

## IAAF ADVISORY NOTE – USE OF PERSONAL INFORMATION (ANTI-DOPING AND INTEGRITY PROGRAMMES)

### Introduction

1. The objects of the IAAF include (i) to develop and maintain programmes of detection, deterrence and education designed to eradicate the scourge of doping from the sport and (ii) to safeguard the authenticity and integrity of the sport of Athletics and to take all possible measures to eliminate corrupt conduct which might place the authenticity and integrity of Athletics at risk.
2. In fulfilment of these objects, the IAAF has established with effect from 3 April 2017 an independent Athletics Integrity Unit (AIU) whose specific role is to protect the integrity of Athletics. The AIU does this through the implementation and enforcement of anti-doping and integrity programmes in accordance with the IAAF Anti-Doping Rules and the IAAF Integrity Code of Conduct.
3. As an association under the laws of Monaco, the IAAF is subject to *la loi n° 1.165 relative à la protection des informations nominatives* and the recommendations issued by the Data Protection Authority in Monaco, the CCIN (Commission de Contrôle des Informations Nominatives).
4. The IAAF is also a signatory to the World Anti-Doping Code and complies with the mandatory provisions of WADA's International Standard for the Protection of Privacy and Personal Information ("the International Standard"), as incorporated into the IAAF Anti-Doping Rules and Regulations ("the Anti-Doping Rules"), unless such compliance is in breach of applicable law.
5. The IAAF is responsible for ensuring that the Personal Information that it processes in connection with the implementation and enforcement of its anti-doping and integrity programmes is protected in accordance with applicable data protection and privacy laws, principles and standards. The processing of Personal Information is justified on the basis that it is in compliance with a legal obligation to which the IAAF is subject or is necessary for the performance of a task carried out in the public interest or is in the legitimate interest of the IAAF and the sport of Athletics.
6. This Notice sets out the circumstances in which your Personal Information is processed by the AIU on behalf of the IAAF for the purpose of implementing the anti-doping and integrity programmes in accordance with the IAAF Anti-Doping Rules and the IAAF Integrity Code of Conduct. Capitalised terms used in this Notice correspond to defined terms in the IAAF Anti-Doping Rules and the IAAF Integrity Code of Conduct.
7. The current version of the Information Notice and related documents are available for downloading from the IAAF website ([www.iaaf.org](http://www.iaaf.org)) and the AIU website ([www.athleticsintegrity.org](http://www.athleticsintegrity.org)).

### Categories of data concerned

8. The Personal Information that will be processed by the IAAF in the framework of its anti-doping and integrity programmes relates mainly to:

- your identity (name, nationality, date of birth, gender, event, whether you compete at a national or international level, your member organisations, the names and details of other persons assisting or advising you in relation to your athletics career);
  - your Whereabouts Filings;
  - Therapeutic Use Exemptions (TUEs);
  - Doping Controls (including Test Distribution Planning, Sample collection and handling, anti-doping test results including detection of a Prohibited Substance or a Prohibited Method described on the Prohibited List, evidence of the use of a Prohibited Substance or Prohibited Method described on the Prohibited List; longitudinal profiles, Laboratory analysis, results management, hearings, sanctions and appeals);
  - Any other information related to the commission of an anti-doping rule violation under the IAAF Anti-Doping Rules or a breach of the IAAF Integrity Code of Conduct.
9. Your Personal Information could also include Sensitive Personal Information, in particular medical or biological information (including information derived from analysing your doping control Samples or Specimens).

#### **Categories of persons concerned**

10. In the framework of its anti-doping and integrity programmes, the IAAF may process the Personal Information of any individual bound by the IAAF Anti-Doping Rules and the IAAF Integrity Code of Conduct. This includes:
- Athletes participating in competitions organised by the IAAF, its Area Associations, its Member Federations and affiliates;
  - Athletes who are members of the IAAF Registered Testing Pool;
  - Athletes applying to the IAAF for a Therapeutic Use Exemption;
  - Athletes Support Personnel participating in competitions organised by the IAAF, its Area Associations, its Member Federations and affiliates;
  - "IAAF Officials" "Area Officials" and "Member Federation Officials" as defined under the IAAF Integrity Code of Conduct;
  - Persons bidding to host or hosting International Competitions;
  - Persons who are engaged by or acting on behalf of the IAAF including IAAF Staff;
  - Such other persons having agreed to be bound by the IAAF Integrity Code of Conduct.

