The International Cricket Council
Anti-Doping Code:

Whereabouts Requirements for Out-of-Competition Testing

Effective Date: 1 January 2015

For information regarding the ICC Whereabouts Requirements, please contact:

The ICC’s Anti-Doping Manager
International Cricket Council
PO Box 500 070
Dubai, United Arab Emirates

Tel (switchboard): +971 4 382 8800
Anti-doping mobile: +971 50 554 5891
Confidential anti-doping facsimile: +971 4 340 9336
Confidential anti-doping e-mail: anti-doping@icc-cricket.com
ICC ANTI-DOPING CODE: WHEREABOUTS REQUIREMENTS
FOR OUT-OF-COMPETITION TESTING

ARTICLE 1 INTRODUCTION

1.1 These ICC Whereabouts Requirements for Out-of-Competition Testing (the ‘ICC Whereabouts Requirements’) have been developed in consultation with, and have been agreed by, all full members of the ICC and FICA. They will come into full force and effect on 1 January 2015 whereupon they will replace the predecessor version of the ICC Whereabouts Requirements. As from that date, they will be deemed incorporated into, and will form part of, the ICC Code, and so will be binding on Players and National Cricket Federations as if set out in full in the ICC Code itself.

1.2 The ICC and its members and FICA are committed to the detection and deterrence of doping in the sport of cricket. It is recognised that to do this effectively, it is necessary to conduct Out-of-Competition Testing where the Player selected for Testing gets No Advance Notice of the test. And for this to be possible, certain information is required about the whereabouts of the Player when he/she is Out-of-Competition.

1.3 For the avoidance of doubt, every Player is subject to Out-of-Competition Testing at any time or place, irrespective of whether or not he/she is required to provide information as to his/her whereabouts when Out-of-Competition. However, to facilitate No Advance Notice Out-of-Competition Testing:

1.3.1 ICC Code Article 5.3.2.1 provides that the ICC shall establish an International Registered Testing Pool (referred to hereafter as the ‘IRTP’) of Players who have to provide the information about their whereabouts specified in Section 11 of WADA’s International Standard for Testing and Investigations; and

1.3.2 ICC Code Article 5.3.3 provides that the ICC may establish a National Player Pool (referred to hereafter as the ‘NPP’) of Players who have to provide, and/or whose National Cricket Federations have to provide the whereabouts information specified in Article 2 of the ICC Whereabouts Requirements.

1.4 This document is intended to implement the provisions of Articles 5.3.2.1 and 5.3.3 of the ICC Code and Section 11 of WADA’s International Standard for Testing and Investigations in the sport of cricket and it shall be interpreted in a manner that gives effect to that intent. It is organised as follows:

1.4.1 Article 2 (‘NPP Requirements’) identifies the categories of Players to be included in the NPP, and sets out the information that those Players and/or their National Cricket Federations have to provide as to their whereabouts. It goes on to explain the process for determining whether a Player or National Cricket Federation has failed to comply with the applicable NPP requirements. It also explains that a Player in the NPP who fails on three occasions within a twelve month period to provide the required information (where he/she is responsible for filing such information) and/or to be where the ICC has been told that he/she would be when an attempt is made to test him/her, will be elevated into the IRTP, whereas a National Cricket Federation that fails on three occasions within a twelve month period to provide the required information will be fined $10,000.

1.4.2 Article 3 (‘IRTP Requirements’) identifies the categories of Players to be included in the IRTP, and sets out the information that those Players have to provide as to their whereabouts. It goes on to explain the process for determining whether a Player has failed to comply with the applicable IRTP requirements. It also explains that a Player in the IRTP who fails on three
occasions within a twelve month period to provide the required information (and/or to be where the ICC has been told that he/she would be when an attempt is made to test him/her) commits an anti-doping rule violation under the ICC Code and will (for a first offence) be subject to a period of Ineligibility of a minimum of one year and a maximum of two years, depending upon the Player’s degree of fault.

1.4.3 Article 4 (‘ICC Responsibilities’) sets out the ICC’s responsibilities with regard to whereabouts, including its responsibility to give Players access to education and support in complying with their whereabouts requirements.

1.5 Words appearing in this document in italicised text have the meaning given to them in the ICC Code or else in Appendix 1 to this document. The comments included in this document shall be used to assist in its interpretation and implementation.

1.6 In accordance with Article 18.6 of the ICC Code, these ICC Whereabouts Requirements are governed by and shall be construed in accordance with English law. Strictly without prejudice to the arbitration provisions of Articles 8 and 13 of the ICC Code, and of Articles 2.10, 2.13, 3.10 and 3.14 of these ICC Whereabouts Requirements, disputes relating to these ICC Whereabouts Requirements shall be subject to the exclusive jurisdiction of the English courts.

1.7 Unless otherwise provided below, the ICC shall communicate with Players in relation to matters arising under the ICC Whereabouts Requirements through their National Cricket Federations, with a copy of all such communications also being sent to the address (postal or e-mail) specified by the Player when he/she submits his/her Cricket Information Filing (in the case of a Player in the NPP) or makes his/her Whereabouts Filing (in the case of a Player in the IRTP) pursuant to these ICC Whereabouts Requirements. Any notice sent by the ICC to a Player via his/her National Cricket Federation shall be deemed to have been received by the Player within five (5) days of the date of delivery to the National Cricket Federation.

ARTICLE 2 NPP REQUIREMENTS

2A. Criteria for inclusion of Players in the NPP

2.1 In accordance with ICC Code Article 5.3.3, the NPP shall include eleven Players from each of the National Cricket Federations ranked in the top eight men’s One Day International Match rankings (as determined by the ICC’s official ODI Match team rankings), selected as of dates specified by the ICC (each, an ‘NPP Review Date’) strictly in the following order:

2.1.1 the wicket-keeper who has played the most One Day International Matches for that team in the twelve months prior to the NPP Review Date in question;

2.1.2 the five highest-ranked bowlers in that team (as determined by the ICC’s official individual ODI Match rankings) as at the NPP Review Date in question; and

2.1.3 the five highest-ranked batsmen in that team (as determined by the ICC’s official individual ODI Match rankings) as at the NPP Review Date in question;

but where a Player who falls into one of these categories has either (a) already qualified for inclusion in an earlier category, (b) not played in any International Match during the preceding twelve month period, or (c) retired from all formats of international cricket in accordance with ICC Code Article 1.2.2, then his/her place in the NPP will be taken by the next most highly-ranked Player in the relevant category (unless that Player has himself/herself already qualified for inclusion in an earlier category or retired from international cricket, in which case the next most highly-ranked Player in the relevant
category is included, and so on), so that (subject only to Article 2.3) there are always eleven Players from each relevant National Cricket Federation in the NPP.

2.2 The ICC will review the membership of the NPP at least every six months. The first NPP Review Date will be 21 May 2010; the next one will be no more than six months later; and so on. If at an NPP Review Date any Player previously included in the NPP no longer meets the criteria set out in Article 2.1, then the ICC will change the membership of the NPP accordingly by replacing such Player with another Player identified in the manner set out in Article 2.1.

2.3 Notwithstanding the foregoing:

2.3.1 If a Player selected in the NPP subsequently retires from all formats of the sport of cricket at international level in accordance with ICC Code Article 1.2.2, he/she shall be removed from the NPP as of that date and shall not be subject to the requirements of Article 2 from that date. He/she shall not be replaced in the NPP until the next NPP Review Date. However, if he/she subsequently wishes to return to play at international level, he/she shall be included in the NPP from the date that he/she next plays (as a member of a starting XI) in an International Match until the next NPP Review Date, at which point he/she shall only remain in the NPP if he/she meets the criteria set out at Article 2.1 as at that NPP Review Date.

2.3.2 If a Player selected in the NPP is subsequently put into the IRTP (by application of Article 3.1) or is already selected or subsequently selected for a National Registered Testing Pool, then he/she shall be removed from the NPP as of that date and shall not be subject to the requirements of Article 2 but instead shall be subject to the requirements of WADA’s International Standard for Testing and Investigations (as set out, in the case of the IRTP, in Article 3). He/she shall not be replaced in the NPP while he/she is in the IRTP or a National Registered Testing Pool. However, if he/she is subsequently removed from the IRTP or the National Registered Testing Pool, he/she shall be included in the NPP from the date of such removal until the next NPP Review Date, at which point he/she shall only remain in the NPP if he/she meets the criteria set out at Article 2.1 as at that NPP Review Date.

2B. Whereabouts requirements for Players in the NPP and their National Cricket Federations

2.4 No later than the final day of each month, either through ADAMS or, in exceptional circumstances, manually (via fax or e-mail) using the ICC’s template filing form, the
Player in the NPP (in accordance with Article 2.7) and/or his/her National Cricket Federation (in accordance with Article 2.6) must provide the ICC with full details (location, full address, dates, times) of all periods in the following month when the Player will be with any Relevant Team for purposes of training, or playing in a Domestic Match or International Match, as well as the date(s) and full address of each place the Player will be staying overnight with the Relevant Team (collectively, the ‘Cricket Information Filing’).

