METHODOLOGICAL NORMS REGARDING THE CONDUCT OF DOPING CONTROL

CHAPTER I
General Provisions

Article 1 - (1) Doping control represents the process that includes the submission of whereabouts information, planning of tests distribution, collecting and handling the biological samples, samples’ transportation to the laboratory, laboratory analysis, therapeutic use exemptions (TUEs) granting, results management, hearings and appeals, and it is developed in compliance with the present methodological norms.
(3) In the event that any of the provisions of the present methodological norms conflict with the World Anti-Doping Code or any International Standards, the World Anti-Doping Code and International Standards shall prevail.

Article 2 (1) - In the purpose of the present methodological norms, the following terms and expressions are defined as follows:
   a) Chain of Custody – the series of individuals or organizations with responsibilities over the sample’s custody, starting with the moment of the provision of the sample until it has been delivered to the laboratory for analysis.
   b) Doping control station – the place arranged according to the provisions of Article 27 paragraph 1 of the current normative act, where the biological samples collection sessions are conducted.
c) Sample collection equipment – containers or apparatus used to collect or hold the sample of the Athlete during the Sample Collection Session as defined in the International Standard for Testing and Investigations.

d) Sample collection session – all successive activities that involve the athlete directly, starting with the notification of athlete with regard to the sample collection and finishing with him leaving the doping control station following the sample collection.

e) Athlete’s representative – natural person with full exercise capacity who represents athlete’s interests during doping control;

f) Chaperone - An official who is trained and authorized by the Agency to carry out specific duties including one or more of the following: notification of the athlete selected for Sample collection; accompanying and observing the athlete until arrival at the Doping Control Station and/or witnessing to and checking the sample provision, when qualified to do so;

g) Random Selection - selection of athletes for testing which is not Target Testing;

h) Weighted selection - Selection of athletes for testing depending on their ranking in a competition classification;

i) Suitable Specific Gravity of urine sample: Specific gravity measured at 1.005 or higher with a refractometer, or 1.010 or higher with lab sticks;

j) Suitable Volume of Urine for Analysis: A minimum of 90 mL for full or part menu analysis;

k) Results management authority: the organization that is responsible, in accordance with 32², 32³ and 32⁴, for the management of the results of doping tests or other evidence of a potential anti-doping rule violation and hearings, or another organization acting in accordance with the rules of the anti-doping organization. In respect of Whereabouts Failures, Results Management Authority shall be conducted by the Anti-Doping Organization that collects the Athlete’s whereabouts information;

l) Sample collection authority: the organization that is responsible for the sample collection in compliance with the requirements of the International Standard for Testing and Investigations, whether the testing authority itself or another organization to whom the testing authority has delegated or subcontracted such responsibility;

m) Testing authority: the organization that authorizes the biological sample collection;
n) Unsuccessful attempt report: a detailed report of an unsuccessful attempt to collect a sample from an athlete included in the registered testing pool, based on the whereabouts provided by the athlete, setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the Athlete (including details of any contact made with third parties), and any other relevant details about the attempt;

o) No advance notice testing: a sample collection session that takes place with no advance warning to the athlete and where the Athlete is continuously chaperoned from the moment of notification through Sample provision.

p) Intent: the circumstances defined pursuant to article 10.2.3 of the World Anti-Doping Code;

q) Missed Test: A failure by the athlete to be available for testing at the communicated location during the 60-minute time slot identified in his/her Whereabouts Filing for the day in question, in accordance with the International Standard for Testing and Investigations;

(2) For the collection of urine sample, the equipment stipulated in paragraph (1), letter e) consists of:
   a) urine collection vessel;
   b) A secure and tamperproof of tamper-evident sample collection kit including two bottles, A and B with lids. The kit code is marked on the box, on the bottles and on the lids;
   c) lid and strip for secure storage of the partial sample;
   d) refractometer and laboratory sticks to measure specific gravity;
   e) transportation bags.

(3) For the collection of blood samples, the equipment stipulated in paragraph (1), letter e) consists of:
   a) disposable needles for collecting the blood sample;
   b) sample collection kit with one or two vacuous tubes A and/or B, for secured storage and transportation of the sample;
   c) disinfected antiseptic pads;
   d) disposable medical gloves;
   e) tourniquet;
   f) containers for biological residuum;
   g) sticky bandage and gauze;
   h) cooling bag;
   i) device for measuring the temperature during transportation.
CHAPTER II
Doping testing

SECTION 1
Doping testing planning

Article 3 (1) The Agency establishes the national annual testing plan, which is reviewed, revised and updated according to the relevant legal provisions.
(2) The national annual testing plan is established based on the information received from national sports federations, in compliance with the provisions of article 52 of the Law no. 227/2006 republished with subsequent amendments and additions, taking into account the risk of doping for each sport discipline, the total number of registered athletes and the number of elite athletes.
(3) Doping testing planning consists in efficient distribution of urine and/or blood doping tests for a year, both in-competition and out-of-competition.
(4) Out-of-competition doping testing shall be a priority in sport disciplines with high risk of doping during training periods.
(5) In-competition doping testing shall be a priority in sport disciplines with low risk of doping during training periods.
(6) Testing shall be with no advance notice, except for in exceptional and justifiable circumstances.
(7) The Agency structures its doping testing plan as a pyramid, based on the evaluation of the doping risk in different sport disciplines.
(8) The Agency evaluates the risk of doping for each sport discipline based on:
   a) TDSSA 2014 –WADA Technical Document for sport specific analyses, Version 2.2;
   b) the physical or other kind of requirements of the sport discipline, taking into account its specific physiological requirements;
   c) the potential performance-enhancing effect that doping may lead to by using prohibited substances and/or methods;
   d) the available statistics on previous doping testing;
   e) the available research on the incidence of prohibited substances and/or methods in each sport discipline;
   f) the history of doping in the relevant sport discipline;
   g) the national and international competition calendar and the training plan;
   h) the information gathered regarding possible doping practices in sport;
i) material advantages.

(9) The Agency shall ensure that the athlete’s support personnel and any other persons in a conflict of interests are not involved in the process for athletes’ selection for testing.

(10) The Agency shall transmit the national annual testing plan to the World Anti-Doping Agency in the following situations:

a) when asking the approval of the World Anti-Doping Agency to analyze the samples by using a more reduced testing menu than the one established by the technical documents;

b) when requested by the World Anti-Doping Agency, during the process of proving the compliance with the risk evaluation requirements, prioritization between sport disciplines, categories of athletes, types of testing and types of samples collected.

(11) The Agency may delegate other anti-doping organizations or third party to act as sample collection authority on its behalf.

(12) Unless the Athlete has specified their 60-minute time slot as being from 05h00-06h00, testing shall take place within the time frame between 06h00 and 23h00, except for the cases when there are justified reasons for a nighttime testing.

Article 4

(1) The event period is the time between the beginning and the end of an event, as established by the ruling body of the event.

(2) The Agency’s registered testing pool shall be reviewed and updated periodically, with the aim of highlighting any modification occurred regarding the inclusion or exclusion of the athletes from the pool.

(3) The Agency shall request the WADA accredited Doping Control Laboratory that all samples collected on its behalf to be analyzed in compliance with the International Standard for Laboratories, the norms provided in WADA Technical Document for sport specific analyses, Version 2.2, according to the sport discipline.

