

## **Anti-Doping Regulations**

*As established by the board on 2 January 2012.*

### **Part 1. Considerations and definitions**

#### **Article 1 Considerations**

1. The participant is prohibited from using doping prior to and/or during the Four Day Marches.
2. An orderly is prohibited from promoting the use of doping, in the broadest sense of the word, by participants entrusted to their care, other participants and/or third parties prior to and/or during the Four Day Marches.
3. Without prejudice to these Regulations the provisions laid down in or pursuant to the Dutch Penal Code [Wetboek van Strafrecht] and/or the Opium Act [Opiumwet] shall apply in full to every participant and/or orderly and/or third party.
4. The Four Day Marches does not conduct any out-of-competition doping control.

#### **Article 2 Definitions**

1. Selection: notifying the participant concerned that they have been selected for doping control.
2. Metabolite: any substance produced by a biotransformation process.
3. Sample collection procedure: the procedure from the moment the participant concerned reports to the doping control station up to and including the signing of the appropriate forms.
4. Chaperone: any natural person chosen by the participant to accompany them during the sample collection procedure.
5. Adverse analytical finding: a report from a laboratory or other accredited analysis institute in which it is asserted that a prohibited substance and/or metabolites of forbidden substances (including higher concentrations of substances naturally occurring in the body), markers or evidence of the use of prohibited methods are found in a (urine) sample.
6. Board: the board of the Stichting Internationale Vierdaagse Afstandsmarsen Nijmegen. Insofar as such relates to the executive tasks of the Board ensuing from these Regulations, the Board member for technical affairs will act on behalf of the Board.
7. Participant concerned: the participant in the event who, in accordance with these regulations, is selected for doping control.
8. Confirmation: in the context of the analysis of Sample B means that the same prohibited substance and/or method was found in Sample B as in Sample A. If a substance is prohibited when a certain quantity is exceeded, confirmation will require a prohibited quantity of the substance found in Sample A also to be found in Sample B.
9. Test results: all details ensuing from a doping control.
10. Participant: a male or female participant in the Four Day Marches.
11. Third party: any person involved in the Four Day Marches who falls under the jurisdiction of the Board other than in the capacity of participant or orderly.
12. Disqualification: the disqualification of the participant's results during the event or denying them the right to start on the first day of the event.
13. Exemption: a valid written declaration in respect of (1) the temporary and conditional approval of the therapeutic use by a participant of a prohibited substance and/or method, of: (2) the presence of a naturally higher endogenous production by the participant's body of a prohibited substance.
14. Doping control: the doping control planning, selection and notification of participants, the production and collection of (urine) samples, the transportation of (urine) samples to the laboratory, the analyses of the (urine) samples and the result management.
15. Doping Control Official (DCO): an official instructed by the organisation conducting the doping control who is charged with the execution of the sample collection procedure.
16. Organisation conducting the doping control: the Dutch Anti-Doping Authority [Nederlandse Dopingautoriteit].
17. Doping list: the list of prohibited substances and prohibited methods constituting part of these regulations, as specified in Article 4.
18. Doping case: a possible violation of these regulations.
19. Event: the Four Day Marches [Vierdaagse]
20. Use: the application, ingestion, injection, consumption or use in any other way whatsoever of a prohibited substance and/or prohibited method.
21. International Standard: international standard as part of the so-called World Anti-Doping Programme, which consists of (1) the World Anti-Doping Code, (2) the International Standards (the Prohibited List International Standard, the International Standard for Testing, the International



Standard for Laboratories, and the International Standard for Therapeutic Use Exemptions), and (3) the Models of Best Practice.

22. Marker: a substance or group of substances or biological indicators, indicating the use of a prohibited substance and/or application of a prohibited method.

23. Event day: each day of the walking event.

24. Sample: any biological material, such as urine or blood, collected for the purpose of doping control.

25. Negative result: if during doping control no (prohibited quantities of) (metabolites of) prohibited substances were found in the participant's (urine) sample no marker was found and: no prohibited method was used or applied or the participant has or had been granted exemption within the context of these Regulations in respect of the substance(s) and/or method(s) found and/or used, and had acted in compliance with the conditions attached to such exemption.

26. Attempt: purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of a violation of these Regulations.

27. Positive result: if the doping control reveals that: (prohibited quantities of) (metabolites of) prohibited substances have been found and/or a marker has been found in the participant's (urine) sample and/or a marker has been found or a prohibited method has been used or applied and the participant concerned has/had not been granted exemption within the context of these Regulations in respect of the substance(s) and/or method(s) found and/or used and/or or had not acted in compliance with the conditions attached to such exemption.

