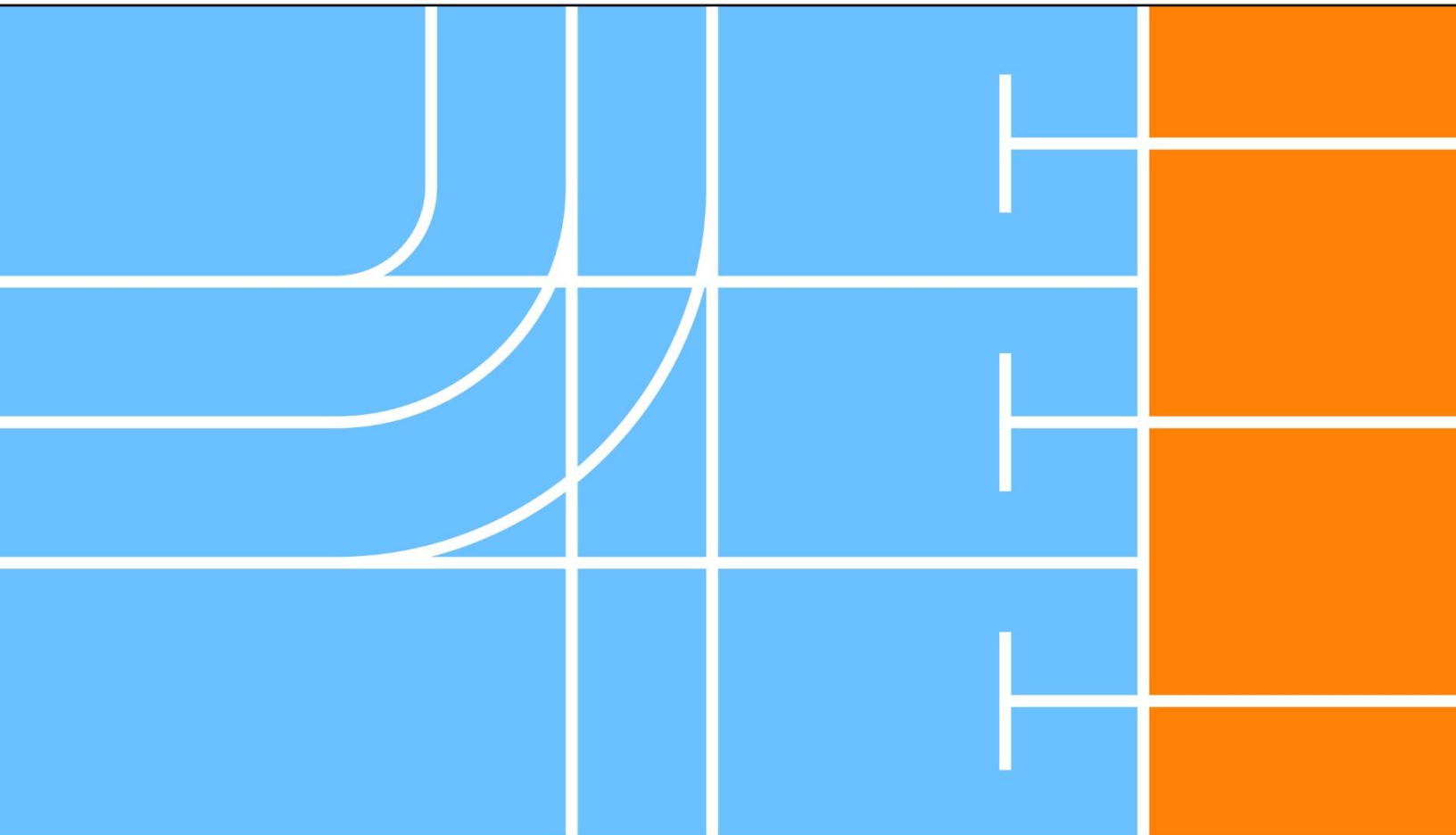




World Anti-Doping Code

International Standard for Data Protection



International Standard for Data Protection

The *International Standard* for Data Protection is a mandatory *International Standard* developed as part of the World Anti-Doping Program. It was developed in consultation with *Signatories*, public authorities, and other relevant stakeholders.

The *International Standard* for the Protection of Privacy and Personal Information (ISPPPI) was first adopted in 2009 and came into effect in June 2009. It was subsequently amended three times, the first-time effective January 2015, the second time effective June 2018, the third time effective January 2021, and the fourth time effective 24 November 2024. With this fifth revised version, the ISPPPI has been renamed the International Standard for Data Protection (ISDP) and is effective as of 1 January 2027.

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Table of Contents

PART ONE: INTRODUCTION, CODE PROVISIONS, DEFINITIONS, AND INTERPRETATION.....	4
1.0 Introduction and Scope	4
2.0 Code Provisions.....	4
3.0 Definitions and Interpretation	5
PART TWO: STANDARDS FOR HANDLING PERSONAL INFORMATION	9
4.0 Processing Personal Information in Accordance with <i>International Standard</i> and Applicable Law	9
5.0 Implementing Privacy-by-Design.....	9
6.0 Processing Relevant and Proportionate Personal Information for Limited Purposes.....	11
7.0 Processing Personal Information in Accordance with a Valid Legal Ground.....	11
8.0 Ensuring Appropriate Information is Furnished to Individuals	13
9.0 Sharing Personal Information Responsibly	15
10.0 Maintaining the Security of Personal Information.....	15
11.0 Limiting Retention of Personal Information and Ensuring Its Destruction.....	16
12.0 Rights of Individuals with Respect to Personal Information.....	Error! Bookmark not defined.
ANNEX A: RETENTION TIMES.....	19

PART ONE: INTRODUCTION, CODE PROVISIONS, DEFINITIONS, AND INTERPRETATION

1.0 Introduction and Scope

The purpose of the *International Standard* for Data Protection is to ensure that *Anti-Doping Organizations* apply appropriate, sufficient and effective privacy protections to the Personal Information they Process when conducting anti-doping programs, in recognition of the fact *Anti-Doping Activities* can impinge upon and implicate the privacy rights of individuals involved in and associated with organized sport. The *International Standard* for Data Protection may also apply to other stakeholders, such as *Laboratories*, where specified in the *Code*, *International Standards*, *Technical Documents* or guidelines.

