



WORLD SKATE ANTI-DOPING PERSONAL INFORMATION AND DATA COLLECTION, PROCESSING AND PROTECTION POLICY

Adopted by World Skate Executive Board on the 12th of March 2018.

1. AIM, SCOPE AND DEFINITIONS.

This Policy aims to protect the privacy and the fundamental rights of those who are subject to any kind of Anti-Doping activities, as well as those who communicate in any manner with World Skate regarding Anti-Doping matters included but not limited to providing his/her personal Information and/or Data or any other sensitive information.

This Policy only applies to the collection, processing and protection of personal Information and/or Data for Anti-Doping purposes.

This Policy seeks to ensure an effective, appropriate and high-level privacy protection to the personal Information and/or Data processed before, during and after an Anti-Doping activity and only for the purposes of those activities.

Terms and Definitions:

- **ADAMS**: Anti-Doping Administrative Management System
- **Anti-Doping Organization**: 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, WADA, International Federations, and National Anti-Doping Organizations. For the purposes of this Policy, this term will be used to indicate World Skate.
- **Athlete**: Any Person who competes in sports represented by World Skate.
- **Athlete Support Personnel**: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an *Athlete* participating in or preparing for sports competition.
- **Participant**: Any Athlete or Athlete Support Person.
- **Anti-Doping Activities**: Activities specified by WADA Code, WADA's International Standards, WADA ISPPPI and World Skate's Statutes, Rules or Regulations, to be carried out by *Anti-Doping Organizations*, and their *Third-Party Agents*, for the purpose of establishing whether anti-doping rule violations took place, including collecting whereabouts information; conducting Testing; performing results management; determining whether an Athlete's Use of a Prohibited Substance or Prohibited Method

is strictly limited to legitimate and documented therapeutic purposes; educating Participants on their rights and responsibilities; conducting investigations into anti-doping rule violations; and initiating proceedings against those who are alleged to have committed such a violation.

- **Personal Information and/or Data**: Information, including - but not limited to - **Sensitive Personal Information** (such as - but not limited to - Personal Information relating to a Participant's racial or ethnic origin, commission of offences -criminal or otherwise-, health and genetic information), relating to an identified or identifiable Participant or relating to other Persons whose information is Processed solely in the context of an Anti-Doping Organization's Anti-Doping Activities.
- **Processing (and its cognates, Process and Processed as well as Collection and Protection and their relevant cognates)**: Collecting, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.
- **Security Breach**: Any unauthorized and/or unlawful Processing of, including access to, Personal Information whether in electronic or hard-copy or other form, or interference with an information system, that compromises the privacy, security, confidentiality or integrity of Personal Information.
- **Third Parties**: Any natural Person or legal entity other than the natural Person to whom the relevant personal Information relates, Anti-Doping Organizations and **Third-Party Agents** (such as subcontractors, that Processes Personal Information for or on behalf of an Anti-Doping Organization).

2. RULE OF LAW

This Policy has been developed having regard to the WADA Code, the WADA International Standards for Protection of Privacy and Personal Information (ISPPPI) and in compliance with WORLD SKATE Statutes, Rules and Regulations as well as Swiss Federal Law.

In the event of a conflict between any of the abovementioned codes, laws, rules etc., Swiss Law shall, in any case, prevail. In this respect it shall be clear that the relevant Swiss Law is the *Federal Act on Data Protection (FADP) of June 19th 1992* and subsequent amendments.

3. PRINCIPLES

This Policy recognizes the principles established by WADA Code, WADA International Standards for Protection of Privacy and Personal Information (ISPPPI), Swiss Federal Law and World Skate's Statutes, Rules and Regulations.

This Policy acknowledges, accepts and adopts the basic principles included in WADA Code concerning coordination of results, public transparency, accountability and respect for the privacy of those who are involved in Anti-Doping activities.

All the information provided to World Skate as an Anti-Doping matter, shall be handled only by selected Staff Members who shall sign a *Confidentiality Agreement* to avoid any possible unauthorized disclosure. The collected Information and/or Data shall not be disclosed under any circumstances unless in case of Public disclosure (as set forth in this act) or in case of consensus by the interested person.

Regardless to all the principles stated in this Policy, World Skate shall share any kind of Information and/or Data at any time with WADA and National Anti-Doping Organizations - including via ADAMS - when due and in compliance with the WADA Code and all the - either national or international - agreements, treaties, rules and regulations.