[Comment (1): For the avoidance of doubt: (a) a ‘Domestic Match’ includes all domestic cricket played by a Player for a Relevant Team irrespective of whether such ‘Domestic Match’ is played in his/her National Cricket Federation’s jurisdiction or in another jurisdiction; and (b) where a Player is with a Relevant Team, but staying overnight at his/her home or other personal address, such home or personal address need not be filed.

Comment (2): Up to date copies of the ICC’s template filing form for NPP Players can be found on the anti-doping section of the ICC’s website (www.icc-cricket.com) and an example form is attached at Appendix 3.

Comment (3): Exceptional circumstances which will give rise to the manual submission of Cricket Information Filings may include, without limitation, a technical failure with the ADAMS system which means that the system is unavailable.]

2.5 The Cricket Information Filing provided must be accurate and sufficiently detailed to enable the Player to be located for Testing whenever he/she is with the Relevant Team(s). Where any change in circumstances means that any part of the Cricket Information Filing previously provided is no longer accurate or complete (i.e., it is not sufficient to enable the Player to be located for Testing whenever he/she is with the Relevant Team(s)), the Cricket Information Filing previously provided must be updated so that the information on file is again accurate and complete. Such update must be made as soon as possible, and in any event prior to the relevant time of training or playing or staying overnight that is no longer accurate or complete.

2.5.1 Where the Cricket Information Filing for the whole of the forthcoming month is not known as of the filing deadline for that month, the best information available must be provided, and it must then be updated as soon as better information becomes available.

2.5.2 Cricket Information Filings must be provided in respect of each Relevant Team for which the Player trains or plays, or stays overnight with, in the following month. For the avoidance of doubt, however, neither the Player nor his/her National Cricket Federation is required to provide any whereabouts information for that Player for those days in the following month when the Player is not training, playing or staying overnight with any Relevant Team.

2.6 The National Cricket Federation is responsible for providing the ICC, through ADAMS, with the Cricket Information Filing (and updating that Cricket Information Filing as necessary) for those days when a Player in the NPP is going to be with a national representative team of that National Cricket Federation (irrespective of which format of cricket such representative team may be playing). This information shall be kept up to date by the National Cricket Federation (to the best of it’s knowledge) on a rolling four-week basis, so that at any time that the Anti-Doping Manager (or his/her designee) logs onto ADAMS there will be Cricket Information Filing for the following four-week period in respect of the time in that period that Players in the NPP will be with a national representative team of that National Cricket Federation (irrespective of which format of cricket such representative team may be playing). A failure by the National Cricket Federation to comply with this requirement amounts to an ‘NCF Filing Failure’ for the purposes of Article 2.14. The National Cricket Federation should also provide each Player in the NPP with a copy of each Cricket Information Filing that it files with respect to him/her.
2.6.1 A failure by the National Cricket Federation to provide, at any given time, a complete Cricket Information Filing for at least the following four-week period counts as one NCF Filing Failure only, whether the information is incomplete and/or inaccurate as to only one Player or more than one Player.

2.6.2 The National Cricket Federation is not responsible for providing the ICC with a Cricket Information Filing for a Player in the NPP for those days when the Player will be with any Relevant Team(s) that is not a national representative team of the National Cricket Federation, unless the National Cricket Federation has agreed to bear that responsibility in accordance with Article 2.7.

2.6.3 The Player will not be liable (whether as an NPP Player Violation or otherwise) for any failure by the National Cricket Federation to comply with the requirements of Article 2.6. However, where the National Cricket Federation has complied with those requirements, it is that Player’s responsibility to ensure, in accordance with Article 2.8, (a) that he/she is aware of the Cricket Information Filing that the National Cricket Federation has filed with respect to him/her, and (b) that he/she is available for Testing at the times and places specified by the National Cricket Federation in that Cricket Information Filing.

2.7 The Player is responsible for providing the ICC with the Cricket Information Filing (and updating that Cricket Information Filing as necessary) for (a) those days in the following month when he/she is going to be with any Relevant Team(s) that is not a national representative team of a National Cricket Federation (irrespective of which format of cricket such Relevant Team(s) may be playing). (b) those days in the following month when he/she is going to be with a national representative team of his/her National Cricket Federation (irrespective of which format of cricket such national representative team may be playing), and (c) those days in the following month when he/she will not be with any Relevant Team(s) i.e. when he/she will not be training and/or playing cricket at all. The Player may delegate this task (or any part of it) to his/her National Cricket Federation if it so agrees, in which case the National Cricket Federation shall be responsible for filing the relevant Cricket Information Filing in accordance with Article 2.6, and any failure by the National Cricket Federation to comply with that requirement shall be an NCF Filing Failure only. Alternatively, the Player may undertake this task (or any part of it) him/herself, or may delegate this task (or any part of it) to another third party (i.e., to a third party other than his/her National Cricket Federation) if that third party so agrees, but in that case the Player remains personally liable for any failure to comply with the requirement. In such circumstances, a failure to comply with this requirement (whether committed by the Player himself/herself or by his/her third party delegate) amounts to an ‘NPP Player Filing Failure’ for the purposes of Article 2.15.

2.7.1 Written notice of any such agreed delegation to a third party must be completed on the form provided by the ICC for that purpose, and must be filed with the ICC and be signed by the Player. Alternatively, where submission of the actual form is not possible at that time, written notice of the delegation to a third party may be submitted to the ICC via e-mail, provided that the form (in the form provided by the ICC for that purpose) is completed, signed and filed with the ICC within 14 days of the date of the original email.

2.7.2 Where the ICC receives notice from a Player’s National Cricket Federation that that National Cricket Federation has agreed with the Player that it will provide
Cricket Information Filings for that Player, unless and until receipt of such written notice is acknowledged by the ICC to the Player, the Player remains personally responsible for any failure to comply with Article 2.7.

[Comment: For the avoidance of doubt, a Cricket Information Filing should include at least one entry for every day of the period to which it relates.]

2.8 Irrespective of whether it is the National Cricket Federation or the Player (or his/her third party delegate) that files a particular Cricket Information Filing relating to a Player, that Player must be present and available for Testing at the times and places specified in that Cricket Information Filing. He/she is deemed to be aware of the details of the Cricket Information Filing provided to the ICC by his/her National Cricket Federation and/or by any other third party on his/her behalf. A failure by a Player to be available for Testing at the times and places specified in that Cricket Information Filing amounts to an ‘NPP Missed Test’ for purposes of Article 2.15.

[Comment: This Article does not limit in any way the Player’s obligation, under Article 5.1.2 of the ICC Code, to submit to Testing at any time and place. Instead, it is an additional consequence of his/her failure to be available for Testing at a time and place specified in his/her Cricket Information Filing.]

2C. Determining non-compliance

2.9 A National Cricket Federation may only be found to have committed an NCF Filing Failure, and a Player may only be found to have committed an NPP Player Filing Failure, where the ICC, following the process set out in Article 2.10, establishes each of the following:

2.9.1 that the National Cricket Federation and/or the Player (as applicable) was duly notified (a) that the Player was designated for inclusion in the NPP; (b) of the consequent requirement to provide the Cricket Information Filing (and to update that Cricket Information Filing as necessary); and (c) of the consequences of failure to comply with that requirement;

2.9.2 that it was the National Cricket Federation (in accordance with Article 2.6) or the Player (in accordance with Article 2.7) that was responsible for providing the Cricket Information Filing at issue;

2.9.3 that it/he/she (as applicable) failed to comply with that requirement by the applicable deadline;

[Comment: Failure to comply with the requirement to provide a Cricket Information Filing arises in the following circumstances:

(i)  where no Cricket Information Filing is provided; or

(ii) where some but not all of the required Cricket Information Filing is provided; or

(iii) where a Cricket Information Filing is provided that is inaccurate (e.g., an address that is provided does not exist) or insufficient to enable the ICC to locate the Player for Testing (e.g., “running in the New Forest”), or which becomes inaccurate due to a change in the Player’s schedule and in relation to which the Cricket Information Filing is not updated.]

2.9.4 in the case of a second or third filing violation by the National Cricket Federation or Player [as applicable] in the same month, that it/he/she was given notice of the previous filing violation in accordance with Article 2.10.1, and failed to rectify it by the deadline specified in that notice; and
that the failure to comply was at least negligent. For these purposes, the National Cricket Federation or Player (as applicable) will be presumed to have committed the failure negligently upon proof that it/he/she was notified of the requirement yet failed to comply with it. That presumption may only be rebutted by the National Cricket Federation or Player (as applicable) establishing that no negligent behaviour on its/his/her part caused or contributed to the failure.