The *Code*, in particular, requires *Athletes* to furnish a significant amount of Personal Information to *Anti-Doping Organizations*. As a result, it is essential that *Anti-Doping Organizations* and other relevant stakeholders appropriately protect the Personal Information that they Process both to meet legal standards and to ensure the continued confidence and trust of those involved in organized sport.

The *Code* recognizes and affirms the importance of ensuring that the privacy rights of individuals subject to anti-doping programs based on the *Code* are fully respected. In support of this commitment, this *International Standard* sets forth a minimum, common set of rules to which *Anti-Doping Organizations* and other relevant stakeholders must conform when Processing Personal Information pursuant to the *Code*. In some cases, *Anti-Doping Organizations* or other stakeholders may be required by applicable laws to apply rules or standards that exceed those set forth in this *International Standard*.

A WADA expert reference group reviewed, discussed and prepared this document, and specifically took into account the Organization for Economic Cooperation and Development's (OECD) 1980 Guidelines on the Protection of Privacy and Transborder Flows of Personal Data; the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS. No. 108+); the APEC Privacy Framework; the Charter of Fundamental Rights of the European Union; EU Regulation 2016/679 on the protection of natural persons with regard to the processing of personal data (General Data Protection Regulation); and other international and regional data privacy rules, standards and case law, such as the judgement of the European Court of Human Rights of 18 January 2018 (FNASS and others vs. France).

Terms used in this *International Standard* that are defined terms from the *Code* are italicized. Terms that are defined in this or another *International Standard* are underlined.

2.0 Code Provisions

The following articles in the *Code* are directly relevant to the *International Standard* for Data Protection; they can be obtained by referring to the *Code* itself:

- *Code* Article 14 Confidentiality and Reporting

3.0 Definitions and Interpretation

3.1 Defined Terms from the Code that are used in the *International Standard for Data Protection*

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

Anti-Doping Activities: Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *TUE* applications, *Results Management*, hearings, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or on behalf of an *Anti-Doping Organization*, as set out in the *Code* and/or the *International Standards*.

Anti-Doping Organization: WADA or a *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

Athlete: Any *Person* who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of “*Athlete*”. In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUE*s. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the *Code* must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

[*Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.*]

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rule Violations (“Consequences”): An *Athlete’s* or other *Person’s* violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the *Athlete’s* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) Ineligibility means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14.1; (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

Delegated Third Parties: Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping *Educational* programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee *Doping Control* officers or chaperones).

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management*, hearings and appeals, and investigations or proceedings relating to violations of Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

International Standard: A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any *Technical Documents* issued pursuant to the *International Standard*.

Person: A natural *Person* or an organization or other entity.

Prohibited Method: Any method so described on the *Prohibited List*.

Prohibited Substance: Any substance, or class of substances, so described on the

Prohibited List.

Publicly Disclose: See *Consequences of Anti-Doping Rule Violations* above.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, *Whereabouts Failure*), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Sample or Specimen: Any biological material collected for the purposes of *Doping Control*.

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23.

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing*.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Therapeutic Use Exemption [TUE]: A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to use a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard for Therapeutic Use Exemptions* are met.

WADA: The World Anti-Doping Agency.

3.2 Defined Terms from the *International Standard for Testing*

Doping Control Coordinator: An *Anti-Doping Organization* or a *Delegated Third Party* that coordinates any aspect of *Doping Control* on behalf of an *Anti-Doping Organization*. The *Anti-Doping Organization* always remains ultimately responsible under the *Code* for compliance with the requirements of the *International Standard for Testing*, *Therapeutic Use Exemptions*, *Data Protection*, and *Results Management*.

Doping Control Officer (or DCO): An official who has been trained and authorized by the Sample Collection Authority to carry out the responsibilities given to DCOs in the *International Standard for Testing*.

No Advance Notice Testing: *Sample* collection that takes place with no advance warning to the *Athlete* and where the *Athlete* is continuously chaperoned from the moment of notification through *Sample* provision.

3.3 Defined Terms Specific to the *International Standard for Data Protection*

Personal Information: Information, whether in electronic or physical form, including

without limitation Sensitive Personal Information, relating to an identified or identifiable individual when Processed in the context of *Anti-Doping Activities*.

[Comment to Personal Information: It is understood that Personal Information includes, but is not limited to, information relating to an Athlete's name, date of birth, contact details and sporting affiliations, whereabouts, designated TUEs (if any), anti-doping test results, and Results Management. Personal Information also includes personal details and contact information relating to other natural Persons, such as medical professionals and other natural Persons working with, treating or assisting an Athlete in the context of Anti-Doping Activities. Such information remains Personal Information and is regulated by this International Standard for the entire duration of its Processing, irrespective of whether the relevant individual remains involved in organized sport.]

Processing: (and its cognates, **Process** and **Processed**): Collecting, accessing, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.

Personal Information Breach: A breach of security resulting in the accidental or unlawful loss, theft, damage or unauthorized and/or unlawful disclosure of or access to Personal Information, whether in electronic or physical form.

Sensitive Personal Information: Personal Information relating to a natural *Person's* racial or ethnic origin, commission of offences, health (including information derived from analyzing an *Athlete's Samples* or *Specimens*), sex life, biometric data for the purpose of uniquely identifying a natural *Person* and genetic information.

Third-Party Agent: Any *Person* that Processes Personal Information on behalf of, as delegated by, or as otherwise engaged by an *Anti-Doping Organization* in the context of the *Anti-Doping Organization's Anti-Doping Activities* including, without limitation, a *Delegated Third Party* and any subcontractors.

