

## DATA PRIVACY POLICY

The SAIDS Anti-Doping Rules requires Athletes and Athlete Support Personnel to furnish selected personal information to SAIDS. The administration of the SAIDS Anti-Doping Programme requires employees and third-party contractors to have access to private and personal data of athletes. SAIDS is subject to the World Anti-Doping Code (WADC) and the International Standards. The Code obligates SAIDS to protect the athletes' personal information to ensure the continued confidence and trust of those involved in sport.

The purpose of this data privacy policy is to outline the reason behind the processes and their implementation. This policy has been prepared in compliance with the International Standard for Protection and Privacy of Personal Information (ISPPPI) and the Protection of Personal Information Act 4 of 2013 (POPI Act).

The SAIDS Rules recognise and affirm the importance of ensuring that the privacy rights of persons subject to anti-doping programmes based on the WADC, are fully respected.

### **1. Practical Application**

As a condition of participation in sport nationally and internationally, athletes agree and consent to sharing their personal information in the course of the anti-doping activities and procedures.

Athletes can be confident that any personal and sensitive information they share as a condition to and by virtue of their participation in sport, is protected by through international and national privacy policies.

The Privacy Manager of SAIDS is responsible for ensuring that any information that is processed in the day-to-day administration of the SAIDS Anti-Doping Programme, is stored, processed and shared in accordance with both the ISPPPI and the SAIDS Rules.

SAIDS employees, third party contractors, such International Federations and International Anti-Doping Organisations, with whom SAIDS have signed agreements with, will include confidentiality clauses in the agreements that comply with both the ISPPPI and POPI Act.

### **2. Categories of Personal Information**

Personal information is defined as including but not limited to information relating to the following:

- Athlete's identity (name, nationality, date of birth, gender, event, level of competition: national or international, organisations to which an athlete belongs, names and details of other persons, such as medical professionals, working with, treating or assisting athletes in the anti-doping context.)
- Whereabouts Filings.
- Therapeutic Use Exemptions (TUEs).
- Doping Control Programme (including test distribution planning, sample collection and handling, test results, laboratory analysis, result management,).
- Medical or biological information derived from anti-doping activities, including information derived from analysing of samples or specimens (sensitive personal Information).

### **3. Purpose of Processing Personal Information**

SAIDS and its third-party agents shall only process Personal Information to conduct their anti-doping activities under the SAIDS Anti-Doping Rules and WADA International Standards 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 such as:

- To determine eligibility for a TUE.
- To conduct testing, target testing, and to record the results from such testing.
- To conduct investigations to determine breaches of the anti-doping rules.
- To carry out results management under the SAIDS Anti-Doping Rules associated with disciplinary hearings, appeals and adjudications and to publish the outcomes on its website and/or social media pages.

### **4. Public Disclosures**

Personal Information may be disclosed by SAIDS to third parties, including authorised service providers, in connection with the fulfilment of their anti-doping activities under the SAIDS Anti-Doping Rules.

Personal Information may be made available in line with anti-doping requirements to authorised Anti-Doping Organisations, Major Games organisers and WADA. The Personal Information is processed in accordance with the provisions of the WADC to allow those authorised Anti-Doping Organisations to fulfil their obligations and responsibilities under the WADC.

Personal Information may be *Publicly Disclosed* by SAIDS when it means conditions outlined in the Anti-Doping Rules . Please refer to Article 14.3 of SAIDS Anti-Doping Rules (<https://drugfreesport.org.za/>) pertaining to disclosure of test results and judicial panel decisions.

## **5. Rights of Participants and Other Persons with Respect to Personal Information**

Participants or Persons to whom the Personal Information relates to (for example the athlete) shall have the right to obtain such personal information from SAIDS. This may include

- a. Confirmation of whether or not SAIDS processes any relevant Personal Information related to them.
- b. The information described as per Article 7.1 of the ISPPPI. The ISSSPi is available at the following address:

[www.wadaama.org/en/resources/search?f%5B0%5D=field\\_resource\\_collections%3A228#thumb](http://www.wadaama.org/en/resources/search?f%5B0%5D=field_resource_collections%3A228#thumb)

- c. A copy of the relevant Personal Information.

The above information shall be provided within one (1) month, where practicable or as soon as possible thereafter, in a readily intelligible format and without excessive cost

In the event that SAIDS refuses to allow a Participant or Person access to his or her Personal Information, SAIDS shall inform the Participant/Person and set out in writing the reasons for refusing the request as soon as practicable. SAIDS shall ensure that Participants/Persons only obtain Personal Information related to themselves and not relating to other Participants or third Persons, where they seek to obtain access to Personal Information pursuant to Article 11 of the ISPPPI.

Personal Information processed by SAIDS shall be accurate, complete and kept up to date. Where SAIDS discovers that the Personal Information that it is processing or processed is inaccurate or incomplete, SAIDS shall rectify, amend, complete, update, block or delete the relevant Personal Information as soon as reasonably possible.

## **6. Right to Object to Processing of Personal Information or Withdrawal of Consent**

Athletes have the right to object to the processing of their Personal Information. However, if the Athlete objects to the processing of his/her doping control related data or withdraw consent, it may be necessary for SAIDS or third parties to continue to process (including retain) certain Personal Information in order to fulfil obligations and responsibilities arising under the applicable South African laws, the WADC and SAIDS Anti-Doping Rules that override such consent.

An Athlete/Participant or Person's objection to disclose or allow process of their Personal Information will be construed as a refusal to participate in the anti-doping procedures mandated by the SAIDS Anti-Doping Rules, applicable laws and the WADC. This refusal can exclude athletes from further participation in sport and may result in disciplinary or other

sanctions being imposed upon them such as ineligibility from competitions in which they are scheduled to participate in or invalidation of results arising from prior competitions.

## **7. Retention**

SAIDS shall ensure that Personal Information is only retained for as long as is necessary to fulfil its obligations under the SAIDS Rules or where otherwise required by applicable law or regulation. SAIDS will respect the retention times for different types of Personal Information as may be determined by WADA (see Annex A of the ISPPPI) from time to time, unless such retention times are in breach of applicable law. SAIDS shall take into account the purposes for which the Personal Information is processed in the context of the anti-doping activities including the granting of TUEs, testing, the investigation of anti-doping rule violations and the sanctioning of such violations.

## **8. Complaints Process**

A Participant or Person shall be entitled to initiate a complaint with SAIDS where he or she has a reasonable, good faith belief that SAIDS is not complying with the International Standards or applicable law. The complaint shall be made respectively to SAIDS:

By courier: Sports Science of South Africa Building, 4<sup>th</sup> Floor  
Boundary Road  
Newlands, Cape Town  
7700

By telephone: (021) 686 1634

By email: To the Information Officer, Mr. Khalid Galant (CEO) at [khalid@suids.org.za](mailto:khalid@suids.org.za) or [info@suids.org.za](mailto:info@suids.org.za)