2.10 The results management process in respect of an apparent NCF Filing Failure by a National Cricket Federation, or an apparent NPP Player Filing Failure by a Player (collectively referred to in the remainder of this Article 2.10 as ‘NPP Filing Failures’), will be as follows:

2.10.1 No later than fourteen days after the date of discovery of the apparent NPP Filing Failure, the ICC must send notice of the apparent NPP Filing Failure to the Player or National Cricket Federation in question (if to the Player, then with a copy to his/her National Cricket Federation), inviting a response within fourteen days of receipt of the notice, and warning that unless it is persuaded that an NPP Filing Failure has not been committed then it will record an NPP Filing Failure against the Player or National Cricket Federation (as applicable). (In the notice, the ICC should advise the National Cricket Federation or Player [as applicable] that, in order to avoid a further violation, it/he/she must file the applicable Cricket Information Filing by the deadline specified in the notice. That deadline may be set by the ICC but it must be no less than 24 hours after receipt of the notice).

[Comment: Where a matter is originally pursued as an apparent NPP Missed Test, but is subsequently determined (in accordance with Article 2.11) not to amount to an NPP Missed Test, the ICC may (if so advised) pursue the matter as an NCF Filing Failure, in which case the “date of discovery of the apparent NPP Filing Failure”, for purposes of this Article 2.10.1, shall be the date it is determined, in accordance with Article 2.11, that it is not an NPP Missed Test.]

2.10.2 Where the alleged NPP Filing Failure is disputed, the ICC shall re-assess whether all of the requisite elements of the alleged NPP Filing Failure (as set out in Article 2.9) are present.

2.10.3 If no response is received by the relevant deadline, or if the ICC maintains (notwithstanding the response) that there has been an NPP Filing Failure, the ICC will advise the Player or National Cricket Federation (and in the case of a Player, with a copy to the National Cricket Federation) of that fact (and the reasons for its position) in writing as soon as possible, and that the Player or National Cricket Federation (as applicable) has the right to an administrative review of that decision, which right must be exercised within fourteen days, or else it will be deemed to have been waived.

2.10.4 If the right to an administrative review is exercised, all of the information that the Player or the National Cricket Federation (as applicable) wants to have taken into account in the review must be provided in writing at the time the right is exercised. Such review will be conducted by a member of the Independent Review Board with appropriate legal experience, to whom the ICC will refer any written submissions received from the Player or National Cricket Federation (as applicable), as well as its own written submissions (which it shall copy to the Player and the National Cricket Federation, as applicable). There will be no right on either side to make any further written submissions. The review will be based on the written submissions only, and will consider whether all of the requisite elements of the alleged NPP Filing Failure (as set out in Article 2.9) are present. The review should be completed within fourteen
days of receipt of the request and the decision communicated as soon as possible after the decision is made.

2.10.5 If an administrative review is not requested, or the Independent Review Board member concludes following such review that all of the requisite elements of the alleged NPP Filing Failure are present, then the ICC will record an NPP Filing Failure against the Player or National Cricket Federation (as applicable) and will notify the Player or National Cricket Federation accordingly (in the case of a Player, then with a copy to his/her National Cricket Federation).

2.10.6 The recording of an NPP Filing Failure following the process set out above shall be final and shall not be subject to any further appeal or other challenge. If it is the third NCF Filing Failure or the third NPP Player Violation in a twelve-month period, then the consequences set out in Article 2.14 (National Cricket Federation) or Article 2.15 (Player) will automatically apply.

2.11 A Player may only be declared to have committed an NPP Missed Test where the ICC, following the process set out in Article 2.13, establishes each of the following:

2.11.1 that (a) the Player was given notice that he/she had been designated for inclusion in the NPP, and of the consequent filing and updating requirements, and (b) in that notice he/she was advised of his/her liability for an NPP Missed Test if he/she was unavailable for Testing at the times and locations specified in the Cricket Information Filing filed with respect to him/her;

2.11.2 that the DCO attempted to test the Player at at least one of the locations provided for that Player on that day in any Cricket Information Filing, during the time specified for that location in the Cricket Information Filing filed with respect to him/her;

2.11.3 that the DCO did what was reasonable in the circumstances (i.e., given the nature of the specified location(s)) to try to locate the Player, short of giving the Player any advance notice of the test;

2.11.4 that the provisions of Article 2.13 (if applicable) have been met; and

2.11.5 that the Player’s failure to be available for Testing at the specified time and location was at least negligent. For these purposes, the Player will be presumed to have been negligent upon proof of the matters set out at sub-Article 2.11.1 to 2.11.4. That presumption may only be rebutted by the Player establishing that no negligent behaviour on his/her part caused or contributed to, or that, despite the player taking all reasonable steps available to him/her, there was a good reason which caused or contributed to him/her:

(a) being unavailable for Testing at such time and location; and

(b) (where he was responsible for providing the Cricket Information Filing in question) failing to ensure that the Cricket Information Filing in question was updated to give notice of a different location where he/she would instead be available for Testing on the relevant day.

2.12 To ensure fairness to the Player, where an unsuccessful attempt has been made to test a Player using the Cricket Information Filing, and is to be pursued as an NPP Missed Test, any subsequent attempt by the ICC to test that Player using his/her Cricket Information Filing may only be counted as an NPP Missed Test if that subsequent attempt takes place after the Player has received notice, in accordance with Article 2.13.2, of the original unsuccessful attempt.
2.13 The results management process in the case of an apparent NPP Missed Test will be as follows:

2.13.1 The DCO will file an Unsuccessful Attempt Report, setting out the details of the attempted test, including the date of the attempt, the location(s) visited, the exact arrival and departure times at the location(s), the steps taken at the location(s) to try to find the Player, including details of any contact made with third parties, and any other relevant details about the attempted test.

2.13.2 If it appears that all of the requisite elements of the NPP Missed Test (as set out at Article 2.11) are present, then, no later than fourteen days after the date of the unsuccessful attempt, the ICC must send notice to the Player (with a copy to his/her National Cricket Federation) of the unsuccessful attempt, attaching a copy of the Unsuccessful Attempt Report and inviting a response within fourteen days of receipt of the notice, and warning that unless it is persuaded that an NPP Missed Test has not occurred then it will record an NPP Missed Test against the Player.

[Comment: Where a matter is originally pursued as an apparent NCF Filing Failure, but is subsequently determined (in accordance with Article 2.10) not to amount to an NCF Filing Failure, the ICC may (if so advised) pursue the matter as an NPP Missed Test, in which case the “date of the unsuccessful attempt”, for purposes of this Article 2.13.2, shall be the date it is determined, in accordance with Article 2.10, that it is not an NCF Filing Failure.]

2.13.3 Where the Player disputes the alleged NPP Missed Test, the ICC shall reassess whether all of the requisite elements of the alleged NPP Missed Test (as set out in Article 2.11) are present.

2.13.4 If no response is received by the relevant deadline, or if the ICC maintains (notwithstanding the response) that there has been an NPP Missed Test, the ICC will advise the Player (with a copy to his/her National Cricket Federation) of that fact (with the reasons for its position) in writing as soon as possible, and that he/she has the right to an administrative review of that decision, which right must be exercised within fourteen days, or else it will be deemed to have been waived.

2.13.5 If the right to an administrative review is exercised, all of the information that the Player wants to have taken into account in the review must be provided in writing at the time the right is exercised. Such review will be conducted by a member of the Independent Review Board with appropriate legal experience, to whom the ICC will refer any written submissions received from the Player, as well as its own written submissions (which it shall copy to the Player and his/her National Cricket Federation). There will be no right on either side to make any further written submissions. The review will be based on the written submissions only, and will consider whether all of the requisite elements of the alleged NPP Missed Test (as set out at Article 2.11) are present. The review should be completed within fourteen days of receipt of the request and the decision communicated as soon as possible after the decision is made.

2.13.6 If an administrative review is not requested, or the Independent Review Board member concludes following such review that all of the requisite elements of the alleged NPP Missed Test are present, then the ICC will record an NPP Missed Test against the Player and will notify the Player (with a copy to his/her National Cricket Federation) accordingly.

2.13.7 The recording of the NPP Missed Test following the process set out above shall be final and shall not be subject to any further appeal or other challenge.
If it is the Player's third NPP Player Violation in a twelve month period, then the consequences set out in Article 2.15 will automatically apply.

2D. Consequences of non-compliance

2.14 A National Cricket Federation that is found (following the process set out in Article 2.9) to have committed three NCF Filing Failures within any twelve month period shall be fined $10,000 (Ten Thousand US Dollars).

[Comment (1): The twelve month period referred to in Article 2.14 is a ‘rolling’ period that starts to run each time that the National Cricket Federation commits an NCF Filing Failure. That NCF Filing Failure is then combined with any further NCF Filing Failures declared against the National Cricket Federation within twelve months of the first. Unless two further NCF Filing Failures are declared against the National Cricket Federation within twelve months of the first, however, the first NCF Filing Failure ‘expires’ once the twelve months has elapsed.

