



Data Protection & Privacy rules

1. Introduction

These rules set forth the requirements applicable to the processing of personal information by UWW in the context of its anti-doping activities.

These rules derive from WADA's International Standard for the Protection of Privacy and Personal Information ("ISPPPI"). The terms used herein are defined in the ISPPPI.

Having delegated the management and implementation of its anti-doping program to the International Testing Agency ("ITA"), the service agreement between UWW and ITA shall provide for the role and the responsibilities of both parties with regard to compliance with Data Protection Laws.

UWW shall maintain a record of the processing of personal information for which it is responsible, which shall describe the general purposes of the processing, a description of the types of personal information, the categories of potential recipients of the personal information, the safeguards used where personal information are disclosed to other Anti-Doping Organizations or Third Parties, the period for which the personal information will be stored, and a general description of the technical and organizational security measures applied to the personal information.

With respect to the ADAMS database administered by WADA, WADA shall be solely responsible for maintaining a record reflecting the processing of personal information in the database.

UWW's officer responsible for the monitoring of compliance with these rules:

- Mr Yannick Golliard (UWW Finance Department)
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2. Processing relevant and proportionate personal information

2.1 UWW shall only process personal information where relevant, in order to conduct anti-doping activities under UWW Anti-doping Rules, the WADA Code and the International Standards, or where otherwise required by applicable law, regulation or compulsory legal process, provided such processing does not conflict with applicable privacy and data protection laws.

2.2 UWW shall not process personal information that is irrelevant or unnecessary in the context of its anti-doping activities as identified in Article 2.1.

2.3 In particular, except as otherwise required by the Code or expressly required by law:

- a. Where UWW processes personal information in order to determine whether the use by an athlete of a prohibited substance or prohibited method is strictly limited to legitimate and documented therapeutic purposes, it shall process only the personal information appropriate and relevant for making this determination as required by the International Standard for Therapeutic Use Exemptions.
- b. Where UWW processes personal information relating to athletes and other persons in order to perform testing, it shall process only the personal information (including whereabouts information and Therapeutic Use Exemptions) appropriate and relevant for conducting testing (e.g., test distribution planning, sample collection, sample handling, sample transport to the laboratory or associated matters) in accordance with the Code and/or the International Standard for Testing and Investigations.
- c. Where UWW processes personal information relating to athletes and other persons in order to engage in investigation and results management (including associated disciplinary hearings, appeals and



adjudications), it shall process only the personal information, including but not limited to whereabouts information, Therapeutic Use Exemptions, and test results, appropriate and relevant for investigating and establishing one or more anti-doping rule violations.

- d. UWW may process personal information relating to athletes and other persons for other specified purposes, provided that those purposes relate exclusively to the fight against doping and are found to be relevant to that fight following an appropriately documented assessment performed by UWW.

2.4 Personal information processed by UWW shall be processed fairly and shall be accurate, complete and kept up-to-date. UWW shall correct or amend as soon as possible any personal information that it knows to be incorrect or inaccurate, taking into account the responsibilities of athletes such as under article 14.3 of the Code and article 11 of WADA's International Standard for Testing and Investigations.

3. Processing personal information in accordance with law or with consent

3.1 UWW shall only Process Personal Information:

- On valid legal grounds, which can include compliance with legal obligations, performance of a public interest task, where necessary for reasons of substantial public interest, fulfilment of a contract or to protect the vital interests of the Participant and other Persons; or
- Where permitted, with an athlete's or other person's consent, which shall be informed, freely given, specific and unambiguous, subject to the exceptions in Article 3.2 b, 3.3 and 3.4 of this International Standard.

3.2 Where UWW processes personal information with consent, it shall, in order to obtain an informed consent, ensure that adequate information is furnished to the athlete or person to whom the personal information relates as described more fully in Article 4.

- a. UWW shall inform athletes of the negative consequences that could arise from their refusal to participate in doping controls, including testing, and of the refusal to consent to the processing of personal information as required for this purpose.
- b. UWW shall inform athletes that regardless of any refusal to grant or subsequent withdrawal of consent, the processing of their personal information still may be required, unless otherwise prohibited by applicable law, where necessary to enable UWW:
 - to commence or pursue investigations involving suspected antidoping rule violations relating to the athlete;
 - to conduct or participate in proceedings involving suspected antidoping rule violations relating to the athlete; or
 - to establish, exercise or defend against legal claims relating to UWW, the athlete or both.