4. TYPES OF INFORMATION AND/OR DATA

For the purposes of the Anti-Doping activities, World Skate can collect the following, but not limited to, types of Information and/or Data:

- Athlete's Identity (Full name, Date of Birth, Sport Discipline, Gender, Phone number(s), Email Address, Home Address, Organisations to which athlete belongs, Names and details of other persons, such as Medical Professionals, working with, treating or assisting athletes in the Anti-Doping context);
- Whereabouts information (including *Failures* and *Missed Tests*);
- Medical and Biological Information (*Therapeutic Use Exemptions - TUE -*, *Testing - Mission Orders, Doping Control Forms, Chain of Custody -*, *Samples - A and B -*, *Details of Biological Samples collected etc.*);
- Test Results and Results Management;
- Disciplinary Rulings (*ADRV*);
- Athlete Biological Passport.

5. COLLECTION AND PROCESSING

Athletes will be asked in the Anti-Doping Acknowledgement and Agreement form to sign a separate written Consent Notice in which they will give consent to the collection, processing and treatment of personal Information and/or Data provided to World Skate for Anti-Doping purposes only.

The written Consent notice shall include summary information about how athletes' Anti-Doping activities related Information and/or Data will be used and processed for the purpose of facilitating the implementation of an effective anti-doping program.

The abovementioned Notice shall be in compliance with this Policy. The Policy shall be published on World Skate's official website in a way to be available for the public and so that the signatory shall acknowledge and accept the written Consent Notice before signing it.

For those under the age of eighteen or incapable to furnish an informed consent by mental capacity or other legitimate reason recognized in law, the written Consent Notice shall be signed by a parent or by a legal guardian.

Athletes are responsible for providing correct Information and/or Data and they are subject to all the duties included in this Policy, WADA Code, WADA International Standards (ISPP), World Skate's Statutes Rules and Regulations, and applicable law, regulation or compulsory legal process and where such processing does not conflict with applicable privacy and data protection laws.

Personal Information and/or Data will be collected by World Skate authorized staff members and by any other organisation or body (third parties) to which World Skate has delegated authority.

Regardless of who will conduct the data collection, World Skate shall only process Personal Information where necessary and appropriate to conduct anti-doping activities under WADA Code, WADA International Standards (ISPP), this Policy, World Skate's Statutes Rules and Regulations, 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.

Regardless of any refusal to grant or subsequent withdrawal of consent by the Person, the process of personal Information and/or Data of the person involved in Anti-Doping

activities still may be required, unless otherwise prohibited by Swiss Law, when necessary to enable World Skate or any of its third parties:

- To commence or pursue investigations involving suspected Anti-Doping rule violations relating to the *Participant*;
- To conduct or participate in proceedings involving suspected Anti-Doping rule violations relating to the *Participant*; or

To establish, exercise or defend against legal claims relating to World Skate, the *Participant* or both.

Personal Information and/or Data shall be processed fairly, accurately and completely. All data shall be kept up-to-date and may be corrected or amended when necessary.

World Skate and third parties shall only process personal Information and/or Data on valid legal grounds, which can include compliance with legal obligations, fulfilment of a contract or to protect the vital interests of those persons involved in Anti-Doping activities.

World Skate and third parties shall process personal Information and/or Data for other 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 World Skate.

6. PROTECTION

All Information and/or Data collected by any method by World Skate for any Anti-Doping activity purpose shall be retained by World Skate or any of its third parties according to the following security standards:

- Any written Information and/or Data shall be kept confidential and stored in a locked closet, located in World Skate's headquarters or in the Presidential offices;
- Any digital format Information and/or Data shall be kept confidential and stored in password locked computers or in encrypted portable hard disk or encrypted flash USB memories, both stored in a locked closet, located in World Skate's headquarters or in the Presidential offices. The abovementioned passwords shall be changed by World Skate every 3 months and every time a selected Staff member will be terminated;
- World Skate shall prevent any kind of unauthorized access to this material and shall empower only a few selected Staff Members to handle it for working purposes only;
- World Skate may authorize some of the abovementioned Staff Members to retain on their personal computer any kind of Information and/or Data for working purposes;
- World Skate may appoint new authorized Staff Members or terminate the ones in charge at any time without notice. World Skate must update this Policy as necessary to inform the public about any change on this subject;
- In the event of a Security Breach, World Skate shall- as soon as it becomes aware of the breach - immediately inform the affected *Participants* about the breach, where this breach is likely to affect in a significant way the rights and interests of those persons concerned. World Skate will review the circumstances of the breach and take measures to prevent any recurrence.
- World Skate may audit compliance to this Policy at any time.

