



WHEREABOUTS BYLAWS

Adopted by the board of directors for Anti-Doping Norway on the 27.12.2020.

§ 1. Scope of the Regulation

(1) The Bylaws are adopted in accordance with the Anti-Doping Rules given by The Norwegian Olympic and Paralympic Committee and Confederation of Sports (NIF) art. 5.5 and are in compliance with the World Anti-Doping Code (WADC), «International Standard for Testing and Investigations» (ISTI) and «International Standard for Result Management» (ISRM). In case of conflict the World Anti-Doping Code/the International Standards shall prevail.

(2) Anti-Doping Norway (ADNO) shall collect necessary information to carry out efficient unannounced Testing according to the Test Distribution Plan. Whereabouts information that is collected shall be proportionate in light of the number of athletes in the Registered Testing Pool and the number of tests planned to be collected from the Athlete.

§ 2. Definitions

Anti-Doping Administration and Management System (ADAMS): The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation, cf. annex 1 to NIF Anti-Doping Rules.

ADNO Complaints Committee: A committee appointed by the board of ADNO that will evaluate decisions made by the ADNO Whereabouts committee. The ADNO Complaints Committee is independent. Neither ADNO's board nor administration may instruct the ADNO Complaints Committee or reverse the Committee's decisions.

ADNO Whereabouts committee: A committee appointed by the board of ADNO that will evaluate cases related to breaches of these Bylaws. The ADNO Whereabouts Committee is independent. Neither ADNO's board or administration may instruct the ADNO Whereabouts Committee or reverse the Committee's decisions.

60-Minute Timeslot: One specific 60-minute timeslot between 05.00 and 23.00 each day where Athletes in a Registered Testing Pool are available for and accessible for unannounced testing.

International Level Athlete: Athletes who compete in sport at the international level, as defined by each International Federation, consistent with the ISTI, cf. annex 1 to NIF's Anti-Doping Rules.

National Level Athlete: Athletes who compete in sport at the national level, as defined by each National Anti-Doping Organization, consistent with the ISTI. In Norway Athletes on a National Level are defined by ADNO and are inter alia Athletes who compete at the highest level of competition of the sport in question, and nationals who regularly or often compete at an international level, but who are not International Level Athletes, cf. annex 1 to NIF's Anti-Doping Rules.

The pool of National Level Athletes is published on ADNO's website.

Recreational Athlete: An Athlete who is neither defined as an International-Level Athlete by the International Federation consistent with the ISTI nor defined as a National-Level Athlete as defined by ADNO. A person who within five (5) years prior to committing any anti-doping rule violation, has been included in one of the following items shall not be defined as a Recreational Athlete:

- a) has been an International Level Athlete (as defined by his or her International Federation),
- b) has been a National Level Athlete as defined by ADNO or a National Anti-Doping Organization of another country,
- c) has represented a country in an International Event in an open category (open category does not include competition that is limited to junior or age group categories), or
- d) has been included in any Registered Testing Pool, cf. annex 1 to NIF's Anti-Doping Rules.

Registered Testing Pool: The pool of highest-priority Athletes established separately at the international level by International Federations and at the national level by National Anti-Doping Organizations, who are subject to focused In-Competition and Out-of-Competition Testing as part of that International Federation's or National Anti-Doping Organization's test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 and ISTI. In Norway Athletes are placed on the Registered Testing Pool by ADNO, cf. annex 1 to NIF's Anti-Doping Rules.

Whereabouts duty: A duty to file Whereabouts information according to these bylaws.

Whereabouts information: Information that is necessary to conduct unannounced doping controls.

§ 3. Registered Testing Pool Athlete

Athletes in the Registered Testing pool have a duty to give Whereabouts information according to these Bylaws and shall be subject to NIF's Anti-Doping Rules art. 2.4.

§ 4. Registered Testing Pool

(1) ADNO shall after an overall evaluation decide who shall be bound by the Whereabouts duty. The Registered Testing Pool shall as a main rule include Athletes that ADNO intends to test at least three times out of competition. Criteria for this assessment includes, but are not limited to, the Athletes level and results, testing history, profile history, financial incentives, age, stage in career, availability, Whereabouts history, previous sanctions and other information, cf. ISTI art. 4.5.2, 4.5.3 and 4.8.6.1. The Athlete shall be notified in writing that he or she is included in the Registered Testing Pool according to ISTI 4.8.7.1.

