



Data Protection Policy

National Anti-Doping Committee (NADC)

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1. Definitions:

Anti-Doping Organization (ADO): 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*.

Consent: agreement which must be freely given, specific, informed and be an unambiguous indication of the Data Subject's wishes by which they, by a statement or by a clear positive action, signify agreement to the Processing of Personal Data relating to them.

Controller: the person or organisation that determines when, why and how to process Personal Data. It is responsible for establishing practices and policies in line with the Nigeria Data Protection Act (NDPACT) 2023. NADC are the Controller of all Personal Data relating to the Agency Personnel and Personal Data used in NADC business.

Data Subject: a living, identified or identifiable individual about whom NADC hold Personal Data. Data Subjects may be nationals or residents of any country and may have legal rights regarding their Personal Data.

Explicit Consent: consent which requires a very clear and specific statement (that is, not just action).

NADC: National Anti-Doping Committee. ADO for Nigeria.

NADC's Personnel: all employees, workers, contractors, consultants, directors, members, and others.

NDPACT: Nigeria Data Protection Act (NDPACT) 2023, Act No. 37 enforce on 12th June 2023. An Act to provide a legal framework for the protection of personal information and establish the Nigeria Data Protection Commission.

Personal Data: any information identifying a Data Subject or information relating to a Data Subject that NADC can identify (directly or indirectly) from that data alone or in combination with other identifiers NADC possess or can reasonably access. Personal Data includes Special Categories of Personal Data and Pseudonymised Personal Data but excludes anonymous data or data that has had the identity of an individual permanently removed. Personal data can be factual (for example, a name, email address, location, or date of birth) or an opinion about that person's actions or behaviour.

Personal Data Breach: any act or omission that compromises the security, confidentiality, integrity, or availability of Personal Data or the physical, technical, administrative, or organisational safeguards that NADC or NADC third-party service providers put in place to protect it. The accidental or unlawful destruction, loss alteration, or unauthorised access, disclosure, or acquisition, of Personal Data transmitted, stored, or otherwise processed is a Personal Data Breach.

Processing or Process: any activity that involves the use of Personal Data. It includes obtaining, recording, or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing, or destroying it. Processing also includes transmitting or transferring Personal Data to third parties.

Pseudonymisation or Pseudonymised: replacing information that directly or indirectly identifies an individual with one or more artificial identifiers or pseudonyms so that the person, to whom the data relates, cannot be identified without the use of additional information which is meant to be kept separately and secure.

2. Introduction

- 2.1 This Personal Data Protection Policy sets out how the **National Anti- Doping Committee ("NADC")** may deal with the personal information it collects from you within its Anti-Doping Program in accordance with the **Nigeria Data Protection Act (NDPACT) 2023** and the applicable rules in Nigeria. This privacy policy is also informed by the World Anti-Doping Code (Code) and the International Standard for the Protection of Privacy and Personal Information (ISPPPI).

This Policy sets out in general terms how Personal Information for anti- doping purposes will be processed by the NADC in the course of administrating and implementing the Nigeria Anti-Doping Program.

NADC compliance with this Data Protection Policy is mandatory. Any breach of this Data Protection Policy may result in disciplinary action.

- 2.2 This Data Protection Policy is an internal document and cannot be shared with third parties, clients, or regulators without prior authorisation from the NADC.

3. Scope

- 3.1 NADC recognise that the correct and lawful treatment of Personal Data will maintain confidence in the organisation and will provide for successful operations. Protecting the confidentiality and integrity of Personal Data is a critical responsibility that NADC takes seriously at all times.
- 3.2 All NADC's Personnel must comply with this Data Protection Policy and need to implement appropriate practices, processes, controls and training to ensure that compliance.
- 3.3 The NADC's Legal Unit is responsible for overseeing this Data Protection Policy and, if applicable, developing Related Policies and Privacy Guidelines.
- 3.4 Please contact the NADC for any questions about the operation of this Data Protection Policy or if you have any concerns that this Data Protection Policy is not being or has not been followed.