3.3 Where UWW processes personal information with consent, the explicit consent of the athlete or person to whom the personal information relates shall be obtained. The processing of sensitive personal information shall occur in accordance with any specific safeguards or procedures established under applicable data protection laws and regulations.

3.4 In cases where an athlete is incapable of furnishing an informed consent by virtue of age, mental capacity or other legitimate reason recognized in law, the athlete's legal representative, guardian or other competent representative may furnish consent on the athlete's behalf for purposes of these rules, as well as exercise the athlete's rights arising under Article 8 below. UWW shall ensure that obtaining consents under such circumstances is permitted by applicable law.



4. Ensuring appropriate information is provided athletes and other persons

4.1 UWW shall inform athletes or persons to whom the personal information relates about the processing of their personal information. This information shall include:

- the contact details of the person appointed pursuant to article 1;
- types of personal information that may be processed;
- the purposes for which the personal information may be used;
- other categories of potential recipients of the personal information, including Anti-Doping Organizations located in other countries where the athlete may compete, train or travel;
- the possibility and circumstances under which personal information may, where permitted by applicable law, be publicly disclosed (such as the disclosure of test results and decisions);
- the athlete's rights with respect to the personal information under these rules and the means to exercise those rights;
- the procedure for submitting complaints pursuant to Article 8.5 and the possibility, if any, to submit complaints to competent data protection authorities;
- the period for which the personal information will be stored, or the criteria used to determine this period; and
- any other information necessary to ensure that the processing of the personal information remains fair, such as information about regulatory authorities or bodies that oversee the Anti-Doping Organization's Processing of Personal Information.

4.2. UWW shall communicate the above information to participants or other persons prior to or at the time that they collect personal information from athletes or other persons, and UWW shall be responsive to the questions or concerns of athletes or other persons relating to the processing of their personal information by UWW. Where UWW receive personal information from third parties, and not directly from the athlete, they shall communicate the above information as soon as possible and without undue delay, unless it has previously been furnished to the athlete or other person by other parties. Exceptionally, notice to the participant or other persons may be delayed or suspended where providing such notice might reasonably be considered to jeopardize an anti-doping investigation or otherwise undermine the integrity of the anti-doping process. In such cases, the justification for the delay must be appropriately documented and the information provided to the Participant or other Persons as soon as reasonably possible.

4.3 UWW shall provide the above information in a manner and format, whether written, oral or otherwise, that athletes or persons to whom the personal information relates can easily comprehend, using clear and plain language. UWW shall take into account the age and mental capacity of the athlete or other person, as well as local practices, customs and the particular circumstances surrounding the processing of the personal information.

5. Disclosures of Personal Information to other Anti-Doping Organizations and Third Parties

5.1 UWW shall not disclose personal information to other Anti-Doping Organizations except where such disclosures are necessary to allow the Anti-Doping Organizations receiving the personal information to fulfill obligations under the Code and in accordance with applicable privacy and data protection laws.

5.2 UWW shall not disclose personal information to other Anti-Doping Organizations:



- i. where the recipient Anti-Doping Organizations cannot establish a right, authority or need to obtain the personal information;
- ii. where there is evidence that the recipient Anti-Doping Organizations do not or cannot comply with these rules;
- iii. where UWW is prohibited from disclosing the personal information by applicable law or restrictions imposed by a competent supervisory authority; or
- iv. where the disclosure would seriously compromise the status of an ongoing investigation into anti-doping rule violations.

5.3 Apart from the disclosures referenced in Sections 5.1 and 5.2 above, UWW may disclose personal information to third parties where such disclosures:

- a. are required by law, regulation or compulsory legal process;
- b. take place with the informed, express consent of the relevant athlete; or
- c. are necessary to assist law enforcement or governmental or other authorities in the detection, investigation or prosecution of a criminal offence or breach of the Code, provided that the personal information is reasonably relevant to the offence in question and cannot otherwise reasonably be obtained by the authorities.

6. Maintaining the security of personal information

6.1 UWW shall protect personal information that it processes by applying all necessary security safeguards, including physical, organizational, technical, environmental and other measures, to prevent the loss, theft, or unauthorized access, destruction, use, modification or disclosure (including disclosures made via electronic networks) of personal information.

6.2 UWW shall apply security measures that take into account the sensitivity of the personal information being processed. It shall apply a higher level of security to the sensitive personal information that it processes, reflecting the correspondingly greater risk that the unlawful or unauthorized disclosure of such information presents to the athlete or person to whom the personal information relates.