3.4 Interpretation

- 3.4.1 The official text of the *International Standard* for Data Protection shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.
- 3.4.2 Like the *Code*, the *International Standard* for Data Protection has been drafted giving consideration to the principles of proportionality, human rights, and other applicable legal principles. It shall be interpreted and applied in that light.
- 3.4.3 The comments annotating various provisions of the *International Standard* for Data Protection shall be used to guide its interpretation.
- 3.4.4 Unless otherwise specified, references to Articles are references to Articles of the *International Standard* for Data Protection.
- 3.4.5 The Annexes to the *International Standard* for Data Protection have the same mandatory status as the rest of the *International Standard*.

PART TWO: STANDARDS FOR HANDLING PERSONAL INFORMATION

4.0 Processing Personal Information in Accordance with *International Standard* and Applicable Law

4.1 This *International Standard* sets forth a minimum set of requirements applicable to the Processing of Personal Information by *Anti-Doping Organizations*, their Third-Party Agents, and other stakeholders (if applicable) in the context of their *Anti-Doping Activities*. All *Anti-Doping Organizations* must comply with this *International Standard*, even when its requirements exceed those arising under the *Anti-Doping Organization's* applicable data protection and/or privacy laws, reflecting the vital need to protect the privacy of individuals involved in and associated with anti-doping in sport.

4.2 *Anti-Doping Organizations* may be subject to data protection and privacy laws, as well as other laws governing the Processing of Personal Information, that impose requirements that exceed those arising under this *International Standard*. In such circumstances, *Anti-Doping Organizations* must ensure that their Processing of Personal Information complies with all such applicable laws.

[Comment to Article 4.2: Anti-Doping Organizations in certain countries may be subject to laws that govern their Processing of Personal Information such as general data protection and privacy laws, laws governing anti-doping and sport that contain requirements related to the Processing of Personal Information, or laws governing disclosures of Personal Information to law enforcement. In all such cases, Anti-Doping Organizations are expected to comply with applicable laws.]

4.3 *Anti-Doping Organizations* shall be able to demonstrate that their Processing of Personal Information takes place in accordance with this *International Standard*, in particular through the adoption of appropriate internal policies and procedures reflecting their adherence to this *International Standard*.

[Comment to Article 4.3: Anti-Doping Organizations are expected to have documented policies, processes and procedures that demonstrate how they effectively adhere to the requirements of Part Two of this International Standard.]

4.4 *Anti-Doping Organizations* shall designate a *Person* who is accountable for compliance with this *International Standard* and all applicable privacy and data protection laws. They shall ensure that the contact information of the *Person* so designated is made readily available to individuals in accordance with Article 8.

5.0 Implementing Privacy-by-Design

5.1 *Anti-Doping Organizations* shall consider how standards for the handling of Personal Information set out in this Part Two are best implemented in their Processing of Personal Information. This requires:

- a) Evaluating Processing activities to determine whether the requirements of this Part Two are being met, both at the time of design or redesign of an anti-doping process or system and throughout the Personal Information lifecycle, and

- b) Determining what measures are necessary or appropriate to mitigate any data protection risks identified during this evaluation, such as additional security controls or data minimization measures.

[Comment to Article 5.1: Anti-Doping Organizations shall embed data protection considerations in the design of processes and systems used in Anti-Doping Activities, for instance, to develop a Test Distribution Plan and make decisions about Target Testing. Embedding privacy-by-design in the Personal Information lifecycle and mitigating identified data protection risks means considering relevant controls from collection through to destruction of Personal Information, for example, ensuring the ability of an IT system to automatically apply applicable retention periods.]

5.2 In particular, to satisfy the requirements of Article 5.1, *Anti-Doping Organizations* shall:

- a) Maintain up-to-date records of Processing of Personal Information for the *Anti-Doping Activities* for which they are responsible, which shall describe the general purposes of the Processing, a description of the types of Personal Information, categories of individuals the Personal Information relates to, the categories of potential recipients of the Personal Information, and where possible, a general description of the technical and organizational security measures applied to the Personal Information.

[Comment to Article 5.2.a: Anti-Doping Organizations must maintain a record of their Processing activities, to better ensure their effective oversight of these activities and to facilitate compliance with this International Standard. With respect to the ADAMS database administered by WADA, WADA shall maintain and provide access to documentation describing the types of Processing of Personal Information that occur within the database.]

- b) Assess, and where necessary, review the risks arising from their Processing of Personal Information and implement measures to reduce any risk of Personal Information Breach or other data protection risks arising from the Processing.

[Comment to Article 5.2.b: Where the risk assessment indicates that the Processing involves a high risk to individual rights and freedoms, Anti-Doping Organizations may additionally be required by law to conduct a data protection impact assessment (or its equivalent), for example, for Processing involving profiling, large-scale processing of Sensitive Personal Information, or certain artificial intelligence applications. Notwithstanding legal requirements, data protection impact assessments are recommended for all high-risk Processing and are best conducted before commencing the relevant Processing activity.]

5.3 *Anti-Doping Organizations* must ensure the Processing of Sensitive Personal Information occurs in accordance with any specific safeguards or procedures established under applicable privacy and data protection laws, as well as this *International Standard*.

[Comment to Article 5.3: This International Standard imposes additional restrictions where Anti-Doping Organizations Process Sensitive Personal Information, reflecting the greater sensitivities surrounding the Processing of such information. Anti-Doping Organizations should identify what Sensitive Personal Information they Process, and then must consider and apply relevant legal requirements to the Processing of such Sensitive Personal Information.]

5.4 *Anti-Doping Organizations* must implement measures to ensure Personal Information Processed is accurate, complete and kept up to date. *Anti-Doping Organizations* shall correct or amend as soon as possible any Personal Information that they know to be incorrect or inaccurate, taking into account the responsibilities of individuals to provide

accurate and up-to-date information regarding themselves to *Anti-Doping Organizations*, including in the context of the provision of whereabouts information.