(2) An Athlete in the Registered Testing Pool must provide Whereabouts information unless and until:

- a) the Athlete retires from competition in the sport in question, or
- b) the Athlete has been given written notice by ADNO that he or she no longer is designated for inclusion in its Registered Testing Pool, cf. NIF's Anti-Doping Rules art. 5.5.6.

§ 5. Duties for Athletes in the Registered Testing Pool

(1) Athletes in the Registered Testing Pool must give correct and complete Whereabouts information each quarter for the following quarter as per the 1st of January, 1st of April, 1st of July and 1st of October. Information that is to be submitted is:

- a) full name and phone number,
- b) full e-mail address, residential address and/or mailing address so that the Athlete may receive information,
- c) physical impairments that may have influence on sample collection,
- d) all sports the Athlete participates in,
- e) full overnight address for each day so that the Athlete may be located for unannounced testing (home, temporary lodgings, hotel etc.)
- f) the Athletes competition schedule, including name and address of each location where the Athlete will compete.
- g) name and address of each location where the Athlete shall train, work or perform other regular activity, (e.g. school), including the usual times for such activities.
- h) 60-minute timeslot on a stated address/residence where the Athlete is available for unannounced testing.

(2) Athletes in the Registered Testing Pool shall ensure that all necessary information is submitted according to these Bylaws. The Whereabouts information shall be up to date, accurate and necessarily detailed so that ADNO can reach the Athlete for unannounced testing on any given day of the quarter at the times and locations specified by the Athlete, including but not limited to the stated 60-minute timeslot. The Athlete is in any case obliged to submit a doping sample at any time at any place according to NIF's Anti-Doping Rules art. 5.2.2.

(3) The Whereabouts information shall be sufficiently detailed so that doping control officers can find the Athletes address/location or be given access to the Athletes address/location and find the Athlete on the address/location with no advance notice to the Athlete.

(4) The mailing address shall be an address where the Athlete can receive mail from ADNO. Mail is deemed to have been received seven days after it was deposited in the mail. E-mail is deemed to have been received immediately when the e-mail is confirmed sent.

(5) Athletes remain responsible for submitting Whereabouts information according to these Bylaws, irrespective of whether or not the Athlete chooses to delegate the responsibility to an Athlete representative.

(6) Athletes in the Registered Testing Pool have a responsibility to continuously update all Whereabouts information, so that the information at any given time is correct.

(7) An update of Whereabouts information shall take place before the 60-minute timeslot commences.

(8) Whereabouts information shall be submitted in ADAMS, unless agreed otherwise with ADNO.

§ 6. Violation of the Bylaws

(1) Athletes in the Registered Testing Pool who intentionally or negligently violate these Bylaws will be given a notice of a Whereabouts Failure if:

- a) Whereabouts information is not given on time,
- b) the Whereabouts information is not complete, correct or updated, or,
- c) the Athletes in the Registered Testing Pool is not available for testing during the 60-minute timeslot.

(2) If an Athlete in a Registered Testing Pool receives three written notices of Whereabouts Failures for breach of § 6, (1) a)-c) within a 12-month period, it constitutes a violation of NIFs Antidoping Rules art. 2.4. The 12-month period is calculated from the time the first

Whereabouts failure is committed. A suspension of the duty to submit Whereabouts information does not influence the calculation of the 12-month period.

(3) Notices of Whereabouts Failures given to the Athlete in the Registered Testing Pool according to ISTI and ISRM by another Anti-Doping Organizations shall be included in the calculation of the number of Whereabouts Failures.

§ 7. Procedure in Whereabouts Failure cases

(1) The Athletes shall be notified of the Whereabouts Failure within 14 days after the Whereabouts Failure was committed.

(2) An Athlete must have been notified of a possible Whereabouts Failure before a new Whereabouts Failure can be established.

(3) Whereabouts Failures are issued by the ADNO Whereabouts committee.

(4) An issued Whereabouts Failure may be appealed the ADNO Complaints Committee within three weeks after the Athlete has received notice of the Whereabouts Failure.

§ 8. Rules of evidence and burden of proof related to violations of § 6 (1) a) and b)

For an Athlete in a Registered Testing Pool to be found to have violated § 6 a) and b) of these Bylaws, ADNO must establish that the Athlete was given notice;

- a) that the Athlete had been designated for inclusion in the Registered Testing Pool,
- b) of the consequent requirement to file Whereabouts information,
- c) of the Consequences of any Failure to Comply with these Bylaws,
- d) In case of a second or third Filing Failure, that the Athlete was notified of the previous Filing Failure, and that he or she must update the Whereabouts information within 48 hours
- e) That the Athlete's failure was at least negligent. For these purposes, the Athlete will be presumed to have committed the failure negligently upon proof that the Athlete were notified of the requirements yet did not comply with them. That presumption may only be rebutted by the Athlete establishing that no negligent behaviour on their part caused or contributed to the failure.

