

ANTI-DOPING DATA PROTECTION POLICY

I. Introduction

1. The UCI recognises and affirms the importance of ensuring that the privacy rights of Persons subject to anti-doping programs based on the [UCI Anti-Doping Rules](#) (the “UCI ADR”) are fully respected.
2. Specifically, the UCI is responsible for ensuring that the personal information that it acquires and processes in connection with its anti-doping activities is protected in accordance with the applicable data protection and privacy laws.
3. This Notice provides information, which complements information provided on the Doping Control Form that athletes are asked to sign in the course of any Sample collection initiated by UCI, on how Personal Information for anti-doping purpose will be processed by the UCI.
4. By requesting a license or participating in an international event, the Person agreed to be bound by and comply with the UCI ADR and consent to the processing of their Personal Information for anti-doping purposes.

II. Type of Personal Information and definition

5. *Athlete’s Personal Information* for anti-doping purposes includes, but is not limited to, information relating to:
 - a. Athlete’s identity (name, nationality, date of birth, gender, event, level of competition: national or international, 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);
 - b. Whereabouts Filings;
 - c. Therapeutic Use Exemptions (TUEs);
 - d. Doping Controls (including Test Distribution Planning, Sample collection and handling, anti-doping test results, Laboratory analysis, results management, hearings, sanctions and appeals);
 - e. Medical or biological information derived from anti-doping activities, including information derived from analyzing of samples or specimens (Sensitive Personal Information).

6. *Anti-Doping Activities*: Activities specified by the World Anti-Doping Code (the “WADA Code”) and the [World Anti-Doping International Standard for the Protection of Privacy and Personal Information](#) (the “WADA International Standard”) 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 legal proceedings against those who are alleged to have committed such a violation.
7. *Processing* (and its cognates, *Process* and *Processed*): Collecting, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.
8. *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.
9. *Sensitive Personal Information*: Personal Information relating to a Participant’s racial or ethnic origin, commission of offences (criminal or otherwise), health (including information derived from analyzing an Athlete’s Samples or Specimens) and genetic information.
10. *Third Party*: 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.
11. *Third-Party Agent*: Any natural or legal Person, public authority, agency or body, including without limitation subcontractors and their subcontractors, that Processes Personal Information for or on behalf of an Anti-Doping Organization.

III. Data Collection

12. Personal Information will be collected by UCI and by any other organisation or body to which UCI has delegated authority, such as the Cycling Anti-Doping Foundation (CADF) or which otherwise has competent authority to conduct Testing on athletes.
13. CADF is mandated by UCI for the purpose of managing its Anti-Doping Activities, i.e., in particular: Planning effective Testing, Registered Testing Pool (“RTP”) management, Biological Passport Program (Haematological and Steroidal) management, Results Management (Initial review) and administrative support for the management of Therapeutic Use Exemptions (“TUE”). Detailed information on CADF activities is available at <http://www.cadf.ch/> . In the context of its mission, CADF will have hence to process Athlete Personal information.

IV. Purpose of processing of Personal Information

14. UCI shall only process Personal Information where necessary and appropriate to conduct its Anti-Doping Activities under the UCI ADR and WADA International Standard or where otherwise required by applicable law, regulation or compulsory legal process and where such processing does not conflict with applicable privacy and data protection laws. This includes, but is not limited to, processing Personal Information:

- a. to determine eligibility for a TUE;
- b. to conduct Testing, including Target Testing, and to record the results from such Testing;
- c. to conduct investigations to determine breaches of the UCI ADR;
- d. to carry out results management under the UCI ADR, including associated disciplinary hearings, appeals and adjudications, and to publish outcomes.
- e. For any purpose relating to the protection of clean sport.

V. Disclosures

15. Personal Information may be disclosed by UCI to Third-Party agents, including authorised service providers, such as the CADF, in connection with the fulfilment of their Anti-Doping Activities under the UCI ADR.
16. Personal Information may be made available to authorized Anti-Doping Organisation – for instance, designated National Anti-Doping Organisations of athlete’s home or residence country, national sporting federations, major games organisers, or WADA to Anti-Doping Organisation with which the UCI has concluded a Sharing Agreement¹– in accordance with the WADA Code, and processed in accordance with the anti-doping provisions of the WADA Code in order to allow those authorized Anti-Doping Organisations to fulfil their obligations and responsibilities under the WADA Code.
17. Personal Information shall not be disclosed to Third Parties other than as set out above, except where such disclosures:
 - a. are required by law;
 - b. take place with athlete’s informed, express and written consent; or
 - c. 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.
18. Personal Information may be Publicly Disclosed by UCI in certain limited situations as further specified in the UCI ADR (such as disclosure of test results or judicial panels’ decisions).

VI. International Transfers

19. Personal Information may be made available by UCI to third persons or parties, including authorised service providers, WADA and Anti-Doping Organisations that are located outside of Switzerland.