(4) The Agency may ask the Doping Control Laboratory accredited or otherwise authorized by WADA to analyze the samples by using more extended or more reduced testing menus than the ones provided in the Technical Document, according to article 3, paragraph (7);

(5) The Agency may decide to keep the samples and the samples collection documentation, in compliance with the applicable rules.

Article 5

(1) The categories of athletes included in the registered testing pool are:
a) international level athletes and athletes included in the Olympic and Paralympics pools;

b) national level athletes – seniors, youth, cadets, juniors – selected based on their position on the annual classification of specific national sports federations.

(2) As for team sports, one or more athletes in a team or the entire team may be included in the registered testing pool.

(3) When the Agency plans to collect three or more out-of-competition samples per year, from some athletes, they should be included in the registered testing pool, except for the case when it can get whereabouts through other means.

SECTION 2
Requirements regarding doping control officers

Article 6 - The Doping Control Officer presents identification based on an official badge with photo and delegation issued by the Agency.

Article 7 – (1) A doping control officer must comply with the following requirements in order to be selected by the Agency to conduct doping controls:

a) to have attended at least three trainings;

b) not to be in any conflict of interests;

c) to have the adequate qualifications to collect venous blood, when a blood sample collection is required.

(2) The doping control officer is in a conflict of interests with the athlete being tested if they are relatives or the officer is somehow involved in the athlete’s personal life and/or the life of the athlete’s support personnel or the officer has contractual relations with the sports structures.

(3) The requirement that the Agency’s staff delegated by the Agency’s President to conduct doping testing must comply with is not to be relative with the athlete or involved in the life of the athlete’s to be tested and/or the life of his/her support personnel.

Article 8 – The doping control officer and the chaperone, as necessary have the following responsibilities:

a) to comply with the provisions of the current methodological norms;
b) to identify himself/herself in front of the athlete, using the official validated identification card, as well as the certificate confirming the venipuncture for blood samples collection.

c) to permanently keep the athlete under observation, from the moment of the notification until the end of the biological sample collection session;

d) to verify and confirm the athlete’s identity based on the documents stipulated on Article 23. Any discrepancy regarding the athlete’s identity shall be mentioned in additional report form – comments and reported to the Agency, which shall initiate investigations regarding a possible anti-doping rule violation.

**Article 9**

(1) The Agency shall inspect the way doping control officers conduct the sample collection session, by supervising the doping testing missions.

(2) The supervision actions are established according to the importance of the doping testing mission, its difficulty level, respectively the number of samples to be collected or according to the risk of doping in the sport discipline of the athletes to be tested.

(3) The supervision actions are conducted with no advance notice of the doping control officers.

(4) A supervision report shall be drawn up for each supervision action.

**SECTION 3**

**Athletes’ selection**

**Article 10**

(1) Athletes are selected for doping testing as follows:

a) in-competition – random, hierarchic and target selection;

b) out-of-competition – random and target selection.

(2) Athletes are selected for target testing based on the following specific criteria:

a) abnormal biological parameters;

b) repeated injuries;

c) withdrawal or absence from a planned competition;

d) athletes under ineligibility or provisional suspension as a consequence of an anti-doping rule violation;

e) reinstatement after retirement from sport activity;

f) behavior and/or body shape indicating possible use of prohibited substances and/or methods;

g) sudden improvement of sport performance;
h) sudden change of athlete’s residence or training address to a remote location;

i) athlete’s sport performance history;

j) history of doping controls;

k) athlete reinstatement after a period of ineligibility;

l) reliable information from a third party (assumed under signature) regarding the use of prohibited substances and/or methods.

m) repeated failures to comply with the whereabouts information filing requirements;

n) athlete’s age and/or stage of his/her sport career;

o) financial rewards;

p) athletes training independently but competing in Olympic/Paralympic Games or World Championships and might be selected for this kind of events;

q) elite athletes affiliate with a sport club on the Romanian territory but with foreign citizenship.

Article 11 (1) In individual sports, the sports clubs may require in competition and out of competition doping controls only for the athletes under their jurisdiction.

(2) In team sports, the athletes’ selection for in competition doping controls is done only by drawing lots, equally for both teams.

(3) In team sports, the sport clubs may require out of competition doping controls only for the athletes under their jurisdiction, while the selection is done randomly or targeted.

Article 12 (1) - The federal observer has the duty to present, during the technical session, the list containing both teams’ players, including the reserve players, as well as their relevant T-shirt number.

(2) Doping control officers have the right to attend the technical session and the organizers or the representatives of sports structures have the obligation to allow the access of doping control officers to the technical sessions.

Article 13 (1) - In the case of games with two halves, drawing lots shall take place during the break. In the case of games with more than two rounds, drawing lots shall take place during the first break.
(2) The doping control officer is the one to organize the drawing lots, in the presence of the federal observer of the game and the representatives appointed by each team.

(3) Drawing lots is done by the representatives of both teams, who draw in a crossed manner an equal number of notes, in the presence of the doping control officer. At least two reserve notes shall be drawn for each team, which shall be marked with “R” and the order number.

(4) The notes drawn shall be signed by the representatives of the two teams and the federal observer of the game and shall be kept by the doping control officer in a sealed envelope. The envelope and the notes shall be unsealed with 5 to 15 minutes before the end of the game, only in the presence of the federal observer of the game or the representatives of the two teams and the federal observer of the game, in order to find out the names of the athletes selected for doping control.

(5) After drawing lots, when an athlete is injured severely and he has to be taken to the hospital, the first reserve player selected shall submit to doping control. When this player cannot submit to doping control either, the second reserve player selected shall submit to doping control, as established after drawing lots according to paragraph (3).

Article 14 - (1) The Agency shall establish the method of drawing lots and it has the right to decide to draw lots taking into account players’ positions on field with the purpose of increasing the effectiveness of doping control, considering the effects of prohibited substances and/or methods over different motor abilities.

(2) When a player is eliminated during the game, he should remain available in case he has been selected after drawing lots or nominated by the Agency for a doping control.

Article 15 (1) The Agency has the right to nominate, at the end of the game, other players for doping control besides the ones already selected, according to the law.

(2) The Agency may select for doping testing athletes who are not part of the registered testing pool.

SECTION 4
Athletes’ notification

Article 16 (1) The athlete’s notification begins when the sample collection authority initiates the selected athlete’s notification and it ends when the athlete
arrives to doping control station or when an eventual failure to comply by the athlete is brought to the testing authority’s attention.

(2) The athlete selected for doping testing is the first to be notified based on a written notification handed over directly by the doping control officer or the chaperone, except for the cases when a previous contact with a third person is necessary for the minor athletes, or the athletes with disabilities that require the presence of a companion or when the presence of an interpreter is necessary.

(3) The doping control officer or the chaperone notifies the athlete about:
   a) the fact that the athlete has to submit to sample collection;
   b) the authority that ordered the doping testing;
   c) the type of the sample to be collected and the requirements to be met before the sample collection;
   d) the athlete’s rights;
   e) the athlete’s responsibilities:
   f) the location of the doping control station;
   g) the fact that the athlete should avoid excessive hydration;
   h) the fact that the intake of liquids or food before providing the sample shall be done on his/her own responsibility;
   i) the fact that any urine sample provided by the athlete should be the first after signing the notification for doping control and that the athlete is not allowed to take a shower or to go to another location outside the doping control station to urinate.

