



## FAI Anti-Doping Plan

Privacy notice



3 September 2021

## INTRODUCTION AND SCOPE

This document is an anti-doping privacy notice that is used to summarize FAI personal information processing practices to relevant individuals. It is providing an overview of key details FAI must provide under Article 7 of the ISPPPI for all of FAI anti-doping activities.

The FAI is a signatory to the World Anti-Doping Code (the Code) and is responsible for implementing an anti-doping program in Air Sports. This privacy notice describes how FAI will collect, use and share personal information about individuals to run FAI anti-doping program and create a clean sport environment for all athletes.

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## 1 TYPES OF PERSONAL INFORMATION

The types of personal information FAI collects depend on the level of an individual as an athlete or his/her role in sport. It will also depend on how the anti-doping rules apply to the individual.

For example, if an individual need a therapeutic use exemption, he/she will need to provide FAI with medical information. If he/she is charged with an anti-doping rule violation, he/she may need to provide FAI with evidence in his/her defense. If he/she is not an athlete, FAI still may need to collect personal information about the individual, like education data and identifiers, but FAI will not ask him/her for whereabouts or need him/her to participate in anti-doping testing.

 <b>Information</b> that identifies or is identifiable to an individual, like name, contact information, date of birth, gender, sport nationality, and the sports he/she participate in.	 <b>Education data</b> FAI needs to make sure individuals are receiving anti-doping education, like the courses he/she completes, the dates he/she took them, and his/her assessment scores.	
 <b>Whereabouts information</b> that indicates where an individual can be found for anti-doping testing (for example, addresses for regular activities like training, work or school and for the location(s) where he/she will be available for testing during a daily one-hour time slot). FAI will tell if the individual need to provide FAI with this information.	 <b>Testing data</b> that is created when FAI collects samples from you for an anti-doping test. (for example, doping control forms, type of test, sample code numbers, responses and information provided by the individual during a sample collection session) and the laboratory results from the analysis of samples.	 <b>Athlete Biological Passport (ABP) data</b> , 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 anti-doping samples.
 <b>Medical information</b> , if an individual needs to apply for a <b>Therapeutic Use Exemption</b> because he/she has a medical condition and needs to use a substance or a method that is normally not allowed to be used.	 <b>Results management information</b> , if FAI believes an individual has broken anti-doping rules. This includes information about the <b>anti-doping rule violation</b> the individual is charged with, evidence he/she provides in defense of a charge, and the decision on whether or not the individual will receive a sanction.	 <b>Investigations information</b> if FAI suspects an individual 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.

## 2 HOW AND WHY WE USE PERSONAL INFORMATION

FAI's 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 FAI Anti-Doping Rules. This involves using personal information to carry out the following anti-doping activities:

Anti-Doping Activities	Main Personal Information Types Used for Each Activity						
Providing anti-doping education to individuals.							
Planning and conducting anti-doping tests, and locating individuals for these tests using the whereabouts information individuals submit.							
Analyzing the results from biological samples.							
Analyzing and following up on the recommendations and results of passport (Athlete Biological Passport or ABP).							
Enforcing FAI Anti-Doping Rules by identifying anti-doping rule violations, issuing charges, and managing related proceedings.							
Processing requests to grant or recognize any therapeutic use exemptions (TUE) individuals apply for.							
Gathering intelligence and conducting investigations to better target testing activities and identify anti-doping rule violations, including cooperating with law enforcement.							
Communicating with individuals for the purposes described above.							
Coordinating and collaborating with other ADOs, for example, by sharing intelligence to better target FAI testing activities or by sharing information about FAI education program to avoid duplication.							
Reporting on FAI anti-doping activities to WADA to demonstrate FAI compliance with the Code and International Standards							

FAI also maintain records to improve, monitor and report on FAI anti-doping activities. This can include creating statistics by aggregating personal information. For example, FAI create statistics about anti-doping tests FAI conducts and anti-doping rule violations for which FAI is the results management authority.

### **3 WHO WE SHARE PERSONAL INFORMATION WITH**

FAI needs to share personal information with the following individuals and organizations to run FAI anti-doping program and respect the Code:

- **Individuals authorized** to receive or share 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 individuals, 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 **ADAMS\***, a platform hosted in Canada to which FAI will upload personal information. Using ADAMS facilitates the collaboration and sharing of information needed to run FAI anti-doping 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);
- **Delegated third parties and other service providers** that FAI hires to help us carry out anti-doping activities and maintain FAI operations. FAI requires delegated third parties and service providers to agree to strict contractual controls designed to protect personal information.
- **Public authorities** responsible for enforcing sport and anti-doping laws and for investigating offences tied to doping in sport.

If individuals are found to have committed an anti-doping rule violation and receive a sanction as a result, then FAI may need to publish name, sport, the anti-doping rule violated and why it was violated, as well as the consequences for the individual.

\*For details about **ADAMS**, associated mobile apps like Athlete Central, and how WADA will process personal information, review the ADAMS Privacy Policy (<https://adams-help.wada-ama.org/hc/en-us/articles/360012071820-ADAMS-Privacy-Policy>) or contact WADA at [privacy@wada-ama.org](mailto:privacy@wada-ama.org).

### **4 FAIR & LAWFUL PROCESSING**

FAI processes personal information in accordance with the individual's consent; to serve the important public interests tied to the detection, deterrence and prevention of doping in sport, such as protecting athlete health and the intrinsic values and spirit of sport; to fulfil FAI contractual obligations to the individual; to fulfil FAI legitimate interests as an ADO and to comply with FAI legal obligations.

### **5 RIGHTS**

Individuals have rights with respect to their personal information under the **International Standard for the Protection of Privacy and Personal Information** and Swiss Data Protection laws, including the right to a copy of their personal information and to have it corrected, blocked or deleted in certain circumstances. Individuals also have the right to lodge a complaint with FAI.

Because anti-doping is a mandatory feature of organized sport, it still may be necessary for FAI, WADA, and other ADOs and organizations to continue to process individuals' personal information to fulfill obligations under the Code, the International Standards, or national anti-doping or sport, despite the objection of an individual 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 the individual, WADA and/or an ADO. Objecting or withdrawing consent could also have consequences for individuals, such as triggering non-compliance with the Code and IS, as well as FAI 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 individuals from participating in sporting events.

Individuals should **check section 7 Contact Us** to exercise their rights or if they have questions or complaints about how FAI handles personal information.

## 6 SAFEGUARDS & RETENTION

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

FAI restricts 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 anti-doping organizations we share personal information with are bound by the same standards as FAI when they handle personal information. These standards are described in the **International Standard for the Protection of Privacy and Personal Information**. They include protecting personal information, deleting it when no longer needed, being transparent, and allowing individuals to exercise rights like the right to access personal information.

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.

## 7 CONTACT US

In case of any questions about how FAI handles personal information, or in case of any complaints, please contact FAI at [antidoping@fai.org](mailto:antidoping@fai.org).

If an individual is not satisfied with how FAI has handled a complaint, the individual 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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