADAMS). ADAMS enables all National Anti-Doping Agencies (NADOs) and International Federations (IFs) to access details for their athletes from forms the athletes complete on-line.
- 4.2 DFSNZ has acquired and utilises a software programme called SIMON for this purpose. From March 2008 Simon will provide relevant data to ADAMS as necessary. Simon provides a more comprehensive programme to assist DFSNZ to manage the whereabouts programme and for the athletes to efficiently input data.
- 4.3 Athletes shall submit whereabouts information using the DFSNZ *Athlete Location Form (ALF)* or their IF’s equivalent (provided that it has been accepted by DFSNZ as containing all information required). Athletes may submit whereabouts information by mail or fax, and from 15 March 2008 by going on-line from the “Athletes” section of the DFSNZ website. For security purposes, the first submission of athlete whereabouts will always be done using a paper form rather than on-line. After an athlete’s first paper submission they will have the ability to submit on-line.
- 4.4 The whereabouts information on each athlete includes:
- Name
  - Date of Birth
  - Gender
  - Sport/Discipline
  - Home address
  - Contact phone numbers
  - Email address
  - Paralympic athlete and classification
  - Training times & venues (permanent & temporary)
  - Training camps
  - Travel plans
  - Competition schedule.
- 4.5 Athlete whereabouts information in the form of the *Athlete Location Forms (ALF)* shall be submitted to DFSNZ on a quarterly basis *in a timely manner*. Should an athlete’s plans change from those originally submitted on the *ALF*, the athlete shall provide updates as soon as possible to DFSNZ using the *Change of Plan Form (COP)*.

- 4.6 DFSNZ will send an acknowledgement of receipt of the *ALF* and *COP* forms to the athlete and the athlete's NSO when the athlete submits his or her *ALF* and *COP* on-line.
- 4.7 DFSNZ shall monitor receipt of whereabouts information and identify failures to provide whereabouts information and incomplete or inaccurate whereabouts information.

## **5.0 Whereabouts Information Warnings**

### **Failure to Provide Whereabouts Information (called a "*Filing Failure*")**

- 5.1 If an athlete has not submitted his or her Whereabouts information for the forthcoming *quarter* on the required form in a *timely manner* or has submitted incomplete or inaccurate whereabouts information, DFSNZ shall notify the athlete in writing to his or her last given residence and by email (where DFSNZ has an e-mail address for the athlete). The athlete shall be given ten (10) consecutive days from the date DFSNZ sent the notification to the athlete to provide his or her whereabouts information. In addition, the athlete shall provide a written explanation to DFSNZ as to the reason why his or her whereabouts information was not provided prior to the deadline, or was incomplete or inaccurate.
- 5.2 DFSNZ shall consider the athlete's written explanation and may issue a written *warning* (also known as "*strike*") for a *Filing Failure* on the athlete.
- 5.3 Should the athlete not submit a written explanation within ten (10) consecutive days of the date DFSNZ sent the notice of the requirement to do so, DFSNZ may make its determination as to whether the athlete has committed a *Filing Failure* without consideration of the athlete's explanation.

### ***Missed Test as a Result of Inaccurate Whereabouts Information***

- 5.4 DFSNZ shall provide its Doping Control Officials (DCOs) with current and accurate athlete whereabouts information as provided in both the *ALF* and *COP* Forms.
- 5.5 Should the DCO not locate the athlete based on the athlete's whereabouts information, the DCO shall complete a detailed report that shall include the dates, times, *locations* and all other details of the DCO's *attempt to notify the athlete*.
- 5.6 On receipt of a report from a DCO that the athlete was not able to be located, DFSNZ shall confirm that the athlete whereabouts information used by the DCO was the most up-to-date, accurate information received from the athlete.
- 5.7 If the whereabouts information used was not the most up-to-date or accurate, DFSNZ shall ensure the DCO is provided with the appropriate information to make a further *attempt to notify the athlete*.
- 5.8 When, following *attempts to notify the athlete* using up-to-date information, DFSNZ is satisfied following a review of available reports that the athlete has provided incomplete or

inaccurate whereabouts information, DFSNZ shall notify the athlete in writing to his or her last given residence and by email (where DFSNZ has an e-mail address for the athlete) requiring the athlete to provide a written explanation within a period of ten (10) consecutive days from the date DFSNZ sent the notification as to why his or her whereabouts information was not accurate and/or up-to-date.

- 5.9 DFSNZ shall consider the athlete's written explanation in determining whether it should issue a written *warning* (also known as "*strike*") on the athlete for a *Missed Test*.
- 5.10 Should the athlete not submit a written explanation within ten (10) consecutive days of receiving notice of the requirement to do so from DFSNZ, DFSNZ may make its determination as to whether it should declare a *Missed Test* without consideration of the athlete's explanation.
- 5.11 An athlete cannot accrue a second *Missed Test* unless he or she has been advised of the first one and has been provided the opportunity to update his or her whereabouts information.