Article 17 – During the doping testing session, the athlete has the following rights:
(1) to have a representative and, if necessary, an interpreter;
(2) to ask for additional information regarding the sample collection process;
(3) to ask for relevant changes of the sample collection procedure, in the case of athletes with disabilities.

Article 18 – The athlete has the following responsibilities during the doping testing procedure:
   a) to identify him/herself;
   b) to remain permanently under the doping control officer or chaperone’s observation, from the moment when the notification is handed over until the completion of the sample collection session;
   c) to comply with the sample collection procedure and to be responsible for any possible anti-doping rules violations, according to the legal provisions;
d) to submit for doping testing immediately after signing the invitation, except for the case when there are justified reasons for a delay, according to the provisions of Article 19, paragraphs (2) and (3).

**Article 19**

(1) After acknowledging and signing the notification for the doping control, the athlete may ask the doping control officer for a delay in submitting to the doping control station and/or to leave the station temporarily, according to paragraphs (2) and (3).

(2) In case of in-competition doping control, the athlete may delay the submission to the doping control station and/or may leave the station for the following reasons:

   a) Participation in a victory ceremony;
   b) Fulfillment of media commitments;
   c) Competing in further competitions;
   d) Performing a warm down;
   e) Receiving a necessary medical treatment that cannot be postponed;
   f) Getting one of the documents identified in article 23, paragraph (1);
   g) Localization of a representative and/or an interpreter;
   h) any other justifiable exceptional circumstances, established by the doping control officer with the approval of the testing authority.

(3) In case of out-of-competition doping control, the athlete may delay the submission to the doping control station and/or may leave the station for the following reasons:

   a) Completing a training session;
   b) Receiving a necessary medical treatment that cannot be postponed;
   c) Getting one of the documents identified in article 23, paragraph (1);
   d) Any other exceptional circumstances established by the doping control officer with the approval of the testing authority.
   e) Localization of a representative and/or interpreter.

(4) The doping control officer shall document in the additional report form – comments the reasons for the delay in reporting to the doping control station and/or the reasons for leaving the doping control station and the Agency may require further investigations for a possible anti-doping rules violation.

(5) The time when the athlete leaves the doping control station as well as the time when he returns to the doping control station shall be documented by the doping control officer in the register of the doping control station.

(6) When the athlete is tardy in submitting to doping control station from other reasons than the ones provided in paragraphs (2) and (3) of this article, but he
arrives before the doping control officer leaving, the last one, with the approval of the testing authority shall decide whether to continue with the sample collection or not and he/she shall document this aspect in a comments report.

**Article 20** The doping control officer may deny the athlete’s request to postpone the submission to doping control station and/or temporarily leave the station if the athlete can not be chaperoned permanently.

**Article 21** (1) On doping control officer or chaperone’s request, the athlete signs the invitation, thus confirming the fact that he/she accepts to submit for doping testing.

(2) In case the athlete refuses to sign the invitation identified in paragraph (1), the doping control officer or the chaperone shall inform him/her regarding the possible consequences of the refuse. The doping control officer shall document this aspect in the additional report form – comments and the Agency shall initiate an investigation regarding a possible anti-doping rule violation.

**Article 22** (1) In case the athlete is missing at the place and the hours provided in the whereabouts information, the doping control officer shall document the fact in an unsuccessful attempt report.

(2) The Agency shall make all reasonable efforts to locate and notify the athletes for doping control. This aspect shall be documented in the additional report form – comments.

**Article 23** – (1) The identity of an athlete selected for doping testing shall be established based on one of the following documents:

a) athlete’s identification card,

b) identity card;

c) passport;

d) driving license;

e) student card;

f) any other official document with the athlete’s name and photo.

(2) In case the athlete does not have an identification document, the athlete shall be recognized by the representative and the doping control officer shall document this fact in the additional report form – comments.
Article 24 – Any situation that could compromise the testing, noticed by the doping control officer while chaperoning the athlete shall be documented in the additional report form – comments, and the Agency shall initiate further investigations regarding a possible anti-doping rules violation.

SECTION 5
Preparing for the Sample Collection Session

Article 25 The doping control officer is responsible for the whole development of the sample collection session.

Article 26 – The sample collection session shall be conducted in adequate facilities named doping control stations, arranged according to the requirements stipulated in article 27, paragraph (1), which ensure the sample’s integrity and security, by respecting the athlete’s dignity.

Article 27 (1) The necessary criteria for arranging the doping control station are:

a) the doping control station shall be situated near the training or competition zone and shall be clearly signaled while the track towards the station shall have indicating signs;

b) the doping control station is composed of three areas, distinctly delimited: the waiting area, the working area and the collection area;

c) the waiting area shall be a room equipped with chairs:

d) the working area shall be a room where the sample collection sessions take place, equipped with: a refrigerator for samples’ storage, a table, chairs, as well as relevant furniture for blood samples collection, when blood samples are collected;

e) the collection area consists of a special arranged room with two separate toilets and a sink, equipped with cleaning materials, which shall be kept in the anteroom of the toilet.

(2) While in the doping control station, the athlete may drink only the available non-alcoholic drinks, in original sealed packages, excluding the cardboard packages.

(3) If an athlete decides to consume drinks and/or food brought from outside the station, he/she acts on his/her own risk. The doping control officer shall inform the
The persons who have the right to witness during sample collection session may be:

a) a representative of the athlete and/or an interpreter, who witnesses the sample collection session, except for the moment of urine provision, when the athlete is accompanied only by the doping control officer;

b) in case of a minor athlete, a representative who observes the doping control officer when the athlete provides the sample, but without observing directly the sample provision, unless the minor athlete requires this; when the minor athlete waives his/her right to have a representative during the sample collection session, this fact shall be documented in the additional report form – comments and this will not invalidate the testing;

c) in case of a disabled athlete, his/her representative who witnesses the sample collection session;

d) an observer from the Agency, when necessary;

e) an observer from the World Anti-Doping Agency, included in the independent observers’ program and from other international anti-doping organizations, as necessary;

f) any person authorized by the President of National Anti-Doping Agency.

Article 29 (1) – During the doping control, only sample collection kits in conformity with the International Standard for Testing and Investigations shall be used.

(2) The official documents used by the doping control officer are the following:

a. official kits delivery-receipt report;
b. delegation issued by the Agency;
c. invitation for doping control;
d. doping control form;
e. additional report form – comments;
f. additional report form - statement regarding the medications;
g. sample transportation and delivery form;
h. register of the doping control station;
i. unsuccessful attempt report;
j. report form of the doping control officer.
(3) The documents stipulated in alinea (2) are approved by Order of the President of the Agency, published in the Official Journal of Romania, Part I.

SECTION 6
Urine sample collection session

Article 30 – The urine sample collection session shall be performed in a manner that ensures:
   a) the athlete and the sample collection personnel’s health and security are not compromised;
   b) the sample meets WADA International Standard for Testing and Investigations requirements regarding the sample quality and quantity;
   c) the sample is clearly and accurately identified;
   d) the sample is securely sealed;
   e) the sample was not substituted, tampered or contaminated.

Article 31 – The urine sample collection session starts when the athlete is informed on the requirements of the sample collection session and completes when the sample is sealed and the relevant documentation is drawn up.

Article 32 – The doping control officer has the responsibility to witness directly the urine sample provision and to ensure that each sample is properly collected, identified and sealed.

Article 33 – In case of athletes with disabilities, the doping control officer checks the additional equipment or any other equipment necessary for a disability to ensure that the sample’s identity, security and integrity are not compromised.

