



# ISMF ANTI-DOPING PRIVACY NOTICE

Up to date: \_\_\_\_, 2023

*This document is intended to capture the details provided under Article 7 of the ISPPPI for all the ISMF anti-doping activities*

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## 1. Introduction

The International Ski Mountaineering Federation (ISMF) is a signatory to the World Anti-Doping Code (the Code) and is responsible for implementing an anti-doping program in ski mountaineering. This Privacy Notice describes how we will collect, use and share personal information about you to run our anti-doping program and create a clean sport environment for all athletes. We may update this Anti-Doping Privacy Notice from time to time in order to reflect changes we make to our privacy practices. If we make material changes to this Anti-Doping Privacy Notice, we will give you notice of these changes by posting the revised policy on our website and, where necessary, by other means.

## 2. Definitions

**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.

**Anti-doping activities:** Activities specified by the World Anti-Doping Code (the “Code”) and the World Anti-Doping International Standard for the Protection of Privacy and Personal Information (the “ISPPPI”) to be carried out by Anti-Doping Organizations, and their Third- Party Agents, for

**ISMF Office**  
Piazza G. Mellano 4 B  
Mondovì 12084, Italy  
Tel: +39 0174 554755  
Fax: +39 0174 080155  
Mobile: +39 392 356 6064  
Email: office@ismf-ski.org

**ISMF Legal seat**  
c/o Libra Law  
Maison Du Sport International  
Avenue de Rhodanie 54  
Lausanne CH- 1007, Switzerland  
Case postale 30

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the purpose of establishing whether Anti-Doping Rule Violations took place, including collecting Whereabouts Information; Testing; Results Management; determining whether an Skater’s Use of a Prohibited Substance or Prohibited Method is strictly limited to legitimate and documented therapeutic purposes; educating the Skaters on their rights and responsibilities; investigations of Anti-Doping Rule Violations; and initiating legal proceedings regarding such violations.





**International Standard (“IS”):** 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.

**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.

### 3. Types of personal information









The types of personal information we collect depend on your level as an athlete or your role in sport. It will also depend on how the anti-doping rules apply to you. For example, if you need a therapeutic use exemption (“TUE”), you will need to provide certain medical information. If you are charged with an anti-doping rule violation (ADRV), you may need to provide evidence in your defense. If you are not an athlete, we still may need to collect personal information about you, like education data and identifiers, but we will not ask you for whereabouts or need you to participate in anti-doping testing.

	<b>Information</b>	that identifies or is identifiable to you, like your name, contact information, date of birth, gender, nationality and the sports you participate in and your sports results and performance-related data.
	<b>Education data</b>	we need to make sure you are receiving anti-doping education, like the courses you complete, the dates you took them, and your assessment scores.
	<b>Testing data</b>	that is created when we collect samples from you for an anti-doping test. (for example, doping control forms, type of test, sample code numbers, responses and information provided by you during a sample collection session) and the laboratory results from the analysis of your samples.
	<b>Whereabouts information</b>	that indicates where you can be found for antidoping testing (for example, addresses for regular activities like training, work or school and for the location(s) where you will be available for testing during a daily one-hour time slot). We will inform you if you need to provide us with this information.

	<b>Athlete Biological Passport (ABP)</b>	data, for example, biological passport ID, blood and steroid biological marker values and ratios, and expert recommendations and assessments. The ABP is another tool to identify doping based on the analysis of laboratory results obtained from antidoping samples.
	<b>Investigation information</b>	if we suspect you may have broken anti-doping rules. This can include information or evidence obtained from open source searches, from witnesses and other confidential sources, or through cooperation with law enforcement agencies.
	<b>Results management information,</b>	if we believe you have broken anti-doping rules. This includes information about the ADRV you are charged with, evidence you provide in defense of a charge, and the decision on whether or not you will receive a sanction.
	<b>Medical information</b>	if you need to apply for a <b>Therapeutic Use Exemption</b> because you have a medical condition and need to use a substance or a method that is normally not allowed to be used.