## 6.0 **Results Management, Penalties & Co-ordination**

- 6.1 Should an athlete receive three (3) *warnings (strikes)* for any combination of three (3) *Filing Failures* and/or *Missed Tests* in a *rolling 18-month period*, DFSNZ shall review each incident and determine whether to bring an alleged Anti-Doping Rule Violation case against the athlete as per Article 3.4 of the Sports Anti-Doping Rules. Article 3.4 reads as follows:  
"*Violation of applicable requirements regarding Athlete availability for out-of-competition testing including failure to provide whereabouts information required by DFS or any other Anti-Doping Organisation and missed tests which are declared by DFS under the Rules.*"
- 6.2 For co-ordination purposes and in order to provide more information for any subsequent Hearings, DFSNZ may make information related to an athlete's *Filing Failures* and/or *Missed Tests* available to the athlete's International Federation and WADA.
- 6.3 DFSNZ may combine an athlete's *Filing Failures* and/or *Missed Tests* recorded under the DFSNZ whereabouts information programme with other Anti-Doping Organisations' (ADOs') and International Federations' (IFs') recorded *Filing Failures* and/or *Missed Tests* to determine whether to bring an allegation of an Anti-Doping Rule Violation against the athlete. DFSNZ in making this determination shall consider whether the process(es) followed by the ADO and/or IF were in accordance with the SADR.
- 6.4 The Sports Anti-Doping Rules define the consequences of Anti-Doping Rule Violations for whereabouts information as:
- (a) Disqualification
  - (b) Ineligibility
  - (c) Provisional Suspension.

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### ATHLETE WHEREABOUTS INFORMATION - DEFINITIONS

#### Definitions

Definitions specific to this document which are not defined in the World Anti-Doping Code, the Sports Anti-Doping Rules or the International Standard for Testing are shown in italics in the text of the document and defined as:

**Athlete Location Form (ALF):** The form provided under the Athlete Whereabouts Information section of DFSNZ's website or provided in a paper version by DFSNZ to enable athlete's to advise Whereabouts Information to DFSNZ.

**Athlete's location:** The venues; residence, training or other; permanent or temporary, as advised by the athlete to DFSNZ, for the applicable period on the *Athlete Location Form (ALF)* or *Change of Plan Form (COP)* submitted by the athlete.

**Attempt to notify the athlete:** The attendance of a Doping Control Official (DCO), acting on instructions from DFSNZ, at an *athlete's location*. A DCO shall remain at any particular venue specified as part of the *athlete's location* for a period of one (1) hour or otherwise for sufficient period to determine with certainty that the athlete will not be present at the venue within the hour. The DCO will then attend at an alternative venue or classify the attempt as a possible *missed test* as appropriate.

**Change of Plan Form (COP):** The form provided under the Athlete Whereabouts Information section of DFSNZ's website or provided in a paper version by DFSNZ for an athlete to advise any alterations to his or her *ALF* during the current quarter.

**Filing Failure:** Occurs when an athlete does not submit his or her whereabouts information on the *ALF Form* in a *timely manner* as required by DFSNZ; or otherwise submits incomplete or inaccurate whereabouts information without satisfactory explanation.

**Location:** For the purpose of Sports Anti-Doping Rule 6.4.4, "location" shall refer to a range of venues as set out in *athlete's location*.

**Missed Test:** Occurs when DFSNZ attends a location at the day and time provided by an athlete in his or her *ALF Form*, *attempts to notify the athlete* and the athlete is not at the location and cannot provide a satisfactory explanation.

**Quarter:** For the provision of *Athlete Location Forms*, the following quarterly periods apply:

- ◆ Quarter 1: 1 July to 30 September
- ◆ Quarter 2: 1 October to 31 December
- ◆ Quarter 3: 1 January to 31 March
- ◆ Quarter 4: 1 April to 30 June

**Registered Testing Pool (RTP):** When determining which athletes are to be included in the *Registered Testing Pool*, DFSNZ will take into account the particular characteristics of each sport and, as appropriate, individual athletes. There are significant requirements for both DFSNZ and athletes when athletes are included in the *RTP* and DFSNZ wishes to restrict the size of the pool to ensure that it is focussed on high priority athletes and it is manageable in size.

DFSNZ will discuss the *RTP* with each NSO but reserves the right to make the final decision as to which athletes are to be included.

DFSNZ shall take into consideration the following criteria when considering which athletes are to be included in its *RTP*:

- ◆ The level at which the athlete competes.
- ◆ The inclusion of the athlete in his or her International Federation's RTP.
- ◆ The physical demands of the sport and/or discipline and possible performance enhancing effects that doping may elicit.
- ◆ Available doping analysis statistics.
- ◆ Available research on doping trends.
- ◆ The history of doping in the sport and/or discipline.
- ◆ Training periods and competition seasons.
- ◆ Information received on possible doping practices.
- ◆ Athletes serving periods of ineligibility.
- ◆ Athletes receiving Government funding.

Every athlete included in the *RTP* shall be advised by DFSNZ and required to complete athlete consent and details forms.

**Rolling 18-month period:** A period of 18-months following an athlete's first *missed test* or *filing failure*.

**Strike:** A warning following a *missed test* or *filing failure*. (See *Warnings/Strikes* below.)

**Simon:** The athlete management database used by DFSNZ into which athlete whereabouts information is entered and maintained.

**Timely manner:** For the provision of *quarterly* whereabouts information is on or before the 15<sup>th</sup> day of the month prior to the commencement of the quarter. With respect to *Change of Plan (COP)* forms it shall be at the first opportunity and must be in advance of any actual change occurring.

**Warning/Strike:** *Warnings* (or *strikes*) shall result from breaches of the whereabouts information requirements as follows:

- (a) **Filing Failure:** An athlete has not submitted his or her whereabouts information for the forthcoming *quarter* on the required form in a *timely manner* without sufficient justification or has submitted incomplete or inaccurate whereabouts information.

- (b) **Missed Tests:** An athlete has not been present at a *location* notified to DFSNZ when a Doping Control Official has attended to *attempt to notify* the athlete of his or her requirement to provide a sample.