#### **Collecting Entity**

11. Your Personal Information will be collected by the IAAF or by the AIU on behalf of the IAAF and by any other organisation or body to which the IAAF has delegated Testing in accordance with the IAAF Anti-Doping Rules or which otherwise has competent authority to conduct Testing on you.

#### **Purposes for which your Personal Information may be processed**

12. The IAAF, the AIU and its respective third party agents shall only process your Personal Information where necessary to conduct their anti-doping and integrity protection activities under the IAAF Anti-Doping Rules (and the WADA International Standards incorporated in the IAAF Anti-Doping Rules), the IAAF Integrity Code of Conduct or where otherwise required by applicable law, regulation or compulsory legal process and where such processing does not conflict with applicable privacy and data protection laws. This includes, but is not limited to, processing your Personal Information:
- to determine your eligibility for a TUE;

- to conduct Testing, including no-notice out-of-competition Testing, and to record the results from such Testing;
- to conduct investigations to determine breaches of the IAAF Anti-Doping Rules or the IAAF Integrity Code of Conduct;
- to carry out results management under the IAAF Anti-Doping Rules or the IAAF Integrity Code of Conduct, including associated disciplinary hearings, appeals and adjudications, and to publish outcomes.

More specifically, your Personal Information may be processed for the following purposes :

- managing the Athlete Biological Passport
- administering the doping control programme
- administering the integrity programme
- managing alleged breaches of the IAAF Anti-Doping Rules Violations and the IAAF Integrity Code of Conduct
- managing reports received from the AIU website
- managing Therapeutic Use Exemptions
- managing specific medical cases

### **Disclosures**

13. Your Personal Information may be disclosed by the IAAF/AIU to third party agents, including authorised service providers, in connection with the fulfilment of their activities under the IAAF Anti-Doping Rules or the IAAF Integrity Code of Conduct.
14. Your Personal Information shall not be disclosed to other Anti-Doping Organisations except where such disclosures are necessary to allow the Anti-Doping Organisations receiving your Personal Information to conduct anti-doping activities under the IAAF Anti-Doping Rules and in accordance with applicable privacy and data protection laws.
15. Your Personal Information shall not be disclosed to third parties other than as set out above, except where such disclosures:
  - are required by law; or
  - take place with your informed, express and written consent; or
  - are necessary to assist law enforcement or governmental authorities in the detection, investigation or prosecution of a criminal offence, provided that the Personal Information requested is directly relevant to the offence or breach in question and cannot otherwise be obtained by the authorities.
16. Please note that your Personal Information will not be transferred to third parties other than the ones identified above nor will it be used in any way by the IAAF for the purposes of marketing activities.

### **International Transfers**

17. Your Personal Information may be made available by the IAAF or the AIU to third persons or parties, including authorised service providers, WADA and Anti-Doping Organisations that are located outside of Monaco. For example, your Personal Information may be recorded on the Anti-Doping Administration System (ADAMS) located in Canada or transferred to authorised service providers or Anti-Doping Organisations in countries where you train or participate in competitions (ADAMS is a web-based database management tool hosted in data centres located in Canada and maintained by WADA on behalf of Anti-Doping Organisations using ADAMS. Strong technological, organisational and other security measures have been applied

to ADAMS to maintain the security of the data it contains. For more information on ADAMS and how it operates, you are advised to consult the WADA website at [www.wada-ama.org](http://www.wada-ama.org)).