[Comment to Article 5.4: Where individuals are responsible for providing Personal Information about themselves directly to Anti-Doping Organizations and for keeping it accurate, complete and up-to-date, they should be informed of this obligation and, whenever practicable, offered reasonable means to fulfill it. For instance, this could involve furnishing individuals with access to their Personal Information via the Internet through online tools and resources.]

6.0 Processing Relevant and Proportionate Personal Information for Limited Purposes

6.1 *Anti-Doping Organizations* shall only Process Personal Information where relevant and proportionate, and for purposes permitted under the *Code* or the *International Standards* or where required by law, compulsory legal process, or to exercise or defend against legal claims.

[Comment to Article 6.1: Anti-Doping Organizations shall examine relevant provisions of the Code and other International Standards to determine what Personal Information Processing is required. In many cases, the Code and International Standards will identify Personal Information required to be collected or Processed, and situations where Anti-Doping Organizations must make a determination as to what Personal Information to collect or Process, for example, when determining the types of whereabouts requested from Athletes outside the Registered Testing Pool.]

6.2 In certain contexts, it may be appropriate or necessary for *Anti-Doping Organizations* to Process Personal Information outside the circumstances expressly described in the *Code* or *International Standards* to engage effectively in the fight against doping. Such Processing may only occur after the *Anti-Doping Organization* has conducted and documented an assessment of data protection risks, considering the effectiveness of the contemplated Processing in the fight against doping, and implemented any identified risk mitigating measures, in each case in line with Article 5.

[Comment to Article 6.2: Processing of Personal Information for purposes other than Anti-Doping Activities is not in scope of this International Standard.]

7.0 Processing Personal Information in Accordance with a Valid Legal Ground

7.1 *Anti-Doping Organizations* shall only Process Personal Information in accordance with a valid legal ground, which can include:

- a) Compliance with legal obligations, performance of a public interest task, where necessary for reasons of substantial public interest, public health, or fulfillment of a contract, or to protect the vital interests of the individual; or
- b) Where permitted, consent of an individual, which shall be informed, freely given, specific and unambiguous, subject to the exceptions in Article 7.2.b, 7.3 and 7.4 of this *International Standard*.

[Comment to Article 7.1: Anti-Doping Organizations must review and consider applicable laws to identify the legal ground(s) applicable to their Anti-Doping Activities. Principal responsibility for obtaining the consent of an Athlete or other individual, or for establishing another valid legal ground, shall rest with the Anti-Doping Organization(s) that has the then-primary relationship with the relevant individual. Articles 7.2 to 7.4 apply only to Anti-Doping Organizations relying on consent as a legal ground for their Processing of Personal Information.]

7.2 Where *Anti-Doping Organizations* Process Personal Information on the basis of consent (including sharing Personal Information with WADA), *Anti-Doping*

Organizations shall, in order to obtain an informed, specific and unambiguous consent, ensure that adequate information is furnished to the individual to whom the Personal Information relates as described more fully in Article 8. In particular, *Anti-Doping Organizations* shall:

- a) Inform individuals of the negative *Consequences* that could arise from their refusal to consent to the Processing of Personal Information for *Anti-Doping Activities*.

[Comment to Article 7.2.a: For the avoidance of doubt, individuals shall be informed that their refusal to consent to the Processing of Personal Information for Anti-Doping Activities, when requested to do so, could prevent their continued involvement in organized sport and for Athletes, constitute a violation of the Code and invalidate Competition results, among other things.]

- b) Inform individuals that regardless of any refusal to grant or subsequent withdrawal of consent, the Processing of their Personal Information by *Anti-Doping Organizations* still may be required, unless otherwise prohibited by applicable law, where necessary to enable *Anti-Doping Organizations*:

- i. To commence or pursue analyses or investigations involving suspected anti-doping rule violations relating to the individual;
- ii. To conduct or participate in proceedings involving suspected anti-doping rule violations relating to the individual;
- iii. To establish, exercise or defend against legal claims relating to an *Anti-Doping Organization* and/or the individual; or
- iv. To comply with law or a compulsory legal process.

[Comment to Article 7.2.b: In certain limited circumstances, Anti-Doping Organizations must have the ability to Process Personal Information in the absence of the individual's consent. These exceptions are necessary to avoid situations where individuals refuse to grant consent or withdraw consent in order to circumvent anti-doping efforts and procedures and evade detection for a doping violation.]

- 7.3 Where *Anti-Doping Organizations* Process Sensitive Personal Information on the basis of consent (including sharing Sensitive Personal Information with WADA), the explicit consent of the individual to whom the Personal Information relates shall be obtained.

[Comment to Article 7.3: Explicit consent requires a positive, explicit action agreeing to the relevant Processing by the Individual to whom the Personal Information relates. Although the International Standard defines Sensitive Personal Information to expressly include different classes of information, this is not to suggest that such information should be Processed by Anti-Doping Organizations; the need to do so must first be evaluated as required by Article 6.]

- 7.4 In cases where an individual is incapable of furnishing an informed consent by virtue of age, mental capacity or other legitimate reason recognized in law, the individual's legal representative, guardian or other competent representative may furnish consent on the individual's behalf for purposes of this *International Standard*, as well as exercise the individual's rights arising under Article 12 below. *Anti-Doping Organizations* shall ensure that obtaining consents under such circumstances is permitted by applicable law.