28. Selection: the selection of one or more participants for doping control(s).

29. Ineligibility: denial of the participant's right to future participation in the event.

30. Prohibited substance and/or method: the (metabolites of) substances and/or methods specified on the doping list.

31. Orderly: the man or woman registered in accordance with the appropriate rules and regulations as orderly and/or (participating) carer.

32. Four Day Marches [Vierdaagse]: the event referred to in Article 2 of the Articles of Association [Statuten] of Stichting DE 4DAAGSE.

### **Article 3 Definition of doping and behaviour**

In these Regulations doping shall be defined as a substance included on the doping list, and behaviour as any acts and omissions in relation to doping.

### **Article 4 Specification of doping list**

1. The doping list referred to in Article 2.17 of these Regulations is the most recent doping list established by WADA and currently in force.

2. The doping list becomes effective on the appropriate date determined by the WADA.

3. Every participant is expected to be familiar with the current doping list, as published on the websites of the WADA and the Netherlands Anti-Doping Authority.

### **Article 5 Exemption**

1. The use of prohibited substances and/or prohibited methods, barring the exception set out in the [Schedule concerning exemptions](#) (attached to the Model Doping Regulations for all Dutch Sports Associations), is only permitted if the participant has been granted exemption for aforementioned use and acts in accordance with the conditions attached to such exemption.

2. Applications for exemption will be handled, considered and granted in accordance with the applicable International Standard and in compliance with the provisions of the previous clause in respect of the Schedule concerning exemptions.

## **Part 2. Violations**

### **Article 6 Presence of prohibited substance(s)**

1. The participant must ensure that no prohibited substance(s) and/or metabolite(s) of such and/or markers enter his/her body. The presence of any prohibited substance and/or one or more metabolites of prohibited substances and/or markers in the participant's (urine) sample(s) will constitute a violation of these Regulations. The participant is responsible for the presence of any prohibited substances, prohibited methods, metabolites thereof and/or markers found in their (urine) sample(s).

2. The provisions of the previous clause are not applicable in respect of any substance for which a specific limit applies and/or is specified on the doping list and/or specified in the International



Standards, unless such limit has been exceeded.

3. The doping list may include special criteria for the assessment of (the presence and/or the quantity of) prohibited substances which can also be produced by the human body.

#### **Article 7 (Attempted) Use of a prohibited substance or prohibited method**

The use or attempted use of a prohibited substance and/or a prohibited method constitutes a violation of these Regulations.

#### **Article 8 (Attempted) Failure to cooperate**

1. The (attempted) refusal of the participant to produce, provide and/or submit a (urine) sample constitutes a violation of these Regulations.

2. The participant failing, without valid reason, to (be able to) subject themselves to the doping control, failing to cooperate (adequately) with and/or evading (any element of) the doping control after being (verbally) notified of selection for doping control, and any attempt to such failure or evasion, constitutes a violation of these Regulations.

3. Besides the participant, the orderly is also obliged to cooperate completely, promptly and appropriately with the doping control of any participant in their care. Failure to comply with such obligation(s) constitutes a violation of these Regulations.

#### **Article 9 (Attempted) Fraud**

1. Fraud or attempted fraud constitutes a violation of these Regulations.

2. Fraud shall be interpreted as:

a. altering any element of the doping control for an improper purpose or in an improper way and/or

b. interfering in an improper way with any element of the doping control and/or

c. interfering in an improper way with the doping control with the intent of altering the results or having the results altered, or engaging in any fraudulent conduct to prevent normal procedures from occurring.

d. refusal by participant to provide identification during the sample collection procedure

e. forging or in any way having one or more forged versions made of the forms used during the doping control, of an exemption (request) and/or interfering in an improper way with and/or withholding information that is or could be important to an exemption (request).

#### **Article 10 (Attempted) Administration**

1. The administration or attempted administration to a participant of a prohibited substance and/or a prohibited method, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving a violation of these Regulations by an orderly constitutes a violation of these Regulations.

2. This shall not constitute a violation if:

a. the orderly can prove that such administration is in compliance with an exemption granted to the participant within the context of these Regulations, or

b. the orderly has any other acceptable justification for their actions.

### **Part 3. Organisation**

#### **Article 11 Competent authority**

1. Doping controls are initiated, organised and coordinated by the Netherlands Anti-Doping Authority and/or by any other organisation with the legal authority to conduct doping controls or to have doping controls conducted on their behalf.

2. The Netherlands Anti-Doping Authority or any other organisation conducting doping control shall determine the number of tests and the times and locations that the drug tests are to be conducted.