Article 34 – (1) The doping control officer shall instruct the athlete to select a collection vessel and a kit containing A and B bottles.
   (2) If the athlete is not satisfied with the selected equipment, he/she may select another. If the athlete is not satisfied with any of the equipment available for selection, this shall be recorded by the doping control officer in the additional report form – comments.
   (3) If the doping control officer does not agree with the athlete’s opinion that all the equipment available for selection is unsatisfactory, the doping control officer
shall inform the athlete that sample collection session has to continue and shall document this in the additional report form – comments.

(4) If the doping control officer agrees with the reasons put forward by the athlete that all the equipment available for selection is unsatisfactory, the doping control officer shall terminate the collection of the athlete’s urine sample and this shall be recorded by the doping control officer in the additional report form – comments.

(5) The doping control officer shall inform the athlete that excessive hydration is not recommended in order to avoid the provision of a sample that doesn’t meet the specific gravity requirements.

Article 35 – (1) The athlete shall retain control of the collection vessel and the sample provided, except when additional assistance is required for athletes with disabilities.

(2) The additional assistance may be provided, in exceptional circumstances, to any athlete, by his/her representative or the sample collection personnel, during the sample collection session, when authorized by the athlete and accepted by the doping control officer.

Article 36 – (1) The doping control officer who witnesses the passing of the sample shall be of the same gender as the athlete providing the sample.

(2) The doping control officer makes sure an unobstructed view of the sample leaving the athlete's body. In order to ensure a clear and unobstructed view of the passing of the Sample, the doping control officer shall instruct the Athlete to remove or adjust any clothing which restricts their clear view of the Sample provision.

(3) The doping control officer shall make sure that the athlete properly washes his/her hands before providing the urine sample or he/she wears adequate gloves during the urine sample provision.

Article 37 – (1) The doping control officer checks in full view of the athlete, that the provided urine sample meets the International Standard for Testing and Investigations requirements regarding the quality and the quantity of the sample.

(2) The doping control officer asks the athlete to choose a collection kit and to check the presence of the code number on all its parts.

(3) The doping control officer instructs the athlete to divide his / her urine sample as follows: a minimum of 30 ml into the B bottle and a minimum of 60 ml into the A bottle. When the existing urine volume is larger than the one required for
analysis, the doping control officer makes sure that the athlete fills up the A bottle at the maximum limit, as recommended in the International Standard for Testing and Investigations. If a quantity of urine still remains in the vessel, the doping control officer makes sure that the athlete fills up the B bottle at the maximum limit recommended by the International Standard for Testing and Investigations.

(4) The doping control officer makes sure that a small amount of urine is left in the collection vessel to check the urine sample’s specific gravity.

(5) The athlete seals the bottles under the guidance of the doping control officer and checks if they are sealed properly.

(6) The urine that remains after sealing the A and B bottles is disposed of in front of the athlete.

Article 38 (1) If the provided urine sample does not meet the requirements regarding the specific gravity, the doping control officer shall collect additional Samples until a suitable Sample is obtained. The DCO should continue to collect additional Samples until the requirement for Suitable Specific Gravity for Analysis is met, or until the DCO determines that there are exceptional circumstances which mean that for logistical reasons - as indicated in the International Standard for Testing and Investigations - it is impossible to continue with the Sample Collection Session. Such exceptional circumstances shall be documented accordingly by the DCO.

(2) The procedure for additional sample collection shall be conducted as described in articles 34 – 37.

(3) The doping control officer records in the doping samples transportation and delivery form that all the samples belong to the same athlete, as well as the order of their provision.

(4) The doping control officer hands over to the doping control laboratory all the samples collected, regardless they meet or not the specific gravity requirements necessary for analyses.

(5) The doping control laboratory, in collaboration with the Agency, shall establish which ones of the athlete’s samples shall be analyzed.

Article 39 (1) If the sample collected is of insufficient volume, the doping control officer shall instruct the athlete to select the partial sample collection kit, to open it, to pour the insufficient sample into the A bottle and to seal it. The doping control officer shall instruct the athlete to check that the bottle has been properly sealed and shall record in the doping control form the volume of the insufficient sample,
the exact time of the sealing, the initials of the doping control officer and the athlete, as well as the code number of the equipment used to seal the partial sample.

(2) The doping control officer shall inform the athlete that he/she is required to provide an additional sample.

(3) The athlete shall check if the code numbers of the A bottle and the partial sample collection kit have been properly recorded.

(4) The athlete or the doping control officer has the responsibility to retain control of the sealed partial sample until the athlete is able to provide an additional sample.

(5) From the moment of the partial sample sealing until the additional sample provision, the athlete shall remain under continuous observation and he/she will be given the opportunity to hydrate.

**Article 40**

(1) The procedure for additional sample collection shall be conducted as described in articles 34 – 37.

(2) When the additional sample has been provided, the doping control officer together with the athlete shall check the integrity of the seal on the partial sample vessel.

(3) Any irregularities with the integrity of the seal shall be recorded by the doping control officer in the additional report form – comments, and the Agency shall investigate a possible anti-doping rule violation.

**Article 41**

The doping control officer shall instruct the athlete to break the seal and to combine the samples, respecting the order of their provision, to obtain the volume of urine required for analysis.

**Article 42**

(1) At the end of the sample collection session, the athlete and / or his / her representative, as well as the doping control officer shall sign the doping control form.

(2) If the athlete refuses to sign the doping control form, the doping control officer shall record this in the additional report form – comments.

(3) The doping control officer shall provide the athlete with a copy of the doping control form.

(4) The doping control officer shall distribute the forms stipulated in article 29 paragraph 2 letters c) – j), in separate envelopes, and then seal and send them to the Agency and the Doping Control Laboratory.
Article 43 - If there are doubts as to the origin or authenticity of the sample, the athlete shall be required to provide an additional sample. If the athlete refuses to provide an additional sample, the doping control officer shall document this in the additional report form – comments, and informs the Agency, which shall investigate a possible anti-doping rule violation.

Article 44 – If the athlete has comments regarding the procedure of the sample collection, these shall be documented in the additional report form – comments.

SECTION 7
Blood sample collection session

Article 45 The collection of an athlete’s blood sample shall be conducted in a manner that ensures:

a) the health and safety of the athlete and the sample collection personnel are not compromised;
b) the sample is of quality and quantity that meets the relevant analytical requirements;
c) the sample is accurately identified;
d) the sample is securely sealed;
e) the sample was not changed, contaminated or tampered in any way;
f) the samples to be used for measuring the variable parameters in the Biological Passport Program shall be collected according to the WADA International Standard for Testing and Investigations.

Article 46 The doping control officer has the responsibility to ensure that each sample is properly collected, identified and sealed, properly stored and securely dispatched.

Article 47 – (1) The doping control officer/chaperone and the athlete shall move to the sample collection area.
(2) The doping control officer shall inform the athlete of the blood sample collection procedure, including any modification for athletes with disabilities.
(3) The doping control officer shall make sure the athlete is provided with the opportunity to rest in a relaxed position, feet on the floor, for at least ten minutes before sample collection.
(4) If the sample shall be used for athlete’s biological passport purposes, it shall be collected at least two hours after athlete’s training or competition.

(5) The doping control officer shall instruct the athlete to select the sample collection kit and to check if the selected kit was not tampered and if the seals are intact.