World Skate appoints the following Staff Members as authorized personnel for handling Information and/or Data for Anti-Doping purposes:

- Dr. Patricia Wallace (Anti-Doping Manager) and any of her - temporary or permanent - partners, contributors or colleagues of the World Skate Medical Commission;
- Ms. Angela Masci (World Skate Anti-doping Department and legal Department);
- Mr. Francesco Jacopo D'Urbano (World Skate Legal Department);
- Any - temporary or permanent - member of World Skate Anti-Doping Review Panel.

7. ACCESS AND RETENTION

Participants or other persons to whom the personal Information and/or Data relates have the right to access to the following information from World Skate:

- Confirmation of whether or not World Skate is processing personal Information and/or Data relating to them;
- Information about the written Consent Notice to be signed as per art. 5 above;
- Copy of the relevant personal Information and/or Data.

Access requests shall be approved in a short time provided doing so does not impose a disproportionate burden on World Skate in terms of costs or effort, given the nature of the personal Information and/or Data in question.

World Skate may refuse to allow a *Participant* to access to all or part of his/her personal Information and/or Data, if its release could compromise the Anti-Doping process. In this case, World Skate shall inform the *Participant* or any other person and set out in writing the reasons for refusing the request as soon as practicable.

In this regard, if a *Participant* or any other person is not satisfied, he/she has the right to initiate a complaint with World Skate. In the event that the complaint cannot

be satisfactorily resolved, the plaintiff may notify WADA and/or submit a complaint to CAS who will determine whether a violation of this Policy has occurred.

World Skate shall ensure that personal Information and/or Data are only retained for as long as is necessary to fulfil its obligations under the Anti-Doping Rules or where otherwise required by applicable law, regulation or compulsory legal process. World Skate shall respect the retention times for different types of personal Information and/or Data as may be determined by WADA International Standards for Protection of Privacy and personal Information (ISPPPI) from time to time unless such retention times are in breach of applicable law. (See the attached *Retention Times Table*). Once personal Information no longer serves the above purposes, it will be deleted, destroyed or permanently anonymised.

8. DISCLOSURE

Personal Information and/or Data may be disclosed by World Skate to third parties, including authorized service providers, according to this Policy, WADA Code, WADA International Standards for Protection of Privacy and Personal Information (ISPPPI), WORLD SKATE Statutes, Rules and Regulations and Swiss Federal Law.

Personal Information and/or Data may be made available to authorized Anti-Doping Organization - for instance, designated National Anti-Doping Organisations of athlete's home or residence country, national federations, major games organisers and WADA - according to this Policy, WADA Code, WADA International Standards for Protection of Privacy and Personal Information (ISPPPI), WORLD SKATE Statutes, Rules and Regulations and Swiss Federal Law.

Personal Information and/or Data shall not be disclosed to third parties other than as set out above, except where such disclosures:

- are required by law;
- take place with athlete's 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 or breach of the WADA Code, provided that the personal Information is reasonably relevant to the offence or breach in question and cannot otherwise be obtained by the authorities.

Personal Information and/or Data may be Publicly Disclosed by World Skate in further specific situations, in any case in compliance with the limits set out in this Policy and by any applicable law.

Retained personal Information and/or Data may be used to be part of an anonymized Statistical Annual Report drafted by World Skate. This report shall be sent to WADA and published.

9. SANCTIONS

Any breach or violation of this Policy shall be punished according to the provisions included in the World Skate Disciplinary and Ethic's Code.

10. COMPLIANCE, INFO AND COMPLAINTS

For the purpose of making this Policy comply with WADA International Standards for Protection of Privacy and Personal Information (ISPPPI) and all locally applicable privacy and data protection laws, as well as for handling complaints and providing information, World Skate appoints Mr. Francesco Jacopo D'Urbano (World Skate Legal Department) and Angela Masci (World Skate Legal Department and World Skate Anti-Doping Department). Contact: legal@worldskate.org.

This Policy enters in to force on the same date of its adoption by World Skate Executive Board.