4. Personal data protection principles

- 4.1 NADC adheres to the principles relating to Processing of Personal Data set out in the NDPACT which require Personal Data to be:
- 4.1.1 processed lawfully, fairly and in a transparent manner;
 - 4.1.2 collected only for specified, explicit and legitimate purposes and in a manner compatible with the purpose;
 - 4.1.3 adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed;
 - 4.1.4 accurate, complete, not misleading, and where necessary kept up to date;
 - 4.1.5 not kept in a form which permits identification of Data Subjects for longer than is necessary for the purposes for which the data is Processed;
 - 4.1.6 Processed in a manner that ensures its security using appropriate

technical and organisational measures to protect against unauthorised or unlawful Processing and against accidental loss, destruction, damage or any form of data breach;

- 4.1.7 not transferred to another country without appropriate safeguards being in place; and
- 4.1.8 made available to Data Subjects and allow Data Subjects to exercise certain rights in relation to their Personal Data.

5. Lawfulness, fairness, transparency

5.1 Lawfulness and fairness

Personal data must be processed lawfully, fairly and in a transparent manner in relation to the Data Subject.

The NADC shall collect and process data for specific purposes, some of which are set out below:

- 5.1.1 To meet NADC legal compliance obligations;
 - 5.1.2 To protect the Data Subject's vital interests;
 - 5.1.3 To pursue NADC legitimate interests for purposes where they are not overridden because the Processing prejudices the interests or fundamental rights and freedoms of Data Subjects. The purposes for which NADC process Personal Data for legitimate interests need to be set out in applicable Privacy Notices;
 - 5.1.4 The performance of any task carried out by a public authority;
 - 5.1.5 The purpose of historical, statistical, journalistic, literature and art or scientific research.
- 5.2 NADC must identify and document the legal ground being relied on for each Processing activity in accordance with the laws for Processing Personal Data.
- 5.3 NADC must also check that the Personal Data was collected by the third party in accordance with the NDPACT 2023 and on a basis which contemplates NADC proposed Processing of that Personal Data.
- 5.3.1 Collected Personal Data (PD) will be used in the process of evaluation and investigation. it could be used for other purposes in accordance with the World Anti-Doping Code (Code), the International Standards, and the anti-doping rules of ADOs with authorities that are involved in the Anti-Doping program including;
 - Results management in case of adverse analytical findings and in investigations
 - For the Eligibility for a TUE
 - For testing criteria and target testing
 - For publishing on the website AFTER FINAL decisions of an ADRV including (Name, Sport, Sanction duration and prohibited substance found)

6. Consent

- 6.1 If consent, legitimate interest, or executing an agreement in which the Data Subject is a party is the legal basis for processing Personal Data as provided in the NDPACT.
- 6.2 Data Subjects must be easily able to withdraw Consent to Processing at any time and withdrawal must be promptly honoured.
- 6.3 NADC needs to evidence Consent captured and keep records of all Consents so that the NADC can demonstrate compliance with Consent requirements.

7 Purpose limitation

- 7.1 Personal Data must be collected only for specified, explicit and legitimate purposes. It must not be further processed in any manner incompatible with those purposes.

8. Use

- 8.1 Providing anti-doping education to you
- 8.2 Planning and conducting anti-doping tests, and locating you for these tests using the whereabouts information you submit.
- 8.3 Analyzing the results from your biological samples
- 8.4 Analyzing and following up on the recommendations and results of your passport (Athlete Biological Passport or ABP).
- 8.5 Enforcing the **Nigeria Anti-Doping Rules** in Sport by identifying anti-doping rule violations, issuing charges, and managing related proceedings
- 8.6 Processing requests to grant or recognize any therapeutic use exemptions (TUE) you apply for.
- 8.7 Gathering intelligence and conducting investigations to better target testing activities and identify anti-doping rule violations, including cooperating with law enforcement.
- 8.8 Communicating with you for the purposes described above.
- 8.9 Coordinating and collaborating with other ADOs, for example, by sharing intelligence to better target our testing activities or by sharing information about our education program to avoid duplication
- 8.10 Reporting on our anti-doping activities to WADA to demonstrate our compliance with the Code and International Standards.

9. Types of Recipients

- 9.1 Your Personal Information (PI), including your medical or health information and records and any results included in the ADAMS or Sample collection data, may be shared with the following:
 - ADO(s) responsible for making a decision and will also be made available to ADOs with testing authority and/or results management authority over you;

- WADA authorized staff;
- 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 we hire to help us carry out anti-doping 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.
- Members of the TUE Committees (TUECs) of each relevant ADO and WADA; and
- Other independent medical, scientific or legal experts, if needed in case of TUE request;
- Major Game Organizers when relevant;
- Public authorities responsible for enforcing sport and anti-doping laws and for investigating offences tied to doping in sport.