(6) If the athlete is not satisfied with the selected equipment, he/she may select another. If the athlete is not satisfied with any of the equipment available for selection, this shall be recorded by the doping control officer in the additional report form – comments.

(7) If the doping control officer does not agree with the athlete’s opinion that all the equipment available for selection is unsatisfactory, the doping control officer shall inform the athlete that sample collection session has to continue and shall document this in the additional report form – comments.

(8) If the doping control officer agrees with the reasons put forward by the athlete that all the equipment available for selection is unsatisfactory, the doping control officer shall terminate the collection of the athlete’s blood sample and this shall be recorded by the doping control officer in the additional report form – comments.

**Article 48** (1) The blood sample collection kit shall contain:
   a) a single vacutainer for analyzing the athlete’s biological passport;
   b) two A and B vacutainers for other analyses except the athlete’s biological passport;
   c) another equipment, specified by the laboratory authorized or accredited by the World Anti-Doping Agency.

(2) When a blood sample collection kit has been selected, the doping control officer and the athlete shall check that all code numbers match and that the code number is properly recorded by the doping control officer in the doping control form.

(3) If the athlete or the doping control officer finds any unconformities regarding the code numbers, the doping control officer shall instruct the athlete to choose another kit and this shall be recorded by the doping control officer in the additional report form – comments.

**Article 49** (1) The amount of blood collected shall be adequate to satisfy the analytical requirements for the sample analysis to be performed, as follows:
   a) for whole blood analyses, 3 ml of blood, both in A and B vacutainers;
   b) for serum analyses, 5 ml of blood, both in A and B vacutainers.
(2) If the amount of blood that can be collected from the athlete at the first attempt is insufficient, the blood collection official shall repeat the procedure. The maximum number of attempts shall be three.

(3) Should all attempts fail, the blood collection official shall inform the doping control officer. The blood collection official shall terminate the collection of the blood sample and record this and the reasons for terminating the collection session in the additional report form – comments.

(4) The blood collection official shall clean the athlete’s skin with a sterile disinfectant swab in a location unlikely to adversely affect the athlete’s performance and apply a tourniquet, if necessary.

(5) The blood collection official shall take the blood sample from a superficial vein.

(6) The blood collection official shall apply a bandage to the puncture site/s.

(7) The blood collection official shall dispose of the used blood sampling equipment not required for completing the sample collection session.

(8) The management of the dangerous waste resulted from the blood sample collection session shall be done in compliance with the Order of the Ministry of Health no. 1.226/2012 on the approval of the Technical Norms for the management of waste resulted from medical activities and the Methodology for data collection for the national data base regarding the waste resulted from medical activities.

(9) The blood samples collection shall be done in compliance with the universal precautions for avoiding the health damage of the persons who come into contact with the patients’ blood or other biological fluids, stipulated in Appendix IV of the Order no. 916/2006 of the Minister for Health for the approval of the Norms for supervision, prevention and control of the nosocomial infections in the sanitary units.

(10) As for the samples to be used in the athlete’s biological passport program, after the completion of the blood sample collection, the doping control officer shall homogenize the blood manually by turning the vacutainer upside down multiple times.

**Article 50** – (1) The athlete seals the sample in the collection kit and the blood collection official checks in full view of the athlete if the vacutainers were properly sealed. The athlete and the doping control officer/blood collection official shall sign the doping control form.
(2) If the sample shall be used in the athlete’s biological passport program, the doping control officer/blood collection official shall place it into a kit that maintains the blood sample at a low temperature during the storage and transportation, by using a thermometer. When choosing the kit for storage and transportation, the number of samples to be stored and the environmental conditions shall be taken into account.

**Article 51** – Any behavior of the athlete and/or his/her representative, any irregularity that might compromise the sample collection shall be recorded in the additional report form – comments. Then, the Agency shall investigate a possible anti-doping rule violation.

**Article 52** - (1) In case of the samples collected for the athlete’s biological passport, the doping control officer shall use specific doping control forms. When these forms are not available, the doping control officer shall use a standard form and an additional report form - comments, where he/she has to include the following information:

a) if the athlete participated in trainings or competitions two hours before the blood sample collection;
b) the name of the locations visited by the athletes, the length of the stay and the estimated altitude;
c) if the athlete used a method of altitude simulation in the last two weeks and details of the equipment used;
d) if the athlete received blood transfusions and if there was a significant blood loss in the last three months, with the estimation of the volume.

(2) If the athlete has observations regarding the sample collection procedure, then his/her observations shall be recorded in the additional report form – comments.

**SECTION 8**

**Transportation of samples and relevant documentation**

**Article 53** (1) The doping control officer shall have the responsibility to store the samples into cooling bags and to transport or deliver them, as soon as possible, to the doping control laboratory designated by the testing authority.

(2) The transportation shall be completed when the samples are delivered to the doping control laboratory, based on the samples’ transportation and delivery form.
(3) The doping control form accompanying the samples to the laboratory shall not include information identifying the athlete.

(4) When the reception of samples together with the relevant documentation or the documentation regarding the sample collection is not confirmed at destination or when the integrity or the identity of the sample might have been compromised during transportation, the custody chain shall be checked by the Agency. In this case, the Agency shall decide whether the relevant sample shall be invalidated.

(5) The documentation regarding the sample collection session and/or an anti-doping rule violation shall be kept by the testing authority and/or the sample collection authority for a period of two (2) years in case of negative samples and for ten (10) years in case of anti-doping rules violation.

(6) The samples collected from athlete are in the property of the testing authority responsible for the relevant sample collection session.

(7) The testing authority may transfer the ownership of the sample to the results management authority or another anti-doping organization, on request.

**Article 54** (1) Any infringement of the normal procedure for biological samples collection that might lead to an anti-doping rule violation shall be recorded by the doping control officer in the additional report form – comments, and the Agency shall investigate a possible anti-doping rule violation.

(2) The result of this investigation shall be communicated to the athlete, the relevant national sport federation, the Ministry of Youth and Sport, the Romanian Olympic and Sports Committee, the athlete’s sport club, the relevant international federation and the World Anti-Doping Agency.

**SECTION 9**

**Modifications of the testing procedure for athletes with disabilities**

**Article 55** – In case of athletes with disabilities, all aspects regarding the notification and sample collection shall be carried out in accordance with the standard notification and sample collection procedures, unless adequate modifications are required, in compliance with the present Norms.

**Article 56** (1) For athletes with disabilities, the Agency shall accept the required modifications of the sample collection procedure and equipment, when possible. All modifications of the standard sample collection procedure for athletes with
disabilities shall be recorded by the doping control officer on the additional report form – comments and reported to the Agency.

2) The doping control officer shall have the responsibility delegated by the Agency to authorize any procedural modification, as long as such modification will not compromise the identity, security and integrity of the sample.

3) The athletes with physical, sensorial or intellectual disabilities have the right to be assisted by representatives, when they are authorized by the athlete and approved by the doping control officer.

4) When the type of disability involves the permanent use of urine collection or drainage systems, the athlete is required to eliminate the existing urine from such systems before providing a urine sample for analysis. When possible, the drainage system shall be replaced before the sample collection with a new unused one. It is the athlete responsibility to have the necessary equipment for this purpose.

CHAPTER III
ATHLETES’ WHEREABOUTS

SECTION 1
Requirements regarding the athletes’ whereabouts information

Article 57 – The athletes included in the Agency’s registered testing pool have the obligation to comply with the requirements regarding the athletes’ whereabouts information as provided in the International Standard for Testing and Investigations.