§ 9. Rules of evidence and burden of proof related to violation of § 6 (1) c)

For an Athlete in a Registered Testing Pool to be found to have violated § 6 (1) c) of these Bylaws intentionally or negligently, ADNO must establish that;

- a) the Athlete is given notice that they have been designated for inclusion in the Registered Testing Pool,

- b) the Athlete has been notified of his or her duty to be available for testing during the 60-minute timeslot at the Athletes stated address/residence and that, if they were unavailable, they would be liable for a missed test,
- c) the Doping Control Officer attempted to test the Athlete during the 60-minute timeslot at the Athlete's stated address/residence reported in ADAMS,
- d) the Doping Control Officer did what was reasonable in the circumstances to try to locate the Athlete, the requirement for unannounced Doping Control taken into consideration,
- e) That ISTI Art. B.2.3 does not apply or (if it applies) was complied with;
- f) That the Athlete's non-availability for testing at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the Athlete will be presumed to have committed the failure negligently upon proof of the matters listed above. That presumption may only be rebutted by the Athlete establishing that no negligent behaviour on their part caused or contributed to their failure to be available for Testing at such location during such time slot and to update their most recent whereabouts filing to give notice of a different location where they would instead be available for Testing during a specified 60-minute time slot on the relevant day.

§ 10. Duplication of reporting

Where an Athlete is included in an international Registered Testing Pool by their International Federation and in a national Registered Testing Pool by ADNO, ADNO and the International Federation shall agree which of them shall accept the Athlete's whereabouts filings; in no case shall an Athlete be required to make whereabouts filings to more than one of them, cf. NIFs Anti-doping Rules art. 5.5.3.

§ 11. The Pool of National-Level Athletes

ADNO shall establish the Pool of National-Level Athletes after seeking advice from the National Federations.

§ 12. Duties for National-Level Athletes, (Top-Level Athletes)

(1) National-Level Athletes shall when requested by ADNO as a minimum submit:

- a) overnight address,
- b) competition schedule, and
- c) a schedule of regular training.

(2) The Athlete shall register the information in ADAMS.

(3) If the National-Level Athlete has neglected to submit the requested Whereabouts information or neglected to submit correct Whereabouts information requested by ADNO, ADNO shall place the Athlete in ADNO's Registered Testing Pool, cf. NIF's Anti-Doping Rules art. 5.5.10.

§ 13. Duties for Athletes who are Neither International- nor National-Level Athletes

ADNO may collect Whereabouts information from Athletes who are neither defined as International-Level or National-Level Athletes. Athletes who neglect ADNO's request within a given date, may be placed in ADNO's Registered Testing Pool.

§ 14. Duties for National Federations

(1) National Federations have a duty to assist ADNO in collecting Whereabouts information for National-Level Athletes, and inform ADNO of the following:

- a) which Athletes who are included in the group of National-Level Athletes in the federation,
- b) all scheduled competitions, trainings, camps, and joint activities organized by the federation involving National-Level Athletes.

(2) National Federations have a duty when requested by ADNO to give Whereabouts information, including all scheduled competitions, trainings, camps and joint activities organized by the federation involving National Level Athletes. Athletes remain ultimately responsible for submitting Whereabouts information when requested according to these Bylaws.

(3) The information shall be submitted electronically.

§ 15. Duties for sports clubs

(1) Sports clubs have a duty when requested by ADNO to give Whereabouts information, including all scheduled competitions, trainings, camps and joint activities organized by the federation involving National-Level Athletes. Athletes remain ultimately responsible for submitting Whereabouts information when requested according to these Bylaws.

(2) The information shall be submitted electronically, on paper or made available on the sports clubs internet page. The information may be submitted in another manner by agreement with ADNO.

§ 16. Processing of Whereabouts information, cf. NIF's Anti-Doping Rules art. 5.5.7

(1) Whereabouts information provided by an Athlete while in the Registered Testing Pool will be accessible through ADAMS to WADA and to other Anti-Doping Organizations having authority to test that Athlete in accordance with NIFs Anti-Doping Rules art. 5.2

(2) Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting Doping Control, providing information relevant to the Athlete Biological Passport or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support

proceedings alleging an anti-doping rule violation.

(3) The Whereabouts information shall be destroyed after it is no longer relevant for these purposes in accordance with the International Standard for the Protection of Privacy and Personal Information.