#### **Article 12 Privacy/personal details**

1. The doping control will be conducted as discretely as is possible within the context of these Regulations and what is to be expected of doping control, safeguarding maximum privacy for the participant.

2. The Netherlands Anti-Doping Authority, the Board, and any other organisations conducting doping control, will process any personal details collected in relation to the doping control in compliance with the Personal Data Protection Act [Wet Bescherming Persoonsgegevens]. The Four Day Marches



Privacy Regulations [Privacyreglement Vierdaagse] shall apply in full unless otherwise provided in these regulations.

3. Participants' personal details, including contact information, current location information and test results, may be made available to the Netherlands Anti-Doping Authority, any other organisations conducting doping control tests, laboratories and the WADA, on the condition that the contact information and current location information are not made available to laboratories.

4. The Netherlands Anti-Doping Authority and the Board will ensure that the result of the doping control is kept for a period of eight years, commencing on the day the (urine) sample concerned was provided.

5. The Netherlands Anti-Doping Authority and the Board will only make any statements regarding the information acquired by conducting the doping control tests in such cases as specified the Regulations.

6. Visual or audio recordings of the doping control may only be made, and any such visual and/or audio recordings may only be shown, reproduced or publicised with the consent of the participant concerned and of the organisation conducting the doping control tests.

### **Article 13 Minority**

1. All rights and obligations specified in these Regulations apply equally to all participants regardless of age.

2. Within the context of these regulations a minor is interpreted as a natural person who has not yet reached the age of eighteen.

### **Article 14 Costs**

1. The costs of conducting the doping control will be for the account of the Board, unless otherwise provided in this Article.

2. In the first instance the Board will pay the costs of the testing the B sample. If the result of this test is positive, the costs will then be charged to the participant. If the result of the analysis of the B sample is negative, the costs will be for the account of the Board.

3. Costs incurred by the participant in respect of having the B sample analysed, such as the participant and/or their representative being present in the laboratory, will be for the account of the participant in question.

4. Costs incurred in relation to the analysis of an irregular T/E ratio in compliance with the relevant provisions in these Regulations and/or on the doping list, such as: the costs of consulting and/or bringing in experts, the costs of conducting additional drug tests (having such conducted), the costs of additional analysis/analyses of the participant's (urine) sample (such as the Isotope Ratio Mass Spectrometry (IRMS)), the costs of other analysis as specified in these Regulations, will be for the account of the Board, unless such analysis reveals a violation of these Regulations by the participant.

5. Costs related to the legal guidance of the participant will be for the account of the participant.

6. Where, according to this Article costs are in principle for the account of the Board, the Board is entitled to require the participant to pay an advance deposit.

## **Part 4. Doping control**

### **Article 15 Conducting the doping control**

1. The doping control will be conducted in accordance with the provisions of the International Standard in force at the time of the doping control.

2. The Netherlands Anti-Doping Authority is authorised to select participants for doping control.

3. During or at the end of an Event day, the participant concerned will receive written notification from the Doping Control Official (DCO) that he/she has been selected for doping control. The participant is obliged to cooperate with the doping control.

4. Doping control can be conducted from the moment of registration by the participant or on their behalf, during the event days or in the period between the event days, and no later than six hours after the end of the last event day.

5. If doping control is to be conducted during the periods between the event days, the organisation conducting the doping control will stipulate such a time for the drug test that the participant will be reasonably able to have adequate time to rest and sleep after undergoing the test.

6. The purpose of the doping control is to obtain a (urine) sample from the participant. The (urine) samples are subsequently analysed for the presence of prohibited substances and/or prohibited methods specified on the doping list.



### **Article 16 Proof of identity**

1. When notifying the participant that they have been selected for doping control and when the participant concerned reports for testing at the location where the sample is to be provided, the Doping Control Official (DCO) will identify himself to the participant or their chaperone with proof of identity issued by the organisation conducting the doping control.
2. If the DCO is unable to prove their identity as laid down in the previous clause of this Article, the participant will not be obliged to follow their instructions nor to undergo (any aspect of) the doping control.
3. Should the situation described in the previous clause occur, the doping control will be postponed.
4. The provisions of clause 1 are equally applicable to WADA representatives. Such representatives will only be entitled to access to all aspects of the doping control, with the exception of the urine leaving the body, if they can identify themselves.
5. Participants must be able to identify themselves when notified of selection for doping control and when reporting at the location where the sample is to be provided.
6. If the participant concerned is unable to provide proof of their identity, their carer or (legal) representative may vouch for the identity of the participant. The person vouching for the identity of the participant concerned must be able to identify themselves properly and must sign or co-sign the relevant doping control forms. In that case the doping control can proceed and the inability to provide proof of identification will not constitute fraud.
7. Even if there is no formal identification, the DCO can decide to proceed with the doping control. In such cases the DCO will ensure that the sample provided is linked in some other way, but without any possible doubt, to the identity of the participant.