Comment (2): For the avoidance of doubt, any Whereabouts Failure imposed against any Player in the IRTP is not equivalent to an NCF Filing Failure and does not count for purposes of Article 2.14.

Comment (3): In recognition of the significant costs necessary for the effective administration of the ICC Whereabouts Requirements, all fines paid to the ICC as a result of NCF Filing Failures will be used to support the ICC’s anti-doping activities.]

2.15 A Player who is found (following the process set out in Article 2.9 or Article 2.10, as applicable) to have committed three NPP Player Violations (which may be any combination of NPP Player Filing Failures and/or NPP Missed Tests adding up to three in total) within a twelve month period shall immediately be moved up into the IRTP in accordance with Article 3.1.3.

[Comment (1): The twelve month period referred to in Article 2.15 is a ‘rolling’ period that starts to run each time that a Player commits an NPP Player Violation. That NPP Player Violation is then combined with any further NPP Player Violations declared against the Player within twelve months of the first. Unless two further NPP Player Violations are declared against the Player within twelve months of the first, however, the first NPP Player Violation ‘expires’ once the twelve months has elapsed.

Comment (2): The rolling twelve month period is ‘talled’ (i.e., it stops running) for the Player during any period when the Player has retired from the sport of cricket in accordance with ICC Code Article 1.2. So if the Player in the NPP retires (for example) eight months after committing an NPP Player Violation, if he/she subsequently rejoins the NPP then that previous NPP Player Violation continues to ‘count’ for purposes of Article 2.15 for a further four months thereafter. But if the Player leaves the NPP for any other reason, the rolling twelve month period is not ‘talled’ (i.e., it does not stop running). Instead, it continues to run and if the Player subsequently rejoins the NPP then his/her prior NPP Player Violations only continue to ‘count’ for purposes of Article 2.15 if they were committed within the twelve months prior to the date he/she rejoins the NPP.

Comment (3): For the avoidance of doubt, any Whereabouts Failure imposed against any Player in the IRTP is not equivalent to an NPP Player Violation and does not count for purposes of Article 2.15.

Comment (4): While a single NPP Player Violation will not amount to an anti-doping rule violation under ICC Code Article 2.4, it may, if the circumstances are particularly flagrant, amount to an anti-doping rule violation under ICC Code Article 2.3 (evading Sample collection) and/or ICC Code Article 2.5 (Tampering or Attempted Tampering with Doping Control). Nothing in this document is intended to prevent the ICC from treating an NPP Player Violation as an anti-doping rule violation under one or both such Articles where the circumstances warrant (without prejudice to the ability subsequently to rely on it as an NPP Player Violation under Article 2.15).]
ARTICLE 3  IRTP REQUIREMENTS

3A. Criteria for inclusion of Players in the IRTP

3.1 In accordance with ICC Code Article 5.3.2.1, the following Players shall be included in the IRTP:

3.1.1 Any Player who has been found to have committed an anti-doping rule violation, whether declared by the ICC under the ICC Code or by any other Anti-Doping Organisation with jurisdiction over the Player whose rules are consistent with the Code, unless such Player has not played in any International Match during the preceding twelve month period, in which case the provisions of this Article 3.1.1 shall not apply. Such Player shall be included in the IRTP as from the date of the decision that he/she has committed an anti-doping rule violation (irrespective of any appeal that may be filed), and shall remain in the IRTP until any final appeal decision or other decision exonerating the Player of any anti-doping rule violation, or (in the absence of any such decision) until six months after any period of Ineligibility imposed on the Player has expired, or (where no period of Ineligibility was imposed on the Player) until he/she has been in the IRTP for six months.

3.1.2 Any Player in the NPP who has not, during a continuous three month period, (i) played (as a member of a starting XI) in either an International Match or a Domestic Match; (ii) participated in a tour with a representative team of his/her National Cricket Federation; or (iii) who has not participated in at least two training sessions per week with any Relevant Team over a consecutive three week period, shall be included in the IRTP as from the date three months after: (a) he/she played his/her last Match (whether it was a Domestic Match or an International Match); (b) the final day of any tour with a representative team of his/her National Cricket Federation; or (c) he/she participated in at least two training sessions per week with any Relevant Team over a consecutive three week period, whichever is the later. Any Player so elevated shall remain in the IRTP until the earlier of: (x) the date he/she next plays (as a member of a starting XI) in a Domestic Match or an International Match; (y) the date he/she embarks on a tour with a representative side of his/her National Cricket Federation; or (z) the date he/she has participated in at least two training sessions per week with any Relevant Team over a consecutive three week period.

[Comment (1): The three month continuous period referred to in Article 3.1.2 is a 'rolling' period that starts to run the day following the Player's last participation in an International or Domestic Match, the day following the conclusion of a tour, or the day following the Player's last participation in a qualifying training session as set out above. For example, where a Player does not play in an International or Domestic Match for a period of six weeks but then plays in an International or Domestic Match, the three month continuous period starts to accumulate again.

Comment (2): When determining when a Player played his/her last Match, the date that shall be used in such a calculation is the date that the Player last participated in the Match, namely, in the case of multi-day Matches, the last day of the Match.

Comment (3): When determining when a Player embarked on or completed a tour with a representative team of a National Cricket Federation, the dates used shall be those specified by the National Cricket Federation in any Cricket Information Filing it files in respect of the tour pursuant to Article 2.6.]

3.1.3 Any Player in the NPP who is declared (following the process set out in Article 2.10 and/or Article 2.13) to have committed three NPP Player Violations within any twelve month period. Such Player shall be included in the IRTP as from the date his/her third NPP Player Violation is declared, and shall remain in the
IRTP until a continuous period of three months has passed in which the Player has not committed a Filing Failure or Missed Test.

3.2 Notwithstanding the provisions in Article 3.1, if a Player in the IRTP retires from all formats of the sport of cricket at international level in accordance with ICC Code Article 1.2.2, he/she shall be removed from the IRTP as from the date of his/her retirement and he/she shall not be subject to the requirements of Article 3 from that date. However, if he/she subsequently wishes to return to play at international level, he/she shall be included in the IRTP again from the date that he/she next plays (as a member of a starting XI) in an International Match for the greater of: (a) the period he/she would have remained in the IRTP initially but for his/her retirement; and (b) three months.

3.3 If a Player is already selected or subsequently selected for a National Registered Testing Pool, then he/she shall be removed from the IRTP as of that date and shall not be subject to the requirements of Article 3 but instead shall be subject to the requirements of WADA’s International Standard for Testing and Investigations (as set out, in the case of the IRTP, in Article 3). However, if he/she is subsequently removed from the National Registered Testing Pool, he/she may be included in the IRTP pursuant to Article 3.1, above.

[Comment: This provision is intended to ensure that a Player does not have to meet more than one set of whereabouts requirements at any one time, while also ensuring that the ICC is always able to find that Player for purposes of Out-of-Competition Testing. For example, if a Player who is in the IRTP is selected for inclusion in its National Registered Testing Pool, then that Player will have to provide whereabouts information in accordance with WADA’s International Standard for Testing and Investigations, but he/she will no longer be in the IRTP and therefore will not have to make any Whereabouts Filings with the ICC while he/she remains in the National Registered Testing Pool. Instead, if the ICC wants to test him/her Out-of-Competition, it will make arrangements to access the whereabouts information that that Player is required to provide as a consequence of their selection in a National Registered Testing Pool.]

3.4 The ICC will review the membership of the IRTP no less than monthly, to ensure that all Players who meet the criteria set out in Article 3.1 are included in the IRTP and that no Player who does not meet those criteria is included or remains in the IRTP.

3B. Whereabouts requirements for Players in the IRTP

3.5 A Player in the IRTP is required to make a quarterly Whereabouts Filing with the ICC, either through ADAMS or manually (via fax or e-mail, using the ICC’s template filing form), as detailed further in Appendix 2 to this document. The Whereabouts Filing must provide accurate and complete information about the Player’s whereabouts during the forthcoming quarter, including identifying where he/she will be living, training and competing during that quarter, as well as specifying, for each day in the forthcoming quarter, one specific 60 minute time-slot where he/she will be available at a specified location for Testing. A failure to make such Whereabouts Filing may be pursued as a Filing Failure for the purposes of ICC Code Article 2.4.

[Comment (1): A Player fails to comply with the requirement to make Whereabouts Filings in the following circumstances:

(i) where he/she does not make any such filing;

(ii) where he/she makes the filing (i.e. either the original quarterly filing or an update) but does not include all of the required information (e.g. he/she does not include the place where he/she will be residing for each day in the following quarter, or for each day covered by the update, or omits to declare a regular activity that he/she will be pursuing during the quarter, or during the period covered by the update); or
(iii) where he/she includes information (whether in the original quarterly filing or an update) that is inaccurate (e.g., an address that does not exist) or insufficient to enable the Anti-Doping Organisation to locate him/her for Testing (e.g. "running in the New Forest").]