Article 58 – (1) The Agency notifies each athlete in the registered testing pool, personally in writing, via registered mail with confirmation of receipt or via electronic means of communication - facsimile, email - and/or through the relevant national sport federations, about the following aspects:

a) that he/she has been included in the registered testing pool;

b) that he/she has the obligation to submit quarterly accurate and complete whereabouts information, through ADAMS, defined in article 3 point 1 of Law no. 227/2006, republished with subsequent amendments and completions;

c) that he/she must be available for testing anywhere and anytime;

d) the consequences of failing to comply with the whereabouts requirements as indicated in the International Standard for Testing and Investigations.
(2) Whereabouts information should be submitted before the first day of each new quarter and include:
   a) for each day of the quarter, a specific 60 minutes period from 05:00 to 23:00, when the athlete is available for doping testing at a specific location and/or the place where he/she remains over night;
   b) a full postal address where the official notification shall be transmitted;
   c) details regarding any disability of the athlete that might change the sample collection procedure;
   d) athlete’s consent for sharing the whereabouts with other anti-doping organizations with testing authority over the athlete;
   e) for each day of the quarter, all addresses where the athlete shall live, train or perform other regular activities, such as work, as well as their schedule;
   f) athlete’s competition calendar for the next quarter, including the name, the location address and the day/days when the athlete will compete.

Article 59 – (1) The athlete shall update the whereabouts information through ADAMS, as soon as possible, after the circumstances change.
(2) Any modification occurred before the 60 minutes period specified for that day can also be communicated by using other ways of communication such as online communication, fax, e-mail or text messages on the mobile phone.
(3) The Agency shall check the updates sent by the athlete before trying to collect the sample.
(4) The Athlete who updates the 60-minute period for a specific day, before the initial period shall submit to doping testing during the initially mentioned period, if located.
(5) If the athlete updates the information, but the information updated is not complete or accurate enough to allow his/her localization, then the Agency initiates investigations regarding a possible filing failure.
(6) When an athlete is included in the registered testing pools of multiple anti-doping organizations, he/she has to submit the whereabouts information only to one anti-doping organization, which will be previously agreed upon by the anti-doping organizations that have included the Athlete in their registered testing pool.
(7) It is the Athlete’s responsibility to ensure that he/she provides all of the information required in a Whereabouts Filing accurately and in sufficient detail to enable any Anti-Doping Organization wishing to do so to locate the Athlete for Testing on any given day in the quarter at the times and locations specified by the
Article 60 – Failure by the Athlete of the provisions of article 59 alines 1, 2, 5, 7 and 8 may be investigated as filing failure and/or, if required by the circumstances, as an evading to collect the sample, according to the provisions of article 2, paragraph (2) letter c) of Law no. 227/2006 republished with subsequent amendments and completions, and/or as tampering and/or attempted tampering of the doping control, according to the provisions of article 2, paragraph (2) letter e) of the Law no. 227/2006 republished with subsequent amendments and completions.

Article 61 – (1) If the athlete is not in the location indicated for the 60 minutes time slot, the doping control officer shall document an unsuccessful attempt report and submit it to the Agency.
(2) Based on the report filed by the DCO according to the provisions of alinea (1), the Agency investigates the fact as an apparent Missed Test.
(3) If the athlete is not available for testing at the beginning of the 60 minutes time slot but he/she becomes available at a later moment during the 60 minutes time slot, the doping control officer shall collect the sample and document complete details about the athlete’s late arrival in the additional report form – comments.
(4) If the athlete cannot be located immediately for testing, during the 60 minutes time slot, at the specified location, the doping control officer shall make all reasonable efforts during this period of time to locate the athlete and document this fact in the additional report form – comments.
(5) Based on the form drawn according to the provisions of alinea (4), the Agency shall investigate the action of the Athlete as a possible anti-doping rule violation according to Article 2 alinea (2) letters c) and e) of Law no. 227/2006 republished
with subsequent amendments and completions, and may prompt Target Testing of the Athlete.

(6) If the athlete cannot be located and there are still 5 minutes remained from the 60 minutes time slot, the Agency shall decide if the athlete should be contacted on the phone with the following outcome:

a) when the athlete is contacted on the phone and he/she shows before the expiration of the 60 minutes time slot, the sample shall be collected and the athlete shall not be investigated for a missed test;

b) when the athlete is contacted on the phone and he/she doesn’t show before the expiration of the 60 minutes time slot, the athlete shall be investigated for a missed test;

c) if the Athlete answers the phone call and is not present at the specified location or in its immediate proximity, and as a result can not be present for testing prior to the expiry of the 60-minute period, the DCO shall file a Unsuccessful Attempt Report Form.

d) the phone call is optional and its absence doesn’t represent a defense for the athlete in case of an investigation for a missed test.

(7) All the situations provided in paragraph (6) above as well as all aspects suggesting that the Athlete could have tampered or manipulated the blood or urine samples within the timeframe elapsed between the phone call and the collection of the sample shall be recorded by the DCO in the additional report form – comments and/or in the Unsuccessful Attempt Report Form.

(8) If the athlete is located for testing, he/she has the obligation to remain with the doping control officer until the completion of the sample collection session, even if the doping control session takes longer than the 60 minutes time slot.

(9) If an athlete is not available for testing at the specific location in the 60 minutes time slot, a missed test may be recorded against him, even if he is located later on that day and the samples are successfully collected.

Article 62 – The 12 months period provided in article 2 paragraph (2) letter d) of Law no. 227/2006 republished with subsequent amendments and completions, shall begin from the date when the athlete commits the first whereabouts failure and/or missed test failure, and the method of calculation of the period shall be determined in accordance with Article I.1.3 of the International Standard for Testing and Investigation.
Article 63 – (1) An athlete included in the Agency’s registered testing pool has the obligation to comply with the requirements regarding athlete’s whereabouts information until:
   a) the athlete is notified in writing by the Agency that he/she is no longer part of the registered testing pool;
   b) the athlete retires from sport activity and notifies in written the relevant national sport federation and the Agency.
(2) In case the athlete retires from sport activity during the 12 months period since the whereabouts failure, the 12 months period shall be subsequently suspended.
(3) In case the athlete request the reinstatement afterwards, the 12 months period shall start running again from the date of his/her reinstatement.

Article 64 - For the athletes in a team included in the registered testing pool, the whereabouts information may be submitted collectively, as information on the Team Activities, or individually through ADAMS, as defined in article 3 point 1 of Law no. 227/2006 republished with subsequent amendments and completions, in compliance with article 58.

Article 65 – (1) The athlete who becomes member of a team included in registered testing pool has the obligation to submit whereabouts information in compliance with article 64.
(2) The athlete who is no longer a member of a team included in the registered testing pool has the obligation to continue to submit whereabouts information, if requested.

Article 66 – (1) The Agency has the obligation to maintain confidentiality of the whereabouts information and to use this information exclusively with the purpose of planning, coordinating and conducting doping testing.
(2) The information shall be kept safely and securely and shall be accessed only by the authorized persons, when necessary, exclusively with the purpose of planning, coordinating and conducting doping testing and it shall be destroyed as soon as it is no longer useful, according to the WADA International Standard for Protection of Privacy and Personal Information.