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

Due to the sensitivity of Personal information only a limited number of ADO and/or WADA staff will receive access to your Personal information according to the process needs. ADOs (including WADA) must handle your PI in accordance with the International Standard for the Protection of Privacy and Personal Information (ISPPPI).

Your PD will also be uploaded to ADAMS by the NADC staff who receives your application and are only approved to do so after signing a privacy agreement and if access is needed by other parties through ADAMS when necessary.

10. Data Minimisation

- 10.1 Personal Data must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
- 10.2 NADC may only Process Personal Data when performing job duties requires it, where it cannot Process Personal Data for any reason unrelated to anti-doping purposes.
- 10.3 NADC must ensure that when Personal Data is no longer needed for specified purposes, it is deleted or anonymised in accordance with the NADC's Data Retention Policy.

11. Accuracy

- 11.1 Personal Data must be accurate and, where necessary, kept up to date. It must be corrected or deleted without delay when inaccurate.
- 11.2 NADC must be sure that the Personal Data it uses and holds is accurate, complete, kept up to date and relevant to the purpose for which it was collected.

NADC must take all reasonable steps to destroy or amend inaccurate or out-of-date Personal Data.

12. Retention

- 12.1 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.
- 12.2 Personal Data must not be kept in an identifiable form for longer than is necessary for the purposes for which the data is processed. The NADC will maintain retention policies and procedures to ensure Personal Data is deleted after a reasonable time for the purposes for which it was being held, unless a law requires that data to be kept for a minimum time.
- 12.3 NADC must keep Personal Data in a form which permits the identification of the Data Subject for longer than needed for the legitimate business purpose or purposes for which NADC originally collected it including for the purpose of satisfying any legal, accounting or reporting requirements.
- 12.4 NADC shall take all reasonable steps to destroy or erase from its systems all Personal Data that no longer requires in accordance with all the **ISPPPI** retention policies.
- 12.5 NADC will ensure Data Subjects are informed of the period for which data is stored and how that period is determined in any applicable Privacy Notice.

13. Security integrity and confidentiality

13.1 Protecting Personal Data

- 13.1.1 All the personal information, including medical information, findings and records, and any other information related to the Athlete must be handled carefully in accordance with rules in the ISPPPI
- 13.2 Data must be secured by appropriate technical and organisational measures Personal against unauthorised or unlawful Processing, and against accidental loss, destruction or damage.
- 13.3 NADC will develop, implement and maintain safeguards appropriate to NADC size, scope, business, available resources, the amount of Personal Data that NADC owns or maintains on behalf of others and identified risks (including use of encryption and Pseudonymisation where applicable). NADC will regularly evaluate and test the effectiveness of those safeguards to ensure security of NADC Processing of Personal Data. You are responsible for protecting the Personal Data NADC holds. You must implement reasonable and appropriate security measures against unlawful or unauthorised Processing of Personal Data and against the accidental loss of, or damage to, Personal Data. You must exercise particular care in protecting Special Categories of Personal Data and Criminal Convictions Data from loss and unauthorised access, use or disclosure.
 - 13.3.1 All of NADC's personnel and other third parties who may have access to Personal information of an athlete according to case-by-case basis

have signed confidentiality and privacy agreements to ensure privacy and trust

13.3.2 NADC must adopt 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.

13.3.3 NADC shall 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 fulfil their designated functions. The anti-doping organizations 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.

13.4 The NADC must maintain data security by protecting the confidentiality, integrity and availability of the Personal Data, defined as follows:

13.4.1 Confidentiality means that only people who have a need to know and are authorised to use the Personal Data can access it;

13.4.2 Integrity means that Personal Data is accurate and suitable for the purpose for which it is processed; and

13.4.3 Availability means that authorised users are able to access the Personal Data when they need it for authorised purposes.

14. Personal Data Breach

NADC have put in place procedures to deal with any suspected Personal Data Breach and will notify Data Subjects or any applicable authority where NADC are legally required to do so.