3.6 Without prejudice to his/her obligation to submit to Testing at any time and place, a Player in the IRTP must specifically be present and available for Testing on any given day in a quarter for the 60 minute time-slot specified for that day in his/her Whereabouts Filing, at the location that the Player has specified for that time-slot in such filing. If the Player is not available for Testing at such location during the 60 minute time-slot specified for that day in his/her Whereabouts Filing, that failure may be pursued as a Missed Test for the purposes of ICC Code Article 2.4.

[Comment (1): If located for Testing, the Player must remain with the DCO until the Sample collection has been completed, even if this takes longer than the 60 minute time-slot.

Comment (2): If a Player cannot be found for Testing at a time and place outside the 60-minute time-slot, it will not be a Missed Test, but depending on the circumstances it may be pursued as a Filing Failure (for example, if the Player could not be found because the information provided in his/her Whereabouts Filing was inadequate or inaccurate), or as an anti-doping rule violation under ICC Code Article 2.3 or Article 2.5.]

3.7 Where any change in circumstances means that the information in a Player’s Whereabouts Filing is no longer accurate or complete (i.e., it is not sufficient to enable the Player to be located for Testing on any given day in the relevant quarter using the information set out in the Whereabouts Filing), the Player must update his/her Whereabouts Filing so that the information on file is again accurate and complete. He/she must make such update as soon as possible, and in any event prior to the time of the activity and/or 60 minute time-slot (as applicable) that is no longer accurate or complete. A failure to do so will have the following consequences:

3.7.1 It may be pursued as a Filing Failure.

[Comment: Similarly, if an update is filed by the Player, but the updated information filed is incomplete, or inaccurate, or insufficient to enable the ICC to locate the Player, then it may be pursued as a Filing Failure.]

3.7.2 Alternatively, if as a result of such failure the ICC’s attempt to test the Player during the 60 minute time-slot is unsuccessful, then the unsuccessful attempt may be pursued as a Missed Test.

3.7.3 If the circumstances so warrant, the failure may be pursued as evasion of Sample collection under ICC Code Article 2.3, and/or Tampering or Attempted Tampering with Doping Control under ICC Code Article 2.5.

[Comment: An outright failure is not a prerequisite for such action. An update of a regular activity or overnight residence may be made at any time up until the beginning of the regular activity or overnight stay. Similarly, an update of the 60 minute time-slot may be made at any time up until the beginning of the time-slot. In appropriate circumstances, however, last-minute updates by a Player may be pursued as a possible anti-doping rule violation of evading Sample collection under ICC Code Article 2.3 and/or Tampering or Attempted Tampering with Doping Control under ICC Code Article 2.5.]

3.7.4 In any event, the ICC will consider Target Testing of the Player.

3.8 A Player in the IRTP may choose to delegate the making of some or all of his/her Whereabouts Filings (and/or any updates to his/her Whereabouts Filings) to a third party, such as his/her personal manager, agent or relative, or his/her National Cricket Federation, provided that the third party agrees to such delegation. Written notice of any agreed delegation must be filed with the ICC using the form(s) created by the ICC for that purpose, and be signed by the Player. Alternatively, where submission of the
actual form is not possible at that time, written notice of the delegation to a third party may be submitted to the ICC via e-mail, provided that the form (in the form created by the ICC for that purpose) is completed, signed and filed with the ICC within 14 days of the date of the original email. In all cases, however:

3.8.1 Each Player in the IRTP remains ultimately responsible at all times for making accurate and complete Whereabouts Filings in accordance with Article 3.5, whether he/she makes each filing personally or delegates it to a third party (or a mixture of the two). It will not be a defence to an allegation of a Filing Failure under ICC Code Article 2.4 that the Player delegated such responsibility to a third party and that third party failed to comply with the applicable requirements.

3.8.2 Such Player remains ultimately responsible at all times for ensuring he/she is available for Testing at the whereabouts declared on his/her Whereabouts Filings, whether he/she made that filing personally or delegated it to a third party (or a mixture of the two). It will not be a defence to an allegation of a Missed Test under ICC Code Article 2.4 that the Player delegated responsibility for filing his/her whereabouts information for the relevant period to a third party and that third party failed to comply with the applicable requirements.

3C. Determining non-compliance

3.9 A Player in the IRTP may only be declared to have committed a Filing Failure where the ICC, following the process set out in Article 3.10, can establish each of the following:

3.9.1 that the Player was duly notified (a) that he/she was designated for inclusion in the IRTP; (b) of the consequent requirement to make Whereabouts Filings (and to update Whereabouts Filings as necessary); and (c) of the consequences of any failure to comply with that requirement;

3.9.2 that the Player failed to make a Whereabouts Filing by the applicable deadline, or, where any change in the circumstances means that the information in the Whereabouts Filing is no longer accurate or complete, the Player failed to make an accurate and complete update as soon as possible;

3.9.3 (in the case of a second or third Filing Failure in the same quarter) that he/she was given notice of the previous Filing Failure in accordance with Article 3.10.1, and failed to rectify that Filing Failure by the deadline specified in that notice; and

3.9.4 that the Player’s failure to comply was at least negligent. For these purposes, the Player will be presumed to have committed the failure negligently upon proof that he/she was notified of the requirement yet failed to comply with it. That presumption may only be rebutted by the Player establishing that no negligent behaviour on his/her part caused or contributed to the failure.

3.10 The results management process in respect of an apparent Filing Failure by a Player in the IRTP will be as follows:

3.10.1 No later than fourteen days after the date of discovery of the apparent Filing Failure, the ICC must send notice of the apparent Filing Failure to the Player (with a copy to his/her National Cricket Federation), inviting a response within fourteen days of receipt of the notice, and warning that unless it is persuaded that a Filing Failure has not been committed then it will declare a Filing Failure against the Player. (In the notice, the ICC should advise the Player that, in order to avoid having another Filing Failure declared against him/her, he/she must file the required Whereabouts Filing by the deadline specified in the notice. That deadline may be set by the ICC but it must be no less than 24
hours after receipt of the notice and not later than the end of the month in which the notice is received).

3.10.2 Where the Player disputes the alleged Filing Failure, the ICC shall re-assess whether all of the requisite elements of the alleged Filing Failure (as set out in Article 3.9) are present.

3.10.3 If no response is received by the relevant deadline, or if the ICC maintains (notwithstanding the response) that there has been a Filing Failure, the ICC will advise the Player (with a copy to his/her National Cricket Federation) of that fact (and the reasons for its position) in writing as soon as possible, and that he/she has the right to an administrative review of that decision, which right must be exercised within fourteen days, or else it will be deemed to have been waived.

3.10.4 If the right to an administrative review is exercised, all of the information that the Player wants to have taken into account in the review must be provided in writing at the time the right is exercised. Such review will be conducted by a member of the Independent Review Board with appropriate legal experience, to whom the ICC will refer any written submissions received from the Player, as well as its own written submissions (which it shall copy to the Player and his/her National Cricket Federation). There will be no right on either side to make any further written submissions. The review will be based on the written submissions only, and will consider whether all of the requisite elements of the alleged Filing Failure (as set out in Article 3.9) are present. The review should be completed within fourteen days of receipt of the request and the decision communicated as soon as possible after the decision is made.

3.10.5 If an administrative review is not requested, or the Independent Review Board member concludes following such review that all of the requisite elements of the alleged Filing Failure are present, then the ICC will record a Filing Failure against the Player and will notify the Player (with a copy to his/her National Cricket Federation) accordingly. If it is the Player’s third Whereabouts Failure in twelve months, then Article 3.14 will apply.

3.10.6 If at any point in the process it is determined that a Filing Failure should not be recorded against the Player, notice of that decision (with reasons) must be sent to WADA and any other party/ies with a right of appeal under ICC Code Article 13, and may be appealed by any of them in accordance with that Article.

3.11 A Player in the IRTP may only be declared to have committed a Missed Test where the ICC, following the process set out in Article 3.13 (or such other Anti-Doping Organisation as attempted the test, following a similar process), can establish each of the following:

3.11.1 that (a) the Player was given notice that he/she had been designated for inclusion in the IRTP, and of the consequent filing and updating requirements; and (b) in that notice, he/she was advised of his/her liability for a Missed Test if he/she was unavailable for Testing on any day during the 60 minute time-slot specified in his/her Whereabouts Filing at the location specified for that time-slot;

3.11.2 that a DCO attempted to test the Player on a given day in the quarter, during the 60 minute time-slot specified in the Player’s Whereabouts Filing for that day, by visiting the location specified for that time-slot;

[Comment: If a Player is not available for Testing during his/her specified 60 minute time-slot at the location specified for that time-slot for that day, he/she
will be liable for a Missed Test even if he/she is located later that day and a Sample is successfully collected from him/her.]