### **Article 17 Selection for doping control**

1. The participant concerned is required to sign the doping control notification and to report to the specified location as quickly as possible and, in any event, no later than the time specified by the DCO.
2. A request by the participant to postpone the time they are to report may be approved, provided the participant can remain under constant supervision of a DCO or another person so designated by the DCO, on the following grounds:
  - a. the wish or need for the participant concerned to undergo medical treatment
  - b. the request by the participant concerned for a chaperone, a (legal) representative and/or an interpreter
  - c. another acceptable reason.
3. The power of decision in respect of the request referred to in the previous clause rests with the Doping Control Official.
4. Minors and mentally challenged participants are obliged to allow a chaperone to accompany them. If, for specific reasons, this is not possible the Board will arrange a chaperone. Where necessary, the participant concerned may request the DCO to allow an interpreter to be present during the sample collection procedure.
5. Participants concerned may, and minors and mentally challenged participants must be accompanied by a chaperone during the sample collection procedure. Neither the chaperone nor the interpreter may hinder the progress of the sample collection procedure.
6. The DCO will assess the necessity of an interpreter attending and is authorised to deny the chaperone and/or interpreter further access to the sample collection procedure if the progress of the sample collection procedure is hindered.

### **Article 18 Provision of urine samples**

1. The participant concerned is required to produce the quantity of urine specified by the Doping Control Official and to follow the instructions of the DCO or the person designated by the DCO.
2. The participant concerned must stay at the designated location until he/she has fulfilled the obligation set out in the previous clause. The participant concerned may only leave the location with the consent of and under the supervision of the Doping Control Official or a person duly designated by the DCO.
3. Once the urine has been produced, it is divided between the bottle marked with the letter "A", hereinafter referred to as: the A sample, and the bottle marked with the letter "B", hereinafter referred to as: the B sample.
4. The Doping Control Official can ask the participant concerned to produce a second urine sample. In this case, both urine samples produced by the participant will be sent to the laboratory for analysis.



5. The participant concerned, the DCO and, if present, the chaperone must sign the doping control form.

## Part 5. Results

### Article 19 Assessing the test results

1. If the test results do not reveal any adverse analytical findings, nor indicate any (other) case of doping, the Netherlands Anti-Doping Authority will notify the participant and the Board in writing, within fourteen days of the receipt of the test results, of the analytical results of the A sample.
2. If the test results do reveal adverse analytical findings, or indicate any (other) case of doping, the Netherlands Anti-Doping Authority will assess these findings and/or test results in respect of:
  - a. the possible existence of an applicable therapeutic exemption (request)
  - b. possible conditions attached to such exemption
  - c. possible deviations in the applicability of the International Standards, leading to the negative result
  - d. the possible presence of an irregular T/E ratio in the A sample without the presence of one or more (other) prohibited substances and/or one or more prohibited methods (in prohibited quantities)
  - e. the possible presence of an irregular T/E ratio in the A sample in combination with the presence of (other) prohibited substances and/or prohibited methods (in prohibited quantities), in which case the Netherlands Anti-Doping Authority will assess whether one or more of the circumstances described at a, b, and c are applicable.
3. If, after the assessment referred to in the previous clause, the Netherlands Anti-Doping Authority believes there to be a case of doping, an adverse analytical result will be provisionally considered a positive test result.
4. In the event of a positive result, the Netherlands Anti-Doping Authority will notify the participant concerned of the A Sample Adverse Analytical Finding, within fourteen days of receipt of the test results, by way of registered letter specifying:
  - a. the adverse analytical finding
  - b. the (suspected) violation(s) of these Regulations where applicable
  - c. a description of the possibility of retesting and
  - d. the participant's right to request copies of the laboratory documentation package which includes information as required by the International Standard for Laboratory Analysis.