15. Your Rights

15.1 Data Subjects have rights when it comes to how NADC handles their Personal Data. These include rights to:

15.1.1 Revoke Consent to Processing at any time;

Data Subject has the right to revoke the use of personal information at any time, including the authorization to your physician to release medical information for example (as described in the Athlete Declaration in the TUE. To do so, you must notify your ADO. If you withdraw your consent or object to the PI processing, your TUE will likely be rejected) and can cause the Athlete ineligibility for future sports participation as ADOs will be unable to properly assess PI in accordance with the Code and International Standards.

In rare cases, it may also be necessary for ADOs to continue to process your PI to fulfil obligations under the Code and the International Standards, despite your objection to such processing or withdrawal of consent (where applicable). This includes processing for

investigations or proceedings related to ADRV, as well as processing to establish, exercise or defend against legal claims involving you, WADA and/or an ADO.

- 15.1.2 Request access to their Personal Data that NADC holds;
 - 15.1.3 Ask to erase Personal Data if it is no longer necessary in relation to the purposes for which it was collected or processed or to rectify inaccurate data or to complete incomplete data;
 - 15.1.4 Restrict Processing in specific circumstances;
 - 15.1.5 Request a copy of your Personal Data
- 15.2 NADC must verify the identity of an individual requesting data under any of the rights listed above (do not allow third parties to persuade you into disclosing Personal Data without proper authorisation).

Please **Contact Us**¹ to exercise your rights or if you have questions or complaints about how we handle personal information.

16. Record keeping

- 16.1 The NADC requires to keep full and accurate records of all its data Processing activities.
- 16.2 NADC must keep and maintain accurate corporate records reflecting NADC Processing including records of Data Subjects' Consents and procedures for obtaining Consents.

17. Changes to this Data Protection Policy

- 17.1 NADC keep this Data Protection Policy under regular review.
- 17.2 This Data Protection Policy does not override any applicable national data privacy laws and regulations.

¹ **Contact Us:** If you have any questions about how we handle personal information, or have any complaints, please contact us at **Barr. Chioma .G. Obia** via privacy@nadongr.org.ng or +234 803 607 3567 (whatsapp). If you are not satisfied with how we have handled your complaint, you may notify WADA at compliance@wada-ama.org or privacy@wada-ama.org. WADA will handle the notice in accordance with the International Standard for Compliance by Signatories.

ANNEX A (ISPPPI): Retention Times

ADRV: *Anti-doping rule violation*
 AAF: *Adverse analytical finding*
 ATF: *Atypical finding*
 APF: *Adverse passport finding*
 ATPF: *Atypical passport finding*

- I. Referenced data will be deleted no later than the end of the calendar quarter following the expiry of the stated retention period.
- II. Retention times are limited to two categories: Twelve (12) months and ten (10) years. The period of ten (10) years represents the time period during which an action may be commenced for an anti-doping violation under the *Code*. The period of twelve (12) months represents the time period relevant to count three (3) whereabouts failures giving rise to an anti-doping rule violation, and is also applied to certain incomplete documentation and *TUE*-related information.
- III. Retention times can be extended in case of pending or reasonably anticipated anti-doping rule violations, investigations, or other legal proceedings.

Module	Data	Retention Periods	Remarks	Criteria
1 – Athlete		:	<i>Athlete</i> data relevant for practical purposes and for notification purposes in the event of an ADRV. These data are not particularly sensitive.	
<i>Athlete</i> (general)	Name, Date of birth, Sport Discipline and Gender	10 years as of time when <i>Athlete</i> is excluded from ADO's <i>Testing</i> program or as of time other data categories have been deleted (see, e.g. Section 6 - ADRV), whichever is later	Necessary to notify of ADRV and to keep a record of <i>Athletes</i> included in an ADO's <i>Testing</i> program.	Necessity
	Contact information (phone number (s), email address, mailing address)	10 years as of time when <i>Athlete</i> is excluded from ADO's <i>Testing</i> program	Same as above.	Necessity