### Your rights with respect to your Personal Information

18. **Right of access to your Personal Information:** You have the right to seek information about your Personal Information (the categories of information, the purpose for which it is collected and the third parties or categories of third parties to which it is transferred), to obtain confirmation of whether or not your Personal Information is being processed and to receive a copy of the relevant Personal Information in a readily intelligible format within a reasonable timeframe not exceeding 30 days from the date of the request.
19. The IAAF reserves the right, upon previous authorisation from the CCIN, not to respond to requests seeking access to your Personal Information if the requests are excessive in terms of their scope or frequency. The CCIN may also extend the time-line for responding to a request. The person filing the request will then be notified in writing.
20. **Right to rectification of your Personal Information:** Personal Information processed by the IAAF shall be accurate, complete and kept up to date [note that, in some cases under IAAF Anti-Doping Rules (see, for example, Rule 5.7 in relation to Whereabouts Filings), athletes are required to ensure that their Personal Information provided to the IAAF is accurate, complete and updated and nothing in this Information Notice purports to or does release them from such obligation]. Where the IAAF affirmatively knows that the Personal Information that it is processing is inaccurate or incomplete, the IAAF shall, as appropriate, rectify, amend, complete, update or delete the relevant Personal Information as soon as possible. Where appropriate, if the Personal Information in question has been disclosed to a third party that is known or believed to continue to process the Personal Information, the third party shall be informed of the change as soon as possible.
21. **Right to request the deletion of your Personal Information:** you can request the deletion of your Personal information when required by law, that is when the information is outdated, incorrect, or when its collection, recording, transfer or retention is prohibited by law.
22. **Right to object to the processing of your Personal Information:** You have the right to object to the processing of your Personal Information for legitimate reasons, unless it is necessary to the IAAF in order to fulfil obligations and responsibilities arising under the IAAF Anti-Doping Rules, the IAAF Integrity Code of Conduct or applicable laws.
23. Objecting to disclose your Personal Information or objecting to the processing of your Personal Information may be construed as a refusal to participate in the anti-doping procedures mandated by the IAAF Anti-Doping Rules. This could exclude you from further participation in Athletics, and may result in disciplinary or other sanctions being imposed upon you, such as ineligibility from competitions in which you are scheduled to participate or the invalidation of results arising from prior competitions.

**Right to initiate a complaint:** You understand that you shall be entitled to initiate a complaint where you have a reasonable good faith belief that the IAAF is not complying with the International Standard or with applicable law. Complaints should be submitted to the IAAF

- ✓ By courier : IAAF – Legal Department – 4-6 Quai Antoine 1er – BP 359 - MC 98007 Monaco
  - ✓ By email : [dataprotection@iaaf.org](mailto:dataprotection@iaaf.org)
24. In the event that a complaint is not satisfactorily resolved, you may notify the Data Protection Authority in Monaco, CCIN which will determine whether the IAAF is adhering to Monegasque law. The IAAF will have to take all necessary measures if a non-conformity is revealed.

## **Security**

25. The IAAF shall at all times protect your Personal Information by applying all necessary security safeguards, including physical, organisational, technical, environmental and other measures to prevent the loss, theft or unauthorised access, destruction, use, modification or disclosure (including disclosure made via electronic network) of the Personal Information.
26. The IAAF shall apply security measures that take into account the risks associated with the processing of Personal Information and the sensitivity of the Personal Information that is to be protected.
27. When the IAAF/AIU discloses your Personal Information to third party agents in connection with their anti-doping or integrity-protection activities, the IAAF shall take all reasonable steps to ensure that such third parties use the Personal Information for legitimate purposes in accordance with the laws of the country in question and with an adequate level of security.

## **Retention**

28. The IAAF shall ensure that your Personal Information is only retained for as long as is necessary to fulfil its obligations under the IAAF Anti-Doping Rules or the IAAF Integrity Code of Conduct or where otherwise required by applicable law, regulation or compulsory legal process.
29. Once your Personal Information no longer serves the above purposes, it will be deleted, destroyed or permanently anonymised