#### 4. How and why we use personal information

Our role as an anti-doping organization (ADO) is to detect, deter and prevent doping in sport, in accordance with the Code, the International Standards (IS), and our ISMF Anti-Doping Rules. This involves using personal information to carry out the following anti-doping activities:

ANTIDOPING ACTIVITIES	Main Personal Information Types Used for each Activity							
								
a) Providing anti-doping education to you								
b) Planning and conducting anti-doping test, and locating you for these test using the whereabouts information you submit								
c) Analyzing the results from your biological samples								
d) Analyzing and following up on the recommendations and results of your passport (ABP)								
e) Enforcing the ISMF anti-doping Rules by identifying ADRVs, issuing charges, and managing related proceedings								
f) Processing requests to grant recognize any TUE you apply for								
g) Gathering intelligence and conducting investigations to better target testing activities								

and identify ADRVs, including cooperating with law enforcement								
h) Communicating with you for the purposes described above								
i) Coordinating and collaborating with other ADOs, for example by sharing intelligence to better target our testing activities or by sharing information about education program to avoid duplication.								
j) Reporting on our anti-doping activities to WADA to demonstrate our compliance with The Code And International Standards.								
k) Other activities authorized by the Code for purposes relating to the protection of clean sport and enforcement of the ISMF								

We also maintain records to improve, monitor and report on our anti-doping activities. This can include creating statistics by aggregating personal information. For example, we create statistics about antidoping tests we conduct and ADRVs for which we are the results management authority.

## 5. Who we share personal information with

We may need to share your personal information with the following individuals and organizations to run our anti-doping program and respect the Code:

- **Individuals you authorize** to receive or share your personal information, like an agent, coach, doctor, or a parent or guardian.
- **Code Signatories** that have testing authority, sample collection authority, or results management authority over you, like a National Anti-Doping Organization, International Federation, or Major Event Organizers.
- **WADA** (the World Anti-Doping Agency), that ensures all Code Signatories respect the rules of the Code. WADA also operates and manages the Anti-Doping Administration System (ADAMS), a platform hosted in Canada to which we will upload your personal information. Using ADAMS facilitates the collaboration and sharing of information needed to run our antidoping program.
- **Laboratories and Athlete Passport Management Units** that analyze anti-doping samples and the Athlete Biological Passport. They are subject to the International Standard for Laboratories, and only have access to coded data (based on sample codes or passport IDs).
- **The International Testing Agency (ITA)**, that is an international organisation constituted as a not-for-profit foundation established in Switzerland, providing independent expert antidoping services to ADOs. The ISMF has contractually delegated

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 Email: office@ismf-ski.org

**ISMF Legal seat**  
 c/o Libra Law  
 Maison Du Sport International  
 Avenue de Rhodanie 54  
 Lausanne CH- 1007, Switzerland  
 Case postale 30

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the management and implementation of parts of the ISMF anti-doping programme to the ITA. As part such delegation, the ITA is duly authorized to collect and process personal data in the context of the implementation and enforcement of the ISMF anti-doping programme in accordance with the ISMF Anti-Doping Rules.

- **Other delegated third parties** and service providers that we hire to help us carry out antidoping activities and maintain our operations. We require delegated third parties and service providers to agree to strict contractual controls designed to protect your personal information.
- **National Federations and Continental Councils**, that may receive disciplinary notices or other information concerning their athletes or other affiliated persons.
- **Disciplinary Commission, Compliance Office and hearing bodies** (including the Court of Arbitration for Sport), for adjudicating ADRVs and/or other disciplinary offences in accordance with the Code and/or other applicable regulations.
- **Public authorities** and other relevant bodies (including law enforcement agencies) responsible for enforcing sport and anti-doping laws and for investigating offences tied to doping in sport.

In accordance with the Code, some of your personal information, such as your name, sport and other anti-doping related data may be publicly disclosed in cases where you have been charged with or convicted of an anti-doping rule violation. Your personal information may also be disclosed to third parties in any event where such disclosure (a) is required by law, regulation or compulsory legal process, (b) takes place with your consent, or (c) is necessary to assist law enforcement or governmental or other authorities in the detection, investigation or prosecution of a criminal offence or breach of the Code, provided that the personal information is reasonably relevant to the offence in question.