3.11.3 that during that specified 60 minute time-slot, the DCO did what was reasonable in the circumstances (i.e., given the nature of the specified location) to try to locate the Player, short of giving the Player advance notice of the test;

[Comment: Guidance as to what is reasonable in the circumstances can be found in WADA’s Guidelines for Implementing an Effective Athlete Whereabouts Program.]

3.11.4 that the provisions of Article 3.1 (if applicable), have been met; and

3.11.5 that the Player’s failure to be available for Testing at the specified location during the specified 60 minute time-slot was at least negligent. For these purposes, the Player will be presumed to have been negligent upon proof of the matters set out at Articles 3.11.1 to 3.11.4. That presumption may only be rebutted by the Player establishing that no negligent behaviour on his/her part caused or contributed to him/her (a) being unavailable for Testing at such location during such time-slot; and (b) failing to update his/her most recent Whereabouts Filing to give notice of a different location where he/she would instead be available for Testing during a specified 60 minute time-slot on the relevant day.

[Comment: The following non-exhaustive guidance may be helpful:

(i) The Player is responsible for ensuring that he/she is available for Testing at the location and time specified for the 60 minute time-slot.

(ii) It is not an acceptable excuse that the Player did not know an attempt was being made to test him/her because the doorbell was not working, or that the Player did not hear the doorbell because he/she was wearing headphones, or in the shower.

(iii) A car accident or medical emergency might be sufficient excuse, if it meant that the Player was unable to be at his/her specified location for the 60 minute time-slot and that he/she was unable to update his/her Whereabouts Filing to reflect where he/she would be instead.]

3.12 To ensure fairness to the Player, where an unsuccessful attempt has been made to test him/her during one of the 60 minute time-slots specified in his/her Whereabouts Filing, any subsequent attempt to test that Player (by the same or any other Anti-Doping Organisation) may only be counted as a Missed Test against that Player if that subsequent attempt takes place after the Player has received notice, in accordance with Article 3.13.2, of the original unsuccessful attempt.

3.13 Where the test in question was attempted by another Anti-Doping Organisation with testing jurisdiction over the Player, that Anti-Doping Organisation shall manage the results of the apparent Missed Test and report its conclusions to the ICC in accordance with the provisions of Section 11 of the International Standard for Testing and Investigations, and the ICC will recognise any Missed Test declared by that Anti-Doping Organisation in accordance with the same Section 11. Where the test was attempted on behalf of the ICC, however, the results management process in the case of an apparent Missed Test by a Player in the IRTP will be as follows:

3.13.1 The DCO will file an Unsuccessful Attempt Report, setting out the details of the attempted test, including 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 Player, including details of any contact made with third parties, and any other relevant details about the attempted test.
3.13.2 If it appears that all of the requisite elements of the Missed Test (as set out at Article 3.11) are present, then (no later than fourteen days after the date of the unsuccessful attempt) the ICC must send notice to the Player (with a copy to his/her National Cricket Federation) of the unsuccessful attempt, attaching a copy of the Unsuccessful Attempt Report and inviting a response within fourteen days of receipt of the notice, and warning that unless it is persuaded that a Missed Test has not occurred then it will record a Missed Test against the Player.

3.13.3 Where the Player disputes the alleged Missed Test, the ICC shall re-assess whether all of the requisite elements of the alleged Missed Test (as set out in Article 3.11) are present.

3.13.4 If no response is received by the relevant deadline, or if the ICC maintains (notwithstanding the response) that there has been a Missed Test, the ICC will advise the Player (with a copy to his/her National Cricket Federation) of that fact (with the reasons for its position) in writing as soon as possible, and that he/she has the right to an administrative review of that decision, which right must be exercised within fourteen days, or else it will be deemed to have been waived.

3.13.5 If the right to an administrative review is exercised, all of the information that the Player wants to have taken into account in the review must be provided in writing at the time the right is exercised. Such review will be conducted by a member of the Independent Review Board with appropriate legal experience, to whom the ICC will refer any written submissions received from the Player, as well as its own written submissions (which it shall copy to the Player and his/her National Cricket Federation). There will be no right on either side to make any further written submissions. The review will be based on the written submissions only, and will consider whether all of the requisite elements of the alleged Missed Test (as set out at Article 3.11) are present. The review should be completed within fourteen days of receipt of the request and the decision communicated as soon as possible after the decision is made.

3.13.6 If an administrative review is not requested, or the Independent Review Board member concludes following such review that all of the requisite elements of the alleged Missed Test are present, then the ICC will record a Missed Test against the Player and will notify the Player (with a copy to his/her National Cricket Federation) accordingly. If it is the Player’s third Whereabouts Failure in twelve months, then Article 3.14 will apply.

3.13.7 If at any point in the process it is determined that a Missed Test should not be recorded against the Player, notice of that decision (with reasons) must be sent to WADA and any other party/ies with a right of appeal under ICC Code Article 13, and may be appealed by any of them in accordance with that Article.

3.14 Where three Whereabouts Failures are declared against a Player in the IRTP within a twelve month period, the results management process under ICC Code Article 2.4 will be as follows:

3.14.1 The Player will have the right to have the charge that he/she has committed an anti-doping rule violation under ICC Code Article 2.4 determined at a full evidentiary hearing conducted in accordance with ICC Code Article 8. The hearing panel will not be bound by any determination made during the results management process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden will be on the party bringing the charge to establish all of the requisite elements of each alleged Whereabouts Failure.
[Comment (1): Nothing in Article 3.1.4 is intended to prevent the ICC challenging an argument raised on the Player’s behalf at the hearing on the basis that it could have been but was not raised at an earlier stage of the results management process.

Comment (2): If the hearing panel decides that one (or two) alleged Whereabouts Failures have been established to the required standard, but that the third alleged Whereabouts Failure has not, then no ICC Code Article 2.4 anti-doping rule violation will be found to have occurred. However, if the Player then commits one (or two) further Whereabouts Failures within the relevant twelve month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with ICC Code Article 3.2.3) and the Whereabouts Failure(s) subsequently committed by the Player.]

3.14.2 The ICC may not necessarily be the Anti-Doping Organisation that charges the Player with an anti-doping rule violation under Code Article 2.4:

(a) Where two or more of the Whereabouts Failures were declared by an Anti-Doping Organisation that had the Player in its Registered Testing Pool at the time of those failures, then that Anti-Doping Organisation will be the Responsible ADO for purposes of bringing proceedings against the Player under Code Article 2.4.

(b) If not (for example, if the Whereabouts Failures were declared by three different Anti-Doping Organisations), then the Responsible ADO for these purposes will be the Anti-Doping Organisation whose Registered Testing Pool the Player was in as of the date of the third Whereabouts Failure.

3.14.3 The Responsible ADO will have the right to receive, from any other Anti-Doping Organisation that has recorded one of the alleged Whereabouts Failures, such further information about that alleged Whereabouts Failure as the Responsible ADO may reasonably require in order to assess the strength of the evidence of such alleged Whereabouts Failure and to bring proceedings under Code Article 2.4 in reliance thereon. If the Responsible ADO decides in good faith that the evidence in relation to such alleged Whereabouts Failure(s) is insufficient to support such proceedings under Code Article 2.4, then it may decline to bring proceedings based on such alleged Whereabouts Failure(s). Any decision by a Responsible ADO that a declared Whereabouts Failure should be disregarded for lack of sufficient evidence will be communicated to the other Anti-Doping Organisation and to WADA, will be without prejudice to WADA’s right of appeal under Code Article 13, and in any event will not affect the validity of the other Whereabouts Failures alleged against the Player in question.

3.14.4 Where the Responsible ADO fails to bring proceedings against a Player under Code Article 2.4 within thirty days of WADA receiving notice of that Player’s third alleged Whereabouts Failure in any twelve month period, then it will be deemed that the Responsible ADO has decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at Code Article 13 (in particular Article 13.2).

3D. Consequences of non-compliance

3.15 The commission by a Player in the IRTP of any combination of three Filing Failures and/or Missed Tests within a twelve month period (whether declared by the ICC or by another Anti-Doping Organisation with jurisdiction over the Player) shall constitute an anti-doping rule violation under ICC Code Article 2.4.
Comment (1): The twelve month period referred to in Article 3.15 is a ‘rolling’ period that starts to run each time that a Player commits a Whereabouts Failure. That Whereabouts Failure is then combined with any further Whereabouts Failures declared against the Player within twelve months of the first. Unless two further Whereabouts Failures are declared to have been committed by the Player within twelve months of the first, the first Whereabouts Failure ‘expires’ once the twelve month period has elapsed.

Comment (2): The twelve month period is ‘tolled’ (i.e., it stops running) during any period when the Player has retired from the sport of cricket in accordance with ICC Code Article 1.2. So if the Player retires eight months after committing a Whereabouts Failure, if he/she subsequently rejoins the IRTP then that previous Whereabouts Failure continues to ‘count’ for purposes of Article 3.15 for a further ten months thereafter. But if the Player leaves the IRTP for any other reason, the twelve month period is not ‘tolled’ while he/she is out of the IRTP. Instead, it continues to run and if the Player subsequently rejoins the IRTP then his/her prior Whereabouts Failures only continue to ‘count’ for purposes of Article 3.15 if they were committed within the twelve months prior to the date he/she rejoined the IRTP.