8.0 Ensuring Appropriate Information is Furnished to Individuals

8.1 An *Anti-Doping Organization* shall inform individuals to whom the Personal Information relates about the Processing of their Personal Information. This information shall include:

- a) The identity of the *Anti-Doping Organization* collecting the Personal Information and contact details of the *Person* appointed pursuant to Article 4.4;
- b) Types of Personal Information that may be Processed;
- c) The purposes for which the Personal Information may be used;
- d) Categories of potential recipients of the Personal Information, including *Anti-Doping Organizations* (such as WADA) and Third-Party Agents who may be located in other countries where the individual may compete, train or travel;
- e) The possibility and circumstances under which Personal Information may, where permitted by applicable law, be *Publicly Disclosed* (such as the disclosure of anti-doping rule violation dispositions);
- f) The individual's rights with respect to the Personal Information under this *International Standard* or other applicable laws and the means to exercise those rights;
- g) The procedure for submitting complaints pursuant to Article 12.5 and the possibility, if any, to submit complaints to competent data protection authorities;
- h) The period for which the Personal Information will be stored, or the criteria used to determine this period; and
- i) Any other information necessary to ensure that the Processing of Personal Information remains fair, such as information about regulatory authorities or bodies that oversee the *Anti-Doping Organization's* Processing of Personal Information.

8.2 *Anti-Doping Organizations* shall communicate the above information to individuals prior to or at the time that they collect Personal Information from individuals in the form and manner specified in Article 8.3. *Anti-Doping Organizations* shall be responsive to the questions or concerns of individuals relating to the Processing of their Personal Information by the *Anti-Doping Organization* or their Third-Party Agents. Where *Anti-Doping Organizations* receive Personal Information from third parties, and not directly from the individual, they shall communicate the above information as soon as possible and without undue delay, unless it has previously been furnished to the individual by other parties. Exceptionally, notice to individuals 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 individuals as soon as reasonably possible.

[Comment to Article 8.2: Anti-Doping Organizations should recognize that basic principles of fairness require that where an individual's Personal Information is Processed in the context of Anti-Doping Activities, he or she should receive or have access to information that explains in simple terms the purpose and procedures for the Processing of their Personal Information. This International Standard aspires to ensure that individuals acquire a basic grasp of the roles and responsibilities performed by the different

organizations involved in anti-doping in sport, as those relate to the Processing of Personal Information. Under no circumstances should Anti-Doping Organizations seek to mislead or misinform individuals in order to Process their Personal Information. In addition to furnishing such information directly to individuals, Anti-Doping Organizations may wish to make such information available on any websites or other online platforms that they operate.

Each Anti-Doping Organization should ensure that its Processing of Personal Information is transparent to individuals, notwithstanding the fact that certain information relating to Anti-Doping Activities, notably information concerning scheduled Testing and investigations and proceedings relating to anti-doping rule violations, may need to be temporarily withheld from individuals in order to maintain the integrity of the anti-doping process. Similarly, notice to individuals also may need to be temporarily withheld if providing the information might reasonably risk jeopardizing an ongoing or reasonably anticipated investigation into doping-related activities conducted by an Anti-Doping Organization or law enforcement agencies. The prompt provision of appropriate information to individuals pursuant to this Article 7 is essential given the serious adverse Consequences that might arise if individuals are found to have committed an anti-doping rule violation.]

- 8.3** *Anti-Doping Organizations shall provide the above information in a manner and format, whether written, oral or otherwise, that individuals to whom the Personal Information relates can easily comprehend, using clear and plain language. *Anti-Doping Organizations shall take into account the age and mental capacity of the individual, as well as local practices, customs and the particular circumstances surrounding the Processing of the Personal Information.**

[Comment to Article 8.3: Anti-Doping Organizations need to determine the most effective means of providing information in particular cases, recognizing that furnishing individuals with written notice is to be preferred when practical. This also may include furnishing notices through generally available sources, such as brochures and Internet websites, alone or preferably in combination with more succinct notices on forms and other documentation provided directly to individuals. Anti-Doping Organizations also must take into account the specific circumstances of the individual, in particular factors such as their age or mental capacity that impact their ability to understand the information being presented to them by the Anti-Doping Organization.]

9.0 Sharing Personal Information Responsibly

- 9.1** *Anti-Doping Organizations shall only share Personal Information with other Persons:*
- a) For purposes permitted under the *Code* or the *International Standards*; or
 - b) With the explicit and valid consent of the relevant individual in line with Article 7, provided such Processing is not contrary to applicable laws; or
 - c) Where required by law, compulsory legal process, or to exercise or defend against legal claims.
- 9.2** *Anti-Doping Organizations shall comply with all other standards for the handling of Personal Information set out in this Part Two with respect to any such sharing, in particular, sharing Personal Information only where the relevant *Person* establishes a need-to-know, a valid legal basis exists for the sharing, and the security of the Personal Information is ensured. This applies, without limitation, to any sharing of Personal Information with law enforcement or governmental or other authorities in connection with an *Anti-Doping Organization's Anti-Doping Activities*. *Anti-Doping Organizations shall also comply with any specific requirements set out in the *Code* and the *International Standards*, related to the sharing purpose.**

[Comment to Article 9.2: For example, the Code and International Standard for Results Management set out specific confidentiality requirements and limits on when information regarding anti-doping rule violations can be shared. Public disclosure of anti-doping rule violations is also subject to requirements under the Code.]

9.3 *Anti-Doping Organizations* sharing Personal Information with Third Party Agents in connection with their *Anti-Doping Activities* shall:

- a) Choose Third-Party Agents that provide sufficient guarantees, in accordance with applicable law and this *International Standard*, in respect of the technical security measures and organizational measures governing the Processing to be performed.

[Comment to Article 9.3.a: This Article requires Anti-Doping Organizations to conduct appropriate due diligence to verify the measures implemented by the Third-Party Agent, for example by requesting that Third-Party Agents provide evidence of their technical and organizational measures.]

- b) Ensure that such Third-Party Agents are subject to appropriate controls, including contractual and technical controls, in order to protect any Personal Information being shared and to ensure that the Personal Information is only Processed on behalf of the *Anti-Doping Organization* or within the scope of the delegation or engagement of such Third-Party Agent, as the case may be.