Your personal information may be made available by ISMF or the ITA to third persons or parties, including authorised service providers, WADA and ADOs that are located outside of the European Union and Switzerland. For example, your personal information will be recorded in ADAMS or transferred to authorised service providers or ADOs in countries where you reside, train or participate in competitions. Such transfers are a necessary consequence of participation in organized sport and facilitate the strong public interests served by eliminating doping in sport.

The international transfer of your personal information to third countries and international organizations takes place in accordance with the Code and the ISPPPI. When transferring your personal information internationally we make sure to comply with applicable laws and regulations, for example, by ensuring that the recipients of your information maintain appropriate safeguards and provide an adequate level of data protection.

For details about ADAMS, associated mobile apps like Athlete Central, and how WADA will process your personal information, review the ADAMS Privacy Policy or contact WADA at [privacy@wada-ama.org](mailto:privacy@wada-ama.org).

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## 6. Fair & lawful processing

We process your personal information where necessary and proportionate to our anti-doping program. Under data protection laws, we rely on the following “legal grounds” or “bases” to process personal information for anti-doping activities:

- with your consent; for instance, when you apply for a TUE;
- to comply with anti-doping laws, sports laws, or other applicable laws or compulsory legal processes;
- to serve the substantial public interest of eliminating doping in sport;
- to perform a contract or take necessary steps prior to entering a contract; and
- to fulfill legitimate interests associated with the activities of an ADO
- to protect your vital interests or those of another person
- based on applicable legal provisions authorising the processing of personal information for the purpose of fighting against doping.

## 7. Your rights

You have rights with respect to your personal information under the International Standard for the Protection of Privacy and Personal Information (“ISPPPI”) and data protection laws, including the right to a copy of your personal information and to have it corrected, blocked or deleted in certain circumstances. You also have the right to lodge a complaint with [us](#).

Because anti-doping is a mandatory feature of organized sport, it still may be necessary for us, the ITA, WADA, and other ADOs and organizations to continue to process your personal information to fulfill obligations under the Code, the ISPPPI, or national anti-doping or sport laws, despite your objection to such processing or withdrawal of consent (where applicable). This includes processing for investigations or proceedings related to possible ADRVs, as well as processing to establish, exercise or defend against legal claims involving you, WADA and/or an ADO. Objecting or withdrawing consent could also have consequences for you, such as triggering your non-compliance with the Code and IS, as well as the ISMF Anti-Doping Rules; producing an ADRV (e.g., under Article 2.3 of the Code – Evasion, Refusal or Failure to Submit to Sample Collection); or preventing you from participating in sporting events.

Please [Contact Us](#) to exercise your rights or if you have questions or complaints about how we handle personal information.

## 8. Safeguards & retention

We have adopted measures, including administrative, technical, physical and contractual measures, to protect personal information in our custody and control against theft, loss and unauthorized access, use, modification or disclosure.

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We restrict access to personal information on a need-to-know basis to employees and authorized delegated third parties and service providers who require access to fulfill their designated functions. The ADOs we share personal information with are bound by the same standards as us when they handle your personal information.

These standards are described in the [International Standard for the Protection of Privacy and Personal Information](#). They include protecting your personal information, deleting it when no longer needed, being transparent, and allowing you to exercise rights like the right to access your personal information.

Your personal information will be kept in accordance with the criteria and retention periods set out in [Annex A of the ISPPPI](#). Retention periods in Annex A can be extended where required by law or for the purpose of conducting an anti-doping investigation or proceeding or for other purposes authorized by the law.

## 9. Contact us

If you have any questions about how we handle personal information, or have any complaints, please contact us at [privacy@ismf-ski.org](mailto:privacy@ismf-ski.org).

For any query regarding the processing of personal data by the ITA, you can contact them at [privacy@ita.sport](mailto:privacy@ita.sport) or by courier at: International Testing Agency (ref. Data Privacy), Avenue de Rhodanie 40b, 1007 Lausanne, Switzerland.

If you are not satisfied with how we have handled any potential complaint, you may notify WADA at [compliance@wada-ama.org](mailto:compliance@wada-ama.org) or [privacy@wada-ama.org](mailto:privacy@wada-ama.org). WADA will handle the notice in accordance with the International Standard for Compliance by Signatories.

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