SECTION 2
Results management for whereabouts failures
Article 67 – (1) The Agency is the management authority for the results of the facts leading to the violation of the provisions in article 2 paragraph (2) letter d) of the Law no. 227/2006 republished with subsequent amendments and completions, for the athletes who submit whereabouts information;

(2) If the Agency removes an Athlete from the Registered Testing Pool for which it holds Results Management Authority pursuant to alinea 1 and the Athlete remains in another organization's Registered Testing Pool, then that other organization starts receiving his/her Whereabouts Filings and becomes the Results Management Authority in respect to the violations of the provisions of article 2 alinea (2) letter d) of Law no. 227/2006 republished with subsequent amendments and completions, including those recorded from the Agency.

(3) When the testing authority is not the results management authority, it shall submit the unsuccessful attempt report and all data referring to the alleged whereabouts failure to the results management authority without delay, and thereafter it shall assist the Results Management Authority as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.

(4) Should an athlete commits a whereabouts failure, the Agency shall investigate:
   a) if the athlete was notified appropriately, according to article 58, paragraph (1);
   b) if the athlete submitted correct and complete whereabouts information;
   c) if the athlete was notified about a previous filing failure or missed test in case such a violation occurred.

(5) The results management shall be done as follows:
   a) the Agency shall review the file to check the compliance with the requirements set forth in article 59;
   b) if the Agency establishes that no whereabouts failure occurred, it shall inform the World Anti-Doping Agency, the relevant international federation and, if necessary, the anti-doping organization that firstly discovered the violation, by submitting the reasons for this decision;
   c) each of the bodies mention in letter b) above has the right to submit an appeal against the Agency’s decision.

Article 68 – (1) Following the investigations stipulated in article 67, the Agency shall transmit to the athlete in 14 days since the whereabouts failure was established, a notification in this regard, asking for an answer from the athlete within 7 days from the notification receipt.
(2) The notification sent to the athlete shall contain the following:
   a) the Athlete's right to provide reasons in support of his/her lack of fault in relation to the apparent Whereabouts Failure, providing him/her with sufficient details of the apparent Whereabouts Failure to enable him/her to respond meaningfully, advising whether he/she admits the Whereabouts Failure and, if not, then why not.
   b) the right to admit to a Whereabouts Failure.
   c) the consequences of failing to comply with whereabouts information requirements;
   d) whether or not a whereabouts failure or a missed test has been recorded against him in the last 12 months;
   e) for avoiding other failures, the athlete has to complete the requested information within 24 hours of receiving the notification.

(3) If the Athlete does not respond within the deadline specified pursuant to alinea (2) letter e), a Whereabouts Failure shall be recorded against him/her.

(4) If the Athlete does respond within the deadline specified pursuant to alinea (2) letter e), the Agency shall consider whether his/her response changes its original decision that all of the requirements for recording a Whereabouts Failure have been met.
   a) If so, the Agency shall so advise WADA, the International Federation, and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision.
   b) If not, the Agency shall so advise the Athlete - with reasons - and specify the 7-day deadline by which he/she may request an administrative review of its decision, availing to the Athlete the documents referring to the failure in question.

(5) The bodies listed in alinea (4) letter a) above shall have the right to lodge an appeal in 21 days from the decision notification, and the appeal shall be reviewed by a person specifically designated by the President of the Agency. WADA’s deadline to appeal shall be as provided in Article 13.2.3 of the Code.

**Article 69** – (1) If the Athlete does not respond within the specified deadline according to Article 68 alinea (1), or admits the Whereabouts Failure, the Agency shall give a decision in this regard.

(2) The Agency shall communicate the decision to the World Anti-Doping Agency, the relevant international and national federations and, if necessary, the anti-doping organization that identified the violation.
(3) The bodies mentioned on paragraph (2) above have the right to submit an appeal in 21 days from the decision notification.

(4) When the athlete does not admit the whereabouts failure, the Agency shall inform him/her about the right to ask for an administrative review within 7 days from the notification receipt, and shall avail him/her the documents referring to the respective failure.

(5) When the athlete does not request an administrative investigation in due time, it shall be deemed that the athlete committed a whereabouts failure and the Agency shall give a decision in this regard.

(6) The Agency shall communicate the decision to the World Anti-Doping Agency, the relevant international and national federations and, if necessary, the anti-doping organization that identified the violation.

(7) The bodies mentioned in paragraph (6) above have the right to lodge an appeal in 21 days from the decision notification, and the appeal shall be reviewed by a person specifically designated by the President of the Agency.

(8) When the athlete requests an administrative investigation in due time, the investigation shall be conducted in 7 days from the athlete’s request receipt.

(9) The administrative investigation shall be conducted by one or more persons, as necessary, designated by Order of the Agency’s President and who were not involved in the previous reviews.

(10) The administrative investigation shall be based only on the existing documents, aiming to establish if all relevant requirements for declaring a whereabouts failure were met.

(11) If in outcome to the administrative review conducted in compliance with the provisions of alinea (4) it is determined that the Athlete was not properly notified, according to Article 58 alinea (1), and/or the Athlete was not notified in relation to a prior Whereabouts Failure or a Missed Test, where he/she was not charged with such prior failure, then the Athlete shall not be charged with a Whereabouts Failure, and the Agency shall give a decision in this regard.

(12) If in outcome to the administrative review conducted in compliance with the provisions of alinea (4) it is determined that the Athlete provided truthful and complete information on his/her Whereabouts, then the Athlete shall not be charged with a Whereabouts Failure, and the Agency shall give a decision in this regard.

(13) The Agency shall communicate the decisions given pursuant to the provisions of paragraphs (11) and (12) to the World Anti-Doping Agency, the relevant
international and national federations and, if necessary, the anti-doping organization that identified the violation.

(14) The bodies mentioned on paragraph (6) above have the right to submit an appeal against the decisions given according to the provisions of paragraphs (11) and (12), in 21 days from the decision notification.

(15) If in outcome to the administrative review conducted in compliance with the provisions of alinea (4) it is determined that the Athlete was properly notified, according to Article 58 alinea (1), and/or the Athlete was notified in relation to a prior Whereabouts Failure or a Missed Test, where he/she was charged with such prior failure, then the Athlete shall be charged with a Whereabouts Failure, and the Agency shall give a decision in this regard.

(16) If in outcome to the administrative review conducted in compliance with the provisions of alinea (10) it is determined that the Athlete did not provide truthful and complete information on his/her Whereabouts, then the Athlete shall be charged with a Whereabouts Failure, and the Agency shall give a decision in this regard.

(17) The Agency shall communicate the decisions given pursuant to the provisions of paragraphs (15) and (16) to the World Anti-Doping Agency, the relevant international and national federations and, if necessary, the anti-doping organization that identified the violation.

(18) The bodies mentioned on paragraph (17) above have the right to submit an appeal against the decisions given according to the provisions of paragraphs (15) and (16), in 21 days from the decision notification, and the appeal shall be reviewed by a person specifically designated by the President of the Agency.

(19) The Agency may also communicate, on a confidential basis, with other relevant anti-doping organizations during the results management process, when deemed appropriate.

(20) The decisions taken in compliance with paragraphs (1), (5), (11), (12) (15) and (16) shall be communicated to the athlete.