*[Comment to Article 9.3: Anti-Doping Organizations have an ongoing responsibility to protect any Personal Information under their effective control or in their possession, including Personal Information Processed by their Third-Party Agents, such as IT-service providers, laboratories, external experts, Delegated Third Parties, Doping Control Coordinators, and external Doping Control Officers. Anti-Doping Organizations shall apply contractual controls that can include, as appropriate, provisions to ensure Third-Party Agents only Process Personal Information on the documented instructions of the Anti-Doping Organization, subject any Third-Party Agent or its staff handling Personal Information to a duty of confidentiality, apply appropriate technical security measures and organizational measures to the Personal Information, refrain from engaging other parties to Process the Personal Information without prior authorization and appropriate contractual controls being in place, require assistance where individuals assert rights under this *International Standard* or applicable law, delete or return all Personal Information at the conclusion of the service or upon request, and make information available to the Anti-Doping Organization to demonstrate compliance with such controls. Anti-Doping Organizations shall consider technical controls where Third-Party Agents are granted access to their systems that include, inter alia, access restrictions and authentication requirements.]*

10.0 **Maintaining the Security of Personal Information**

- 10.1** *Anti-Doping Organizations* shall protect Personal Information that they Process by applying all necessary security safeguards, including physical, organizational, technical, environmental and other measures, to prevent a Personal Information Breach.

- 10.2** In particular, *Anti-Doping Organizations* shall ensure that:

- a) Any access to Personal Information by their own personnel takes place on a need-to-know basis only and where consistent with assigned roles and responsibilities;
- b) Personnel accessing or otherwise Processing Personal Information are subject to a fully enforceable contractual and/or statutory duty of confidentiality; and
- c) Personnel have received information and training about the need to hold Personal Information in confidence, and the *Anti-Doping Organization's* policies and procedures regarding the Processing and protection of Personal Information.

- 10.3** *Anti-Doping Organizations* shall apply security measures that take into account the sensitivity of the Personal Information being Processed. *Anti-Doping Organizations* shall apply a higher level of security to the Sensitive Personal Information that they Process, reflecting the correspondingly greater risk that a Personal Information Breach involving such information presents to the individual to whom the Personal Information relates.
- 10.4** In the event of a Personal Information Breach, the responsible *Anti-Doping Organization* shall inform affected individuals 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 without undue delay once the *Anti-Doping Organization* becomes aware of the details of the Personal Information Breach and shall, to the extent possible, describe the nature of the breach, the possible negative consequences for those natural *Persons* concerned and the remediation measures taken or to be taken by the *Anti-Doping Organization*. Additionally, the *Anti-Doping Organization* shall ensure that the *Person* appointed pursuant to Article 4.4 is also informed about the Personal Information Breach. The *Anti-Doping Organization* shall keep a record of Personal Information Breaches, including the facts relating to the breach, its effects and remedial actions taken.

*[Comment to Article 10.4: Personal Information Breach notification obligations are becoming increasingly common throughout the world. Pursuant to Article 4 of this International Standard, *Anti-Doping Organizations* must comply with national obligations that go beyond the International Standard (i.e., some national regimes may require additional notification to a competent authority or other organizations or impose specific timeframes for notification). A breach does not significantly affect an individual when the Personal Information in question is subject to suitable technological protection measures (e.g., encryption) and there is no indication that the protection has been compromised. Notice shall be given by any appropriate means, whether written, verbally or otherwise, taking into account the particular circumstances of the Personal Information Breach, including the prejudice that the relevant natural *Persons* may suffer as a result of the Personal Information Breach.]*

11.0 Limiting Retention of Personal Information and Ensuring Its Destruction

- 11.1** *Anti-Doping Organizations* shall adhere to those maximum retention times set forth in the latest version of Annex A – Retention Times attached hereto, subject to the exceptions set out in Article 11.5.

*[Comment to Article 11.1: Different retention times are applied to different types of Personal Information in Annex A, taking into account the purposes for which the Personal Information is Processed in the context of *Anti-Doping Activities*, including the granting of TUEs, Testing, the investigation of anti-doping rule violations, and the sanctioning of such violations. WADA shall be solely responsible for implementing the retention times set forth in Annex A within the Doping Control information database administered by WADA, currently ADAMS. *Anti-Doping Organizations* are solely responsible for implementing Annex A retention times in their own systems and databases. Minor adaptations of applicable retention triggers or periods are permitted where required to operationalize such triggers or periods in different systems.]*

- 11.2** *Anti-Doping Organizations* shall retain any Personal Information for which no retention time has been set in Annex A in accordance with the following principles, and where possible, shall establish clear retention times to govern their Processing of Personal Information consistent with such principles.
- 11.3** *Anti-Doping Organizations* shall ensure that Personal Information is only retained where justified in line with Article 6.1. Once Personal Information no longer serves such purposes, it shall be deleted, destroyed or anonymized. As a general rule,

retaining Sensitive Personal Information requires stronger or more compelling reasons and justifications.

[Comment to Article 11.3: Even prior to destruction or anonymization, Anti-Doping Organizations should implement measures to minimize their retention and Processing of Personal Information, for example, by moving Personal Information to an archive with more limited access when regular access is no longer required, or by de-identifying or pseudonymizing Personal Information.]

11.4 *Anti-Doping Organizations* shall develop specific plans and procedures to ensure the secure retention and eventual destruction or anonymization of Personal Information.

11.5 Subject to the conditions of Article 11.6, retention times set out in Annex A may be extended:

- a) Where expressly permitted by law; or
- b) Where required by law or compulsory legal process; or
- c) In case of pending or reasonably anticipated anti-doping rule violations, investigations, or other legal proceedings; or
- d) Where Annex A specifically contemplates other circumstances where *Anti-Doping Organizations* may extend maximum retention periods.