Comment (3): For the avoidance of doubt, neither an NPP Player Violation nor an NCF Filing Failure is equivalent to a Whereabouts Failure and so neither ‘counts’ for purposes of Article 3.15.

Comment (4): While a single Whereabouts Failure will not amount to an anti-doping rule violation under ICC Code Article 2.4, it may, if the circumstances are particularly flagrant, amount to an anti-doping rule violation under ICC Code Article 2.3 (evading Sample collection) and/or ICC Code Article 2.5 (Tampering or Attempted Tampering with Doping Control). Nothing in this document is intended to prevent the ICC from treating a Whereabouts Failure as an anti-doping rule violation under one or both such Articles where the circumstances warrant, without prejudice to the ability subsequently to rely on it as a Whereabouts Failure under ICC Code Article 2.4, and vice versa.

3.16 A finding (following the process set out in Article 3.14) that a Player has committed an anti-doping rule violation under ICC Code Article 2.4 has the following consequences under the ICC Code (without prejudice to any additional provisions of the ICC Code that may also apply in such circumstances):

3.16.1 Imposition of a period of Ineligibility of a minimum of one year and a maximum of two years, depending upon the Player’s degree of fault, in accordance with ICC Code Article 10.3.2 (first offence), or imposition of a longer period of Ineligibility, in accordance with ICC Code Article 10.7 (second or subsequent offence).

3.16.2 Unless fairness requires otherwise, Disqualification of all individual results obtained by the Player from the date of the third Whereabouts Failure through to the date of commencement of any Ineligibility period, with all of the resulting consequences, including forfeiture of any medals, points and prizes, in accordance with ICC Code Article 10.8.

ARTICLE 4 ICC RESPONSIBILITIES

4.1 The ICC is responsible for:

4.1.1 notifying each Player who is included in the IRTP or the NPP of the fact that he/she has been included in the IRTP or NPP (as applicable), of these ICC Whereabouts Requirements with which he/she must comply as a result, and of the potential consequences if he/she fails to do so;

4.1.2 providing an opportunity for all Players to be: (a) educated and provided with guidance and supporting materials about how to comply with their whereabouts responsibilities; and (b) given the contact details of the ICC’s Anti-Doping
Manager (or other member of the ICC’s anti-doping team), who will be available to address specific queries that a Player may have;

4.1.3 conducting results management in accordance with Article 2 in respect of:

(a) any apparent NCF Filing Failure; and

(b) any apparent NPP Player Violation;

4.1.4 conducting results management in accordance with Article 3 in respect of:

(a) any apparent Filing Failure on the part of an IRTP Player; and

(b) any apparent Missed Test in respect of an IRTP Player, where the unsuccessful attempt to test the Player was made on behalf of the ICC; and

4.1.5 (unless the International Standard for Testing and Investigations gives such responsibility to another Anti-Doping Organisation) bringing disciplinary proceedings against a Player in the IRTP under ICC Code Article 2.4 in the circumstances set out in Article 3.14.

4.2 For the avoidance of doubt, notwithstanding Article 4.1.2:

4.2.1 it remains the Player’s personal responsibility to make himself/herself aware of his obligations under the ICC Code, and of what he/she must do in order to comply with these ICC Whereabouts Requirements, including making use of the resources referred to in Article 4.1.2 (as well as any other resources made available to him/her through his/her National Cricket Federation). If a Player fails to make himself/herself aware of his/her obligations under the ICC Code (including these ICC Whereabouts Requirements), whether through failing to read documentation made available to him/her, failing to attend any training session made available to him/her, failing to contact the ICC’s anti-doping team, or failing to contact the member of his/her National Cricket Federation with responsibility for anti-doping issues, with any queries or concerns that he/she has, or otherwise, then such failure will be at the Player’s risk and will not constitute a valid defence to any allegation of a violation of the ICC Code or of these ICC Whereabouts Requirements.

4.2.2 each National Cricket Federation is responsible for ensuring that each of its Players in the NPP and each Relevant Team within its jurisdiction has access to the template forms to be used to submit Cricket Information Filings to the ICC. In addition, such template forms will be available on the anti-doping section of the ICC’s website at all times.
APPENDIX 1 – Definitions

**ADAMS:** The Anti-Doping Administration and Management System which is a web-based database management system for data entry, storage, sharing and reporting designed to assist stakeholders and **WADA** in their anti-doping operations in conjunction with data protection legislation.

**Cricket Information Filing:** As defined in Article 2.4.

**DCO (Doping Control Officer):** An official who has delegated responsibility for the on-site management of a **Sample Collection Session**.

**Domestic Match:** Any ‘First-Class Match’, ‘List A Limited Overs Match’ or ‘List A Twenty20 Match’, as those terms are defined in the ICC Classification of Official Cricket (as amended from time to time), whatever the jurisdiction in which such **Matches** are played.

**Doping Control Station:** The location where the **Sample Collection Session** will be conducted.

**FICA:** The Federation of International Cricketers’ Associations.

**ICC Whereabouts Requirements:** As defined in Article 1.1.

**International Standard for Testing and Investigations:** The document of that name issued by **WADA**.

**International Tour Match:** Any cricket match of any format and duration in length played between a representative team of a **National Cricket Federation** and any domestic, guest or invitational team.

**IRTP:** The **International Registered Testing Pool**.

**Match:** An **International Match, Domestic Match** or an **International Tour Match**.

**National Registered Testing Pool:** A pool of **Players** established at national level by any organisation with appropriate and effective jurisdiction over such **Players**, each of whom, as a consequence of such selection, have to comply with the whereabouts requirements of Section 11 of the **International Standard for Testing and Investigations**.

**NCF Filing Failure:** As defined in Article 2.6.

**NPP:** The **National Player Pool**.

**NPP Filing Failure:** As defined in Article 2.10.

**NPP Player Filing Failure:** As defined in Article 2.7.

**NPP Missed Test:** As defined in Article 2.8.

**NPP Player Violation:** An **NPP Player Filing Failure** or an **NPP Missed Test**.

**NPP Review Date:** As defined in Article 2.1.

**ODI Match** or **One Day International Match:** As defined by Section 33 (ICC Classification of Official Cricket) of the ICC’s Operating Manual.

**Relevant Team:** A team that plays **International Matches or Domestic Matches**, whatever the jurisdiction(s) in which it plays those **Matches**.
**Responsible ADO:** The Anti-Doping Organisation with responsibility for a particular whereabouts matter, as specified in clause 11.5 of the *International Standard for Testing and Investigations*.

**Sample Collection Session:** All of the sequential activities that directly involve the Player from notification until the Player leaves the Doping Control Station after having provided his/her Sample(s).

**Unsuccessful Attempt Report:** A detailed report of an unsuccessful Testing attempt.

**Whereabouts Failure:** A Filing Failure or Missed Test.

**Whereabouts Filing:** Information provided by or on behalf of a Player in an International Registered Testing Pool that sets out the Player’s whereabouts during the following quarter, in accordance with Article 3B of this document.
APPENDIX 2 – IRTP Whereabouts Requirements

1.1 Before the first day of each quarter (i.e. 1 January, 1 April, 1 July and 1 October, respectively) a Player in the IRTP must file a Whereabouts Filing that contains at least the following information:

(a) a complete mailing address where correspondence may be sent to the Player for formal notice purposes. Notwithstanding Article 1.7, above, any notice or other item mailed to that address will be deemed to have been received by the Player five working days after it was deposited in the mail;

[Comment: For these purposes, the Player should specify an address where he/she lives or otherwise knows that mail received there will be immediately brought to his/her attention.]

(b) details of any disability of the Player that may affect the procedure to be followed in conducting a Sample Collection Session;

(c) specific confirmation of the Player’s consent to the sharing of his/her Whereabouts Filing with other Anti-Doping Organisations having authority to test him/her;

[Comment: This can be done one time only, sufficient for future quarters, through ADAMS.]

(d) for each day during the following quarter, the full address of the place where the Player will be residing, i.e., sleeping overnight (e.g., home, temporary lodgings, hotel, etc);

[Comment: If circumstances change after the Player has filed his/her Whereabouts Filing, so that the Player will be residing at a different place on one or more nights than the place(s) specified in his/her Whereabouts Filing, the Player should update his/her Whereabouts Filing to identify where he/she will now be residing, in accordance with Article 1.3, below.]