Article 70 – If an athlete in the registered testing pool was not available for testing in the 60 minutes slot communicated through ADAMS, as defined in article 3 point 1 of Law no. 227/2006 republished with subsequent amendments and completions, at the location specified for that day, the Agency shall investigate:

a) if the athlete received an unsuccessful attempt report from the doping control officer or the testing authority, as applicable;
b) if the athlete was appropriately informed, in compliance with article 58 paragraph (1);

c) if the athlete submitted accurate and complete whereabouts information regarding the 60 minutes time slot;

d) if the doping control officer made all the necessary efforts to locate the athlete in the 60 minutes slot without advance notice of the athlete – this aspect shall be documented in an unsuccessful attempt report;

e) if the athlete was notified about a previous whereabouts failure or a missed test, in case such a violation has been recorded against him previously.

Article 71 – (1) Following the investigation stipulated in article 70, the Agency shall notify the athlete in 14 days from the unsuccessful attempt about this fact, asking for an answer from the athlete in 7 days from the notification receipt.

(2) The notification communicated to the athlete shall contain the following:

a) that the athlete has the right to bring up arguments to sustain his innocence with regard to the possible missed test;

b) what are the consequences of a missed test;

c) whether or not a whereabouts failure or a missed test has been recorded against him in the last 12 months;

d) for avoiding other failures, the athlete has to complete the requested information within the period of time stipulated in the notification.

Article 72 – (1) Where three Whereabouts Failures or Missed Tests are recorded against an Athlete within any 12-month period, the Agency shall bring results management proceedings alleging violation of Article 2 alinea (2) letter d) of Law no. 227/2006 republished with subsequent amendments and completions.

(2) When the Agency does not initiate the results management procedure in 30 days from the date when the third whereabouts failure or missed test occurred in 12 months was communicated, the World Anti-Doping Agency has the right to submit an appeal.

(3) When managing a case of an athlete asserted to have violated the provisions of article 2 paragraph (2) letter d) of the Law no. 227/2006 republished with subsequent amendments and completions, the Hearing Commission for athletes and their support personnel who violated the anti-doping rules shall review the Agency’s decisions given for the violations committed in the 12 months period and has the right to annul the decisions that are not confirmed by evidences.
(4) If the Hearing Commission Hearing Commission for athletes and their support personnel who violated the anti-doping rules decides that at least one Whereabouts Failure and/or Missed Test has not been established to the required standard, then no anti-doping rule violation according to Article 2 alinea (2) letter d) shall be found to have occurred.

(5) In consideration of alinea (4), if the Athlete then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period calculated in accordance with Article I.1.3 of the International Standard for Testing and Investigations, the Agency shall bring Results Management proceedings for the violations of the provisions in article 2 alinea (2) letter d) of Law no. 227/2006.

(6) When managing a case of an athlete asserted to have violated the provisions of article 2 paragraph (2) letter d) of the Law no. 227/2006 republished with subsequent amendments and completions, the Hearing Commission Hearing Commission for athletes and their support personnel who violated the anti-doping rules shall give consideration to a pattern of last-minute whereabouts changes or similar conduct which raises a serious suspicion that the Athlete was trying to avoid being available for Testing.

(7) The Agency shall have the burden of establishing before the Hearing Commission that an asserted whereabouts failure and/or missed test has occurred.

CHAPTER IV
Intelligence and investigations

Article 73 – (1) The Agency has the right to get and use, in a confidential manner, information on possible anti-doping rules violations.
(2) The information stipulated in paragraph (1) above may be obtained from all available sources, without being limited to: athletes, athlete support personnel, natural persons, sample collection personnel, laboratories, pharmaceutical companies, national federations, law enforcement agencies, mass-media and other ruling and disciplinary bodies and it shall be treated as classified information.
(3) The Agency has the obligation to protect the identity of the information sources.
(4) The Agency shall asses and analyze the anti-doping intelligence gathered or received, aiming to establish if there is any reasonable cause to suspect the occurrence of an anti-doping rules violation, that could justify the subsequent investigation.
Article 74 – (1) The Agency shall also use the anti-doping information stipulated in article 73 paragraph (1) to establish, revise or modify the national annual testing plan and to prepare files with target intelligence to be used in specific investigations.

(2) The Agency shall cooperate with WADA, other law enforcement agencies, relevant ruling or disciplinary bodies in cases of crimes or infringement of the regulations of disciplinary rules.

Article 75 – The Agency shall investigate in a confidential, operative, accurate, objective and impartial manner the following:

a) atypical and adverse analytical findings related to athlete’s biological passport;

b) any analytical and non-analytical information and intelligence, when there is a reasonable cause to suspect an anti-doping rule violation according to the provisions of article 2 paragraph (2) of the Law no. 227/2006 republished with subsequent amendments and completions;

c) the possibility for the athlete’s support personnel or other persons to be involved in anti-doping rules violations.

Article 76 (1) The Agency shall submit to WADA the requested information on the circumstances related to the adverse analytical findings, the atypical results and other potential anti-doping rules violation, including but not limited to: the athlete’s competition level, the whereabouts submitted by the athlete and if they were used for locating the athlete for the sample collection that lead to the adverse analytical finding or the atypical result, the synchronization between the athlete’s training sessions and the competition calendar, as well as other relevant information.

(2) The Agency shall inform WADA regarding the commencement of an investigation when there is a reasonable cause to suspect an anti-doping rule violation and submit updated information regarding the status and results of the investigation, on request.

Article 77 – The Agency has the authority to ask for relevant documents and information from any entity involved in a specific case, to hear potential witnesses, the athlete or any other person subject to the investigation.
Article 78 – When based on the investigations’ results the Agency concludes that the athlete or other person should not be further investigated for an anti-doping rule violation:

a) the Agency shall notify in written the reasons of its decisions to WADA and the athlete or other person’s international federation;

b) the Agency shall submit information on the investigation as requested by WADA and the relevant international federation to establish the opportunity of an appeal against this decision.

CHAPTER V
Final provisions

Article 79 – The Regulations for the organization and functioning of the Commission for Therapeutic Use Exemptions Granting, the Hearing Commission for athletes and their support personnel who violated the anti-doping rules and the Appeal Commission shall be approved based on Order of the Agency’s President, within 30 days from the date when the present Methodological Norms enter into force.

Article 80 (1) When the Agency is not responsible for initiating and conducting the doping testing in a sport event, but it would like to conduct testing in that sport event, the Agency shall ask, in writing, for the permission to do so, to the ruling body of the sport event with 35 days before the beginning of the competition, presenting all the reasons for its request.

(2) When the ruling body of the sport event denies or doesn’t answer in 7 days from the receipt of the request, the Agency may submit to WADA, in accordance with the procedures established by WADA, a written request asking WADA permission to conduct Testing and to determine how to coordinate such Testing, presenting all the reasons in support of its request, a written description of the situation and all relevant correspondence with the ruling body.

(3) WADA shall not grant approval for such Testing before consulting with and informing the ruling body for the Event.

(4) WADA’s decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results management for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.
Article 81 – The model and the content of the identification badge provided in article 75 of Law no. 227/2006, republished with subsequent amendments and completions are presented in the annex which forms an integral part of the present Methodological Norms.

Article 82 (1) The management of the doping control results shall be performed in compliance with the provisions of Chapter VI of the Law no. 227/2006, republished with subsequent amendments and completions.
(2) When the result of the B sample analysis doesn’t confirm the result of the A sample analysis and a provisional suspension has already been imposed, the provisional suspension shall be lifted.

Article 83 – Annex 1 is integral part of the present Methodological Norms.