[Comment to Article 11.5: Article 11.5.a refers to circumstances where a sports or anti-doping law, or other law applicable to an Anti-Doping Organization, expressly contemplates retention of anti-doping information and identifies a permitted data retention period, as opposed to circumstances where data retention remains unregulated.]

11.6 In deciding to extend a retention period in specific cases or for a specific category of records, *Anti-Doping Organizations* must consider and apply the criteria of this Article 11 and any additional requirements under applicable laws, as well as conduct an assessment of data protection risks, considering the need for the contemplated retention in the fight against doping, and implement mitigating measures for any identified risks, in each case in line with Article 5.

12.0 Rights of Individuals with Respect to Personal Information

12.1 Individuals to whom the Personal Information relates shall have the right to obtain from *Anti-Doping Organizations*:

- a) Confirmation of whether or not *Anti-Doping Organizations* Process Personal Information relating to them;
- b) The information as per Article 8.1; and
- c) A copy of the relevant Personal Information within one (1) month, where practicable, or as soon as possible thereafter, in a readily intelligible format, and without excessive cost, subject to limited exceptions prescribed by law or unless to do so in a particular case plainly conflicts with the integrity of the anti-doping system or an *Anti-Doping Organization's* ability to plan or conduct No Advance Notice Testing or to investigate and establish anti-doping rule violations or other legal claims.

[Comment to Article 12.1: Individuals may also have additional rights under applicable privacy and data protection laws, and Anti-Doping Organizations shall follow the process set out herein when responding to requests in respect of such additional rights, as applicable. Principal responsibility for receiving and responding to requests from individuals shall rest with the Anti-Doping Organization(s) that has the then-primary relationship with the relevant individual. To the extent it receives any such requests, WADA will respond in coordination with the relevant Anti-Doping Organization. Save in exceptional circumstances, (which may include situations where the amount of Personal Information at issue is significant and involves a disproportionate effort to assemble), an Anti-Doping Organization ordinarily is expected to respond no later than one (1) month from the date a properly formulated request is received. Anti-Doping Organizations shall be entitled to request additional information and clarifications from individuals in order to be able to respond to their request, including, where appropriate, additional information to confirm the identity of the individual making the request.]

- 12.2** *Anti-Doping Organizations have to respond to requests from individuals to whom the Personal Information relates seeking access to their Personal Information, except if doing so imposes a disproportionate burden on the *Anti-Doping Organizations* in terms of cost or effort given the nature of the Personal Information in question.*
- 12.3** *In the event an *Anti-Doping Organization* refuses to allow an individual access to his or her Personal Information, it shall inform the individual and set out in writing the reasons for refusing the request as soon as practicable. *Anti-Doping Organizations* shall ensure that individuals only obtain Personal Information relating to themselves, and not relating to other individuals, where they seek to obtain access to Personal Information pursuant to this Article 12.*
- 12.4** *Where an *Anti-Doping Organization*'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 the *Anti-Doping Organization* 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. The *Anti-Doping Organization* shall inform the individual about these *Anti-Doping Organizations* where they request the information.*
- 12.5** *Without prejudice to any other rights an individual may have under applicable laws, an individual shall be entitled to initiate a complaint with an *Anti-Doping Organization* where he or she has a reasonable, good-faith belief that an *Anti-Doping Organization* is not complying with this *International Standard* and each *Anti-Doping Organization* shall have a documented procedure in place for dealing with such complaints in a fair and impartial manner. In the event that the complaint cannot be satisfactorily resolved, the individual may notify WADA, which will handle the complaint in accordance with the *International Standard for Code Compliance by Signatories*. Where the *International Standard for Data Protection* is not being adhered to, the relevant *Anti-Doping Organization* will be required to resolve the non-conformity in accordance with the *International Standard for Code Compliance by Signatories*. Nothing in this *International Standard* prevents an individual from lodging a complaint with any competent authority responsible for the protection of privacy and personal information, and *Anti-Doping Organizations* shall cooperate with such authorities when investigating the complaint.*

ANNEX A: RETENTION TIMES

Scope: This Annex A sets out maximum retention times for the main categories of anti-doping records containing Personal Information. It does not prevent *Anti-Doping Organizations* from setting shorter retention times or from keeping records stripped of Personal Information for longer periods. It does not constitute a complete retention schedule and does not replace general records management procedures that *Anti-Doping Organizations* may implement within their organization.

Acronyms:

ADRV: *Anti-doping rule violation*
AAF: *Adverse analytical finding*
ATF: *Atypical finding*
APF: *Adverse passport finding*
ATPF: *Atypical passport finding*

Important Notes:

- I. For operational reasons, there may be a delay between the expiry of a retention period and the time the affected data is effectively purged from a system. This delay should be no longer than the end of the calendar quarter following the expiry of the stated retention period.
- II. Retention times can be extended where permitted by Article 11.5 and 11.6.
- III. To improve data quality, *Anti-Doping Organizations* should make efforts to clean and purge incomplete data from their systems (e.g. incomplete *TUE* or *Testing* documentation).

Module/Record Category	Description	Retention Periods	Remarks	Criteria
1 – Demographic and Profile Information (Athlete/other individuals)	Name, Date of birth, ADAMS ID, BP ID, License number, Sport Discipline, nationality, gender, contact information (e.g., phone number(s), email and mailing address(es)).	: Until all other associated records have been deleted (see, e.g. Article 6 – ADRV).	Athlete data relevant for practical purposes and for notification purposes in the event of an ADRV. These data are not particularly sensitive. Necessary to identify <i>Athletes</i> /other individuals, notify of ADRV, and understand who the other record categories relate to.	Necessity
2 – Whereabouts	Addresses for regular activities, overnight accommodation, addresses for daily one-hour timeslot, contact information in case <i>Athlete</i> cannot be found. Log data containing dates of submission or changes to whereabouts entries.	10 years as of end of the whereabouts quarter for which the data was submitted. Until associated whereabouts data is deleted.	Relevant to count 3 whereabouts failures in 12 months' time and pursue such whereabouts failure cases following the 12-month period. Further, whereabouts remain relevant for a longer period to refine <i>Testing</i> strategies, e.g. based on training locations, to <i>Results Management</i> processes, including in cases of re- <i>Testing</i> or as related to the ABP, and to investigations into potential ADRVs or strategies to evade <i>Doping Controls</i> . Log data are important to understand attempts to evade <i>Doping Controls</i> .	Necessity/Proportionality Necessity/Proportionality