Module	Data	Retention Periods	Remarks	Criteria
2 – Whereabouts* *(except for city, country, and <i>In- Competition</i> whereabouts information, which are needed for the <i>Athlete Biological Passport</i> -see section 7)				
Whereabouts	Whereabouts (other than city, country and <i>In-Competition</i> whereabouts)	12 months as of end of the whereabouts quarter for which the data was submitted	Relevant to count 3 whereabouts failures in 12 months' time.	Necessity
	Whereabouts failures (filing failures and missed tests)	10 years as of date of whereabouts failure	Relevant to count 3 whereabouts failures in 12 months' time and to other possible ADRVs. If ADRV, will also be kept as part of results management file (see section 6).	Necessity
3 – TUEs TUE	TUE certificates and rejected TUE decision forms TUE application forms and supp. med information and any other TUE info not otherwise expressly mentioned herein. Incomplete TUEs	10 years as of date of TUE expiry/date of rejection decision 12 months from date of TUE expiry 12 months from date of creation	Destroying medical information makes it impossible for WADA/ADOs to review TUEs retrospectively after TUE has lost its validity. TUE information is largely medical and therefore sensitive. Can be relevant in case of re- <i>Testing</i> or other investigations. Loses relevance after expiration of TUE except in case of re-application. Can be relevant in case of re-application.	Proportionality/ Necessity Proportionality/Necessity Proportionality

Module	Data	Retention Periods	Remarks	Criteria
4 – Testing				
<i>Testing</i>	Doping Control Forms (DCFs)	10 years as of <i>Sample</i> collection date	DCFs, associated mission/Testing orders, and chain of custody documents are relevant for <i>Athlete Biological Passport</i> and in case of <i>re-Testing of Samples</i> . If ADRV, will also be kept as part of results management file (see section 6).	Proportionality/Necessity
	Mission/Testing orders	Retained until all associated DCFs have been deleted	Same as above.	Proportionality/Necessity
	Chain of custody	10 years as of document creation date	Same as above.	Proportionality/Necessity
	Incomplete <i>Testing</i> documentation or documentation not matched to a <i>Sample</i>	12 months as of document creation date	Documentation that is incomplete or not matched to a <i>Sample</i> typically results from a data entry error and is discarded after a short delay for data integrity purposes.	Proportionality
5 – Test results/Results Management				
	Analytical test results (incl. AAF/ATF), laboratory reports, and other associated documentation	As of <i>Sample</i> collection date / date of creation of relevant documents: 10 years*	Necessary because of multiple violations and retrospective analysis. If ADRV, will also be kept as part of results management file (see section 6). *Subject to the criteria and requirements of the <i>Code/International Standards</i> , analytical data resulting from <i>Sample</i> analysis and other <i>Doping Control</i> information may, in certain circumstances, be kept beyond the applicable retention period for research and other purposes permitted by Article 6.3 of the <i>Code</i> . Samples and data must be processed to ensure they cannot be traced back to an athlete before being used for such secondary purposes. 10 years is the maximum retention time for identifiable data and <i>Samples</i> . See the <i>International Standard</i> for Laboratories for details.	Necessity Proportionality/Necessity

Module	Data	Retention Periods	Remarks	Criteria
6 –Proceedings and Decisions (ADRV)		As of date of final decision:	Managed by disciplinary body / sports federation / ADO.	
Decisions and proceedings	Sanctions and Decisions under the <i>Code</i>	Longer of 10 years or duration of sanction*	Necessary because of multiple violations and possible duration of sanctions. * Decisions (e.g. CAS decisions) can be important legal precedents and part of the public record; in such cases, ADOs may decide to retain a decision beyond the applicable retention period.	Necessity Proportionality/Necessity
	Relevant documentation/files (incl. AAF or whereabouts failure record, case files, laboratory and ABP documentation packages, etc.)	Longer of 10 years or duration of sanction	Necessary because of multiple violations and possible duration of sanctions.	Necessity
7 – Athlete Biological Passport				
Results	Biological variables, ATPF, APF, APMU reports, expert reviews, ABP documentation packages and associated laboratory documentation.	10 years as of date of match between results and Doping Control Form/ date of creation of relevant documents	Necessary because of multiple violations and to analyze or review biological variables, APMU reports, expert reviews, etc., over time. If ADRV, will also be kept as part of results management file (see section 6).	Necessity
Whereabouts	Whereabouts (only city, country and <i>In-Competition</i> whereabouts)	10 years as of end of the whereabouts quarter for which the data was submitted	Needed to support atypical/abnormal results, or to refute <i>Athletes'</i> claims.	Proportionality/Necessity