(e) for each day during the following quarter, the name and address of each location where the Player will train, work or conduct any other regular activity (e.g. school), as well as the usual time-frames for such regular activities; and

[Comment: This requirement applies only to regular activities, i.e. activities that are part of the Player’s regular routine. For example, if the Player’s regular routine includes training at the gym, the pool and the track, and regular physio sessions, then the Player should provide the name and address of the gym, track, pool and physio in his/her Whereabouts Filing, and then set out his/her usual routine, e.g. “Mondays: 9-11 gym, 13-17 gym; Tuesdays: 9-11 gym, 16-18 gym; Wednesdays: 9–11 track, 3-5 physio; Thursdays: 9-12 gym 16-18 track; Fridays: 9-11 pool 3-5 physio; Saturdays: 9-12 track, 13-15 pool; Sundays: 9-11 track, 13-15 pool". However, if the Player runs once a week, but the day varies from week to week depending on the weather or other variables, that does not qualify as a ‘regular activity’ and does not have to be disclosed on the Player’s Whereabouts Filing.]

If the Player is not currently training, he/she should specify that in his/her Whereabouts Filing and detail any other routine that he/she will be following in the forthcoming filing period, e.g. his/her rehab routine, or other routine, and identify the name and address of each location where that routine is conducted and the time-frame during which it is conducted.

If the Player changes his/her regular schedule during the quarter (permanently, rather than just as a ‘one-off’), he/she should update his/her Whereabouts Filing to reflect the change, in accordance with Article 1.3, below. For example, if he/she changes his/her schedule so that instead of going to the gym every morning from 10am to noon, he/she goes every afternoon from 2pm to 4pm, then he/she should update his/her Whereabouts Filing to reflect that change.]
(f) the Player’s competition schedule for the following quarter, including the name and address of each location where the Player is scheduled to compete during the quarter and the date(s) on which he/she is scheduled to compete at such location(s).

1.2 The Whereabouts Filing must also include, for each day during the following quarter, one specific 60 minute time-slot between 6am and 11pm each day where the Player will be available and accessible for Testing at a specific location.

[Comment: The Player can choose which location to identify for this 60 minute time-slot. It could be the Player’s place of residence, training or competition, or it could be another location. A failure to be available for Testing at the specified location during the specified time-slot will be pursued as an apparent Missed Test.

If circumstances change so that the Player will no longer be at that location at that time, he/she should update his/her Whereabouts Filing to identify a new time-slot and/or a new location for the original time slot, in accordance with Article 1.3, below.]

1.3 It is the Player’s responsibility to ensure (including by updates if necessary) that he/she provides all of the information required accurately and in sufficient detail to enable any Anti-Doping Organisation wishing to do so to locate the Player for Testing on any given day in the quarter, including but not limited to during the 60 minute time-slot specified for that day in the Whereabouts Filing.

[Comment: The ICC will make ADAMS available to the Player and will also provide other electronic filing form(s) or paper form(s) to use in making a Whereabouts Filing.

When specifying a location in his/her Whereabouts Filing (whether in his/her original quarterly filing or in an update), the Player must provide sufficient information to enable the DCO to find the location, to gain access to the location, and to find the Player at the location. Similarly, specifying a location that the DCO cannot access (e.g. a “restricted-access” building or area) is likely to result in an unsuccessful attempt to test the Player and therefore a Whereabouts Failure.

Where a Player does not know precisely what his/her whereabouts will be at all times during the forthcoming quarter, he/she must provide his/her best information, based on where he/she expects to be at the relevant times, and then update that information as necessary when he/she learns more. So, for example:

(i) If a Player knows that during the second week of the first month of the following quarter, he/she will be in Mumbai, staying at his/her team’s official hotel while preparing for and then competing in a Test Match, but does not yet know which hotel is the official hotel, he/she should put “Team hotel, Mumbai, India, further details to be advised” as the place where he/she will be residing that week, and designate that same location and an hour when he/she will be in the hotel room (e.g. 6am to 7am) for the 60 minute time-slot for that day. Thereafter, as soon as the Player is advised of the name and address of the team hotel, he/she should update his/her Whereabouts Filing with those details. Once he/she has further details of his/her schedule while in Mumbai, he/she should consider whether he/she wants to designate a new time and/or location for the 60 minute time-slot or leave the original filing as is.

(ii) If a Player will generally be at home during the next quarter, will be away at some point during the quarter, but is not sure when, where or for how long, then for the whole of the relevant period he/she should put down as the residence address (and, at his/her election, as the location for the 60 minute time-slot) the place where he/she will be staying if he/she does not go away. As soon as the Player receives the details of the trip, he/she must update his/her Whereabouts Filing to reflect those details.]

1.4 Any Player who provides fraudulent information in his/her Whereabouts Filing, whether in relation to his/her location during the specified daily 60 minute time-slot, or in relation to his/her whereabouts outside that time-slot, or otherwise, thereby commits an anti-doping rule violation under ICC Code Article 2.3 (evading Sample collection) and/or ICC Code Article 2.5 (Tampering or Attempted Tampering with Doping Control).
# APPENDIX 3 – TEMPLATE NPP WHEREABOUTS FORM – PLAYER

**MONTH: MONTH, YEAR**

This Player Submission is to be used by a player (or his/her authorised delegate) or a representative of the player’s National Cricket Federation (if applicable) to: (a) provide cricket whereabouts information during such time as the player is with any relevant domestic team(s), irrespective of the jurisdiction in which that team participates and/or the format of cricket which it plays; and (b) identify periods of time when the player has no relevant cricket activity or he is with an international team.

*Please complete all sections in capital letters or type. Incomplete and/or eligible forms will be returned.*

## 1) PLAYER INFORMATION

<table>
<thead>
<tr>
<th>Family Name(s):</th>
<th>First Name(s):</th>
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<tbody>
<tr>
<td>Mailing Address:</td>
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<th>City:</th>
<th>Country:</th>
<th>Postcode:</th>
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<th>Date of Birth (dd/mm/yy):</th>
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<tr>
<th>Mobile: +_________________</th>
<th>Email: __________________</th>
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*Please ensure that your mobile number is the one that you travel with and usually have on ‘roaming’. Don’t forget to include the full Country code of your number.*

## 2a) AUTHORISED DELEGATE (IF APPLICABLE)

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<tr>
<th>Family Name(s):</th>
<th>First Name(s):</th>
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<td>Relationship to Player:</td>
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<th>Email: __________________</th>
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*Include the full Country code when providing your phone number.*

## 2b) NATIONAL CRICKET FEDERATION (IF APPLICABLE)

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<th>Name of National Cricket Federation:</th>
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<th>Name of National Cricket Federation NPP Contact:</th>
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<th>Email: __________________</th>
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*Please ensure that your mobile number is the one that you travel with and usually have on ‘roaming’. Include the full Country code of your number.*

Please forward the completed and signed NPP Cricket Whereabouts Form - Player to the ICC on the following contacts by no later than [final day of previous month]:

Fax: +971 4 340 9336 (confidential) or E-mail: anti-doping@icc-cricket.com (confidential)
Please note that you (or your authorised delegate) are only required to account for your domestic cricket activities on this form. Your National Cricket Federation (“NCF”) will submit your cricket whereabouts information when you are with your national team. However, you (or your authorised delegate) are responsible for submitting information about all your domestic cricket activities unless your NCF has formally agreed to do this for you.

Please refer to the document titled “How to complete the NPP Whereabouts Form – player” for further details on how to correctly complete this form.

3) **ADDRESS BOOK**

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4) **WHEREABOUTS CATEGORIES**

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<td>Competition</td>
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<td>Regular Activities</td>
<td>RA</td>
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You (or your authorised delegate) are required to enter information on the days in the month when you will be competing, residing overnight and/or taking part in regular activities such as training, training camp, net sessions etc. **with a domestic cricket team only.**

You are only required to enter times for regular activities such as trainings (not for your hotel overnight accommodation or competition).

Tick the appropriate box in the columns ‘No Cricket Activity’ and ‘International Team’, whichever is appropriate on the days that you are not entering any domestic cricket activities.
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<th>Address Label (e.g. 1, 7, 10, 15)</th>
<th>Whereabouts Category Code (OA, CO, RA)</th>
<th>Time(s)</th>
<th>No cricket activity</th>
<th>International team</th>
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# CONFIRMATION OF INFORMATION:

I confirm that:

(a) I have completed the “NPP Cricket Whereabouts Form - player” in accordance with the ICC’s document “How to Complete the NPP Cricket Whereabouts Form - player” (a copy of which is available on the Anti Doping Section of the ICC’s website at [www.icc-cricket.com](http://www.icc-cricket.com)).

(b) The information in this form is, to the best of my knowledge, accurate at the time of submission and in the event that there is a change in circumstances which means that any part of it is no longer accurate or complete, I will notify the ICC (by the completion of a “NPP Cricket Whereabouts Update Form – player”), so that the information held by the ICC is current at all times.

(c) I readily consent and agree that the ICC August collect, store, process or disclose to necessary third parties the information in this form (or any part of it) provided that such disclosure is for anti-doping purposes only.

Print Name: .................................................................

Signature: ................................................................. Date: .................................................................