¹ As background information, WADA encourages ADOs to enter into sharing agreements in order to enhance the efficiency of the programs, including avoiding overlapping with respect to Testing, for instance. The data sharing complies with the WADA International Standard for the Protection of Privacy and Personal Information. If such agreement has been reached with your NADO, whereabouts information and data related to your Athlete Biological Passport are shared between the UCI (via CADF) and the NADO for anti-doping purposes exclusively. However, please note that any other ADO with the requisite authority under the WADA Code may test you Out-Of Competition at any time, whether using the whereabouts information that you are providing or otherwise.

20. For instance, Athlete's Personal Information for anti-doping purposes will be held in the Anti-Doping Administration and Management System (ADAMS)², located in Canada and maintained by WADA or transferred to authorised service providers or Anti-Doping Organisations in countries where you train or participate in competitions.
21. Applicable rules will be respected and appropriate measures taken prior to any transfer of Personal Information abroad.

VII. Rights with respect to Personal Information

Right of access to Personal Information

22. Athletes have the right to seek information from UCI (data.protection@uci.ch) about their Personal Information (the categories of information, the purpose for which it is collected and the third parties or categories of third parties to which it is transferred), to obtain confirmation of whether or not their Personal Information is being processed and to receive a copy of the relevant Personal Information in a readily intelligible format within a reasonable timeframe, unless to do so in a particular case plainly conflicts with UCI's ability to plan or conduct Testing under the UCI ADR (including Target Testing) or to investigate and establish anti-doping rule violations.
23. UCI may not be required to respond to requests seeking access to Personal Information if the requests are excessive in terms of their scope or frequency or if they impose a disproportionate burden on UCI in terms of cost or effort given the nature of the Personal Information in question. If UCI refuses to allow athlete access to Personal Information, it shall inform this athlete and explain in writing the grounds for refusing the request as soon as practicable.

Right to amend Personal Information

24. Personal Information processed by UCI shall be accurate, complete and kept up to date. Where UCI affirmatively knows that the Personal Information that it is processing is inaccurate or incomplete, UCI shall, as appropriate, rectify, amend, complete, update or delete the relevant Personal Information as soon as possible. Where appropriate, if the Personal Information in question has been disclosed to a third party that is known or believed to continue to process the Personal Information, the third party shall be informed of the change as soon as possible.

Right to object to the processing of Personal Information

25. Athletes have the right to object to the processing of their Personal Information, although, in such event, it may still be necessary for UCI and/or third parties to continue to process (including retain) certain of their Personal Information in order to fulfil obligations and responsibilities arising under the UCI ADR or applicable laws.
26. Athletes' objection to disclose their Personal Information or objection to the processing of their Personal Information will be construed as a refusal to participate in the anti-doping procedures

² 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.

mandated by the UCI ADR. This could exclude athletes from further participation in cycling, and may result in disciplinary or other sanctions being imposed upon them, such as ineligibility from competitions in which they are scheduled to participate or the invalidation of results arising from prior competitions.

Right to initiate a complaint

27. Athletes are entitled to initiate a complaint where they have a reasonable good faith belief that UCI is not complying with the WADA International Standard or with applicable law. The complaint shall be made to UCI by registered courier:

Union Cycliste Internationale (UCI)
Chemin de la Mêlée 12
1860 Aigle
Suisse

or by email at: data.protection@uci.ch

28. In the event that a complaint is not satisfactorily resolved, athletes may notify WADA which will determine whether UCI is adhering to the WADA International Standard. Where the decision is that the WADA International Standard is not being adhered to, UCI will take the necessary steps to rectify the position.
29. Without prejudice of the above-mentioned rights, any person whose Personal Information is processed has the right to lodge a complaint with a supervisory authority according to applicable laws.

VIII. Retention

30. UCI shall ensure that Personal Information is only retained for as long as is necessary to fulfil its obligations under the UCI ADR or where otherwise required by applicable law, regulation or compulsory legal process. UCI will respect the retention times for different types of Personal Information as may be determined by WADA from time to time unless such retention times are in breach of applicable law.
31. More on currently applicable retention period in Annex A of the WADA International Standard: <https://www.wada-ama.org/en/resources/data-protection/international-standard-for-the-protection-of-privacy-and-personal>
32. Once Personal Information no longer serves the above purposes, it will be deleted, destroyed or permanently anonymised.

IX. Security Measures

33. UCI shall at all times protect athlete's Personal Information by applying all necessary security safeguards, including physical, organisational, technical, environmental and other measures to prevent the loss, theft or unauthorised access, destruction, use, modification or disclosure (including disclosure made via electronic network) of the Personal Information.

X. Release

34. By requesting a License or participating in international events, you will release UCI from all claims, liabilities, damages, costs and expenses that you may have in connection with the processing of your Personal Information including, but not limited to, the Processing of your Personal Information through ADAMS and/or any other relevant administration/management system.