### Article 19 Retesting

1. In the event of A sample Adverse Analytical Findings the participant concerned will be entitled to have the B sample analysed. To this end a retest by analysis of the B sample must be requested by or on behalf of the participant concerned by way of registered letter to the Netherlands Anti-Doping Authority within seven working days of receipt of the notification referred to in the previous Article. In the absence of such registered letter the result of the analysis of the A sample will be final and binding and will then be considered a positive result of the doping control test. Analysis of the B sample must commence within three weeks from the date the notification referred to in the previous clause was sent.
2. The participant concerned and/or their representative and a representative of the Board and/or organisation conducting the doping control may, at their own expense, be present in the laboratory during the analysis of the B sample.
3. The analysis of the B sample will be conducted in the same laboratory as where the A sample was analysed.
4. The participant will be notified of the analytical findings of the B sample by the Netherlands Anti-Doping Authority, by way of a registered letter, within seven working days of the Netherlands Anti-Doping Authority receiving the test results.
5. If the analytical findings of the B sample do not confirm the findings of the A sample, the provisionally positive result will no longer apply and the result will be negative.
6. If the analytical findings of the B sample do confirm the findings of the A sample, the result will definitely be positive.

### Article 20 Follow-up investigation

1. The Netherlands Anti-Doping Authority may initiate any follow-up investigation required on the grounds of the doping list and may conduct, or have conducted on their behalf, any relevant follow-up investigation required in the event of any violation of these Regulations.
2. Should the A sample be found to contain any non-specific substance(s) and/or (prohibited quantities of) prohibited method(s) in combination with an irregular T/E ratio, the result will be based on the non-



specific substance(s) and/or prohibited method(s) found. In such event the follow-up investigation referred to in the doping list need not take place.

3. In the event that the A sample is found to contain any specific substance(s) in combination with an irregular T/E ratio the follow-up investigation referred to in the doping list is to take place.

a. If such follow-up investigation does not give reason to conclude, in respect of the irregular T/E ratio, that a prohibited substance and/or prohibited method was used then disciplinary proceedings will be initiated on the grounds of the specific substance(s) found.

b. If the follow-up investigation leads to the conclusion that a non-specific prohibited substance and/or prohibited method was used, then disciplinary proceedings will be initiated on the grounds of such finding.

4. Should the A sample be found to contain any specific substance(s) and/or (prohibited quantities of) prohibited method(s) in combination with an irregular T/E ratio, the Board can decide to initiate disciplinary proceedings on the grounds of the specific substance(s) found. In addition, the follow-up investigation referred to in the doping list will be conducted.

5. If the follow-up investigation leads to the conclusion that any non-specific prohibited substance(s) and/or prohibited method(s) were used, then disciplinary proceedings will be initiated on the grounds of such finding.

## **Part 6. Disciplinary proceedings**

### **Article 21 Procedure**

1. Once the participant has been informed of a (final) positive result, the Board will initiate disciplinary proceedings for the violation of these Regulations.

2. The disciplinary proceedings will commence by indicting the participant within two months of the Board receiving the positive test result, and offering him/her the opportunity to submit within reasonable time anything they feel would aid their defence.

3. Facts relating to violations of these Regulations can be substantiated with any reliable evidence.

4. Unless proven otherwise, the accredited laboratories and analysis institutes will be deemed to have conducted the analysis of the (urine) samples and storage procedures in accordance with the applicable International Standard.

5. If a participant establishes that the use of a specifically named substance, which is used in medication and which is less likely to have been successfully used as doping, did not occur with the intent of enhancing sporting performance the Board may, in the case of a first violation, suffice with a warning.

6. Prior to imposing any sanctions the Board will offer the participant the opportunity of being heard.

## **Part 7. Sanctions**

### **Article 22 Determining sanctions**

1. The Board will impose sanctions for any violation of these Regulations, depending on the quantity and/or nature of the prohibited substance(s) found and/or the (degree of) recidivism, and/or the extent of intent or blame. Such sanctions may vary from ineligibility to enter one or more of the following events, to life-long ineligibility.

2. In all cases the participant's results in the event during which they were tested with an irrevocably positive result will automatically be disqualified.

3. If a violation of these Regulations consists of failing to (adequately) cooperate with a doping control during or prior to the event, of fraud during the doping control and/or refusing to provide identification, the participant will be disqualified.

### **Article 23 Status during ineligibility**

No person who has been declared ineligible may participate or be involved in the event in any way or in any capacity whatsoever during the period of ineligibility.



## Part 8. Remaining Provisions

### Article 24 Interpretation

These Regulations will be construed and interpreted in accordance with the English text of the World Anti-Doping Code in force at the time of the doping control.

### Article 25 Final provision

1. In cases not covered for by these Regulations the Board will decide in accordance with the Model Anti-Doping Regulations of the Netherlands Sports Associations [Nederlandse Sportbonden] including any appendices issued with or pursuant to said regulations.
2. These rules and regulations may be referred to as the Four Day Marches Anti-Doping Regulations [Dopingreglement Vierdaagse] 2012.