6.3 Where UWW discloses personal information to third-party agents in connection with its anti-doping activities, it shall ensure that such third-party agents are subject to appropriate controls, including contractual and technical controls, in order to protect the confidentiality and privacy of the personal information and to ensure that the personal information is only processed for and on behalf of UWW.

6.4 UWW shall choose third-party agents that provide sufficient guarantees, in accordance with applicable law and these rules, in respect of the technical security measures and organizational measures governing the processing to be carried out.

6.5 In the event of a security breach, UWW shall inform affected participants or other persons of the breach, where this breach is likely to affect in a significant way the rights and interests of those persons concerned. The information must be provided as soon as reasonably possible once UWW becomes aware of the details of the security breach and should describe the nature of the breach, the possible negative consequences for those persons concerned and the remediation measures taken or to be taken by UWW. Additionally, UWW shall ensure that the person appointed pursuant to article 1 is also informed about the security breach. UWW shall keep a record of security breaches, including the facts relating to the breach, its effects and remedial actions taken.

6.6 UWW shall assess its processing of sensitive personal information and whereabouts information every three years to determine the proportionality and risks of their processing and to assess any measures, including



privacy by design measures, that could be taken to reduce the risks for the athletes and other persons concerned.

6.7 UWW shall ensure that staff processing personal information of athletes and other persons is subject to a fully enforceable contractual and/or statutory duty of confidentiality.

7. Retaining personal information where relevant and ensuring its destruction

7.1 As a general rule, retaining sensitive personal information requires stronger or more compelling reasons and justifications than retaining non sensitive personal information.

7.2 UWW shall ensure that personal information is only retained where it remains relevant to fulfilling its obligations under the Code and/or under the ISPPPI or where otherwise required by law, regulation or compulsory legal process. Once personal information no longer serves the above purposes, it shall be deleted, destroyed or permanently anonymized.

7.3 In order to ensure the effective application of Article 7.1, UWW shall establish clear retention times to govern their processing of personal information consistent with the above-described limitations. UWW shall develop specific plans and procedures to ensure the secure retention and eventual destruction of personal information.

7.4 The retention times applied by UWW are set forth in Annex A of WADA's ISPPPI, as amended from time to time. Not later than 31 January and 30 June every year, UWW shall delete and destroy the personal information in its possession pursuant to these retention times.

8. Rights of athletes and other persons with respect to personal information

8.1 Athletes or persons to whom the personal information relates shall have the right to obtain from UWW:

- a. confirmation of whether or not UWW processes personal information relating to them,
- b. the information as per Article 4.1, and
- c. a copy of the relevant personal information within one month, where practicable, or as soon as possible thereafter, in a readily intelligible format, and without excessive cost, unless to do so in a particular case plainly conflicts with UWW's ability to plan or conduct no advance notice testing or to investigate and establish anti-doping rule violations.

8.2 UWW has to respond to requests from athletes or other persons to whom the personal information relates seeking access to their personal information, except if doing so imposes a disproportionate burden on UWW in terms of cost or effort given the nature of the personal information in question.

8.3 In the event UWW refuses to allow an athlete or other person access to his/her personal information, it shall inform the athlete and set out in writing the reasons for refusing the request as soon as practicable. UWW shall ensure that athletes only obtain personal information relating to themselves, and not relating to other participants or third persons, where they seek to obtain access to personal information pursuant to this article 8.

8.4 Where UWW's processing of personal information is shown to be inaccurate, incomplete, or excessive, it shall, as appropriate, rectify, amend, block or delete the relevant personal information as soon as possible. If UWW has disclosed the personal information in question to another Anti-Doping Organization that to its knowledge or belief continues to process the personal information, it shall inform that Anti-Doping Organization of the change as soon as possible, unless this proves impossible or involves a disproportionate effort. UWW shall inform the athlete or person about these Anti-Doping Organizations where they request the information.



8.5 Without prejudice to any other rights an athlete or person may have under applicable laws, an athlete or person shall be entitled to initiate a complaint with UWW where he or she has a reasonable, good-faith belief that UWW is not complying with these rules. The procedure for such complaints is described in the UWW Disciplinary & Dispute Resolution Regulations.

In the event that the complaint cannot be satisfactorily resolved, the athlete or person may notify WADA and/or submit a complaint to CAS, which will determine whether a violation occurred. Nothing in these rules prevents an athlete or person from lodging a complaint with any competent authority responsible for the protection of privacy and personal data, and UWW shall cooperate with such authorities when investigating the complaint.

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