Module	Data	Retention Periods	Remarks	Criteria
3 – TUEs TUE	<p><i>TUE</i> certificates and rejected <i>TUE</i> decision forms.</p> <p><i>TUE</i> application forms and supp. med information and any other <i>TUE</i> info not otherwise expressly mentioned herein.</p>	<p>10 years as of date of <i>TUE</i> expiry/date of rejection decision.</p> <p>12 months from date of <i>TUE</i> expiry.</p>	<p>Destroying medical information makes it impossible for WADA/ADOs to review <i>TUEs</i> retrospectively after <i>TUE</i> has lost its validity. <i>TUE</i> information is largely medical and therefore sensitive.</p> <p>Can be relevant in case of re-<i>Testing</i> or other investigations.</p> <p>Loses relevance after expiration of <i>TUE</i> except in case of re-application.</p>	<p>Necessity</p> <p>Necessity/Proportionality</p>
4 – Testing <i>Testing</i>	<p>Doping Control Forms (DCFs).</p> <p>Mission/Testing orders and associated documentation.</p> <p>Chain of custody.</p>	<p>10 years as of <i>Sample</i> collection date.</p> <p>Retained until all associated DCFs have been deleted.</p> <p>10 years as of document creation date.</p>	<p>DCFs, associated mission/Testing orders, and chain of custody documents are relevant for <i>Athlete Biological Passport</i> and in case of re-<i>Testing</i> of <i>Samples</i>. If ADRV, will also be kept as part of results management file (see Article 6).</p> <p>Same as above.</p> <p>Same as above.</p>	<p>Necessity</p> <p>Necessity</p> <p>Necessity</p>

Module	Data	Retention Periods	Remarks	Criteria
5 – Laboratory and APMU Records		As of <i>Sample</i> collection date / date of match between results and <i>Doping Control</i> / date of creation of relevant documents, whichever is later:		
Laboratory records	Analytical test results (incl. AAF/ATF), laboratory reports, and other associated documentation.	10 years. ¹	Necessary because of multiple violations and retrospective analysis. If ADRV, will also be kept as part of results management file (see Article 6).	Necessity
APMU records	Biological variables, ATPF, APF, APMU reports, expert reviews, ABP documentation packages and associated laboratory documentation.	10 years. ¹	Necessary because of multiple violations and to analyze or review biological variables, APMU reports, expert reviews, etc., over time. If ADRV, will also be kept as part of results management file (see Article 6).	Necessity

Module	Data	Retention Periods	Remarks	Criteria
6 – Results Management	Disposition of anti-doping rule violation (e.g. nature of ADRV).	As of date of final decision: Longer of 10 years or duration of period of <i>Ineligibility</i> . ²	Necessary because of multiple violations and possible duration of sanctions.	Necessity
	Decisions under the <i>Code</i> (incl. whereabouts failures).	Longer of 10 years or duration of period of <i>Ineligibility</i> . ³	Necessary because of multiple violations and possible duration of sanctions. Also relevant to assessment of other possible ADRVs.	Necessity
	Relevant documentation/files (incl. AAF or whereabouts failure record, case files, laboratory and ABP documentation packages, etc.).	Longer of 10 years or duration of period of <i>Ineligibility</i> .	Necessary because of multiple violations and possible duration of sanctions.	Necessity

Module	Data	Retention Periods	Remarks	Criteria
7 –Investigations	Documents making up evidentiary record for a specific investigation and containing <u>Personal Information</u> . Record type(s) and content(s) will vary depending on the scope of the investigation. ⁴	10 years following the closure of an investigation.	Necessary because of multiple violations, and the need to understand doping practices and networks in time.	Necessity/Proportionality
8 – Education	Courses completed, dates of completion, final score, role as a learner (<i>Athlete</i> , coach, etc.).	Until all other associated records are deleted or as long as active in sport, whichever is longer.	These data are not sensitive. Necessary to understand learner pathway over time through different roles (e.g. youth to <i>Athlete</i> to coach). Could be relevant in an ADRV case in relation to level of fault.	Necessity/ Proportionality

¹ Subject to the criteria and requirements of the *Code/International Standards*, analytical data resulting from *Sample* analysis may, in certain circumstances, be kept beyond the applicable retention period for research and other purposes permitted by Article 6.3 of the *Code*. *Samples* and analytical data must be processed to ensure they cannot be traced back to an *Athlete* before being used for such purposes. 10 years is the maximum retention time for identifiable data and *Samples*. See the *Code* and *International Standard for Laboratories* for details.

² ADOs may decide to retain a record of the disposition of the anti-doping rule violation for a longer period to protect their sport or sport community considering individuals with doping history may seek to take up other roles in sport, as well as for archiving purposes. This decision must take into account the requirements of Article 11.6. This retention period in no way changes the limits on public disclosure of sanctions set out in the *Code*.

³ Decisions (e.g. CAS decisions) can be important legal precedents and part of the public record; in such cases, ADOs may decide to retain a decision beyond the applicable retention period. This decision must take into account the requirements of Article 11.6.

⁴ ADOs are also required to collect intelligence through hotlines to report doping and other means, which may contain *Personal Information*. ADOs must establish appropriate retention periods for these records taking into account the retention periods for other record types in this Annex A, criteria set out in ISDP Article 11, and Part Two of the ISDP more broadly, including necessity and proportionality of such retention.