



World Triathlon

WORLD TRIATHLON

GDPR REGULATION



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Introduction

World Triathlon Data Project is a simple guide to respond and comply with the obligations that the GDPR brings to all organisations that process data of EU citizens.

In this guide you can find the correspond templates in each section to respond easily and quickly to the requirements of the data subjects in use of their rights.

Please, use only those templates which one confirms your obligations. In case of any doubt or question, or in the event that there is not template for what you need, please contact to the legal department, at the following email: jeanne.courbe@triathlon.org.

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I- REQUEST OF ACCESS TO THE DATA (Art. 15 GDPR)

A- Instruction concerning the access request

1. Receipt of the request

You should verify the ID of the person who sends the access request:

- In case of reasonable doubt, we must request additional information to confirm the ID of the data subject. (Copy of passport or ID card).
- In case that someone is requesting on behalf of someone else, please check first that the requester has the legal authorisation to do it (like a proxy) and second check the identity of the requester.
- Take due note of the date of receipt, because we have one month after the receipt to respond.
- In case of information requested about minors (under 18 years old), please check that the requester has the legal guard of the minors.

2. Information to provide and time to respond

We must answer the request within one month following of the request (possibility to extend by two months in case of complexity and number of requests, but we must inform the requester of the extension of the delay).

Furthermore, the process is free unless excessive (for example too much in a period of time, or based on unfunded requirements).

Information that we must provide in the answer:

- Contact detail of ITU;
- Purposes of the processing;
- Categories of the personal data concerned;
- Legal basis of the processing the data (such as Consent, Performance of a contract, Compliance with a legal obligation, Public interest, Legitimate interest, manifestly made public);
- Recipients or categories of recipients to whom personal data have been or will be disclosed;
- For how long we will process or store the data, if not possible, the criteria that we use to determine this period.
- The existence of the rights to request the rectification, to erase of personal data, to restrict of processing of personal data or to object such processing;



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- The right to lodge a complaint with a supervisory authority;
- Purpose to transfer data, if it applies.

B- Templates of answer

- 1- Answer of a request which confirm that we process data.
- 2- Refuse to answer for some of the reasons in the template.
- 3- Answer of a request which confirm that we do not process data.



World Triathlon

World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]

[Name of recipient]

[Street, address]

[City]

[Country]

[email]

NOTIFICATION SENT BY E-MAIL

Your personal data request by email/ letter dated **XX/XX/XXXX** received on **XX/XX/XXXX**

Dear **Mr/Ms XX,**

You have requested confirmation as to whether or not we process personal data related to you and, where that is the case, access to your personal data.

Within one month (**or two months**) of receipt of your request **we hereby confirm that we process personal data related to you**. Please find enclosed copy of the personal data undergoing processing.

Besides, with respect to the processing of your personal data, we provide you the following information:

We process the following categories of your personal data:

- *[Name, date of birth, address, passport copy, email address, phone number, vehicle registration number, food preferences, special scheme, disability, credit card information, profession, wages, performance data, competition participation, health data and anti-doping records, etc.].*

The legal basis to process your data is:

- [Consent, waiver, fulfillment of a contract, legitimate interests, public interest]

Such data are processed for the following purposes:

- *[Marketing, anti-doping control, performance record, etc.].*

Your personal data have been or may be disclosed to the following recipients:



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- [national federations, organizations and clubs, Wada/NADOs, international multisport organizations (IOC), ethics/compliance independent bodies, governments, public authorities, judicial authorities, CAS, event/competition organisers, media, suppliers, others partners, etc.]

We only keep your personal data for as long as we need them to fulfill the purposes, we collected them for, but never for longer than [1/2/5/10] years. We periodically, but at least every [2/3] years, check that no data is stored for longer than needed.

YOUR RIGHTS

Upon receipt the present letter and attachments, you are entitled to request the following rights:

- Right to be informed about how use the data that we collect form you;
- Right of access to the data that we hold about you;
- Right of rectification the inaccurate personal data concerning;
- Right to be forgotten or erase the personal data where one of the grounds of the article 17 of the GDPR applies;
- Right to restriction of processing where one of the grounds of the article 18 of the GDPR applies;
- Right to data portability to transmit those data to another controller according with the article 20;
- Right to object to use your personal data except the public data for particular purposes;
- Right to lodge a complaint with the relevant supervisory authority;
- In case that you have given your consent for processing your personal information, you have the right at any time to withdrawal your consent, without affecting the lawfulness of processing based on consent before your withdrawal.

Please email us to the following address info@triathlon.org.

[if applicable]: We have obtained personal data concerning you directly from you but also from

- [National federations, ethics/compliance independent bodies, etc.].



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[if applicable: we share and transfer your data with, to where, purposes, etc.]

The attached copy is provided free of charge. For further copies, we might charge reasonable fee based on administrative costs.

We hope this answer meets your expectations and please do not hesitate to contact us at the following Email: info@triathlon.org.

Sincerely,

XXXXXXXXXXXXXXXXXXXX

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World Triathlon

World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]

[Name of recipient]

[Street, address]

[City]

[Country]

[email]

NOTIFICATION SENT BY E-MAIL

Your personal data request by email/ letter dated **XX/XX/XXXX** received on **XX/XX/XXXX**

Dear **Mr/Ms XX,**

You have requested confirmation as to whether or not we process personal data related to you and, where that is the case, access to your personal data.

Within one month (**or two months**) of receipt of your request and **we respectfully refuse to answer your request if we process data related to you**, for the following reason(s): **(IN CASE YOU REFUSE TO RESPOND TO THE ACCESS REQUEST, YOU MUST INDICATE THE REASONS OF YOUR REFUSAL)**

- Affect the rights and freedoms of third party.
- **According to GDPR**, such limits can be laid down for the following grounds: national security; defense; public security; prevention, investigation, detection or prosecution of criminal offences or execution of criminal penalties; important objectives of general public interest of the EU or the State; protection of judicial independence and judicial proceedings; prevention and investigation, detection and prosecution of breaches of regulated professions; protection of the data subject or the rights and freedom of others; enforcement of civil law claims.
- **In Switzerland**, according to the current Swiss Data Protection Act, access right may be denied for the following grounds: - a formal law so provides; - this is required to protect the overriding interests of third parties; - this is required by your overriding interests, provided you do not disclose the personal data to a third party.



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- Access right provided by data protection a rule does not apply to pending proceedings, including arbitral proceeding with seats of the arbitral tribunal in Switzerland. Access right can therefore not be exercised as long as an arbitral procedure is pending.

Do not hesitate to contact us at the following Email: info@triathlon.org.

Sincerely,

XXXXXXXXXXXXXXXXXXXXXXXXXX

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World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]
[Name of recipient]
[Street, address]
[City]
[Country]
[email]

NOTIFICATION SENT BY E-MAIL

Your personal data request by email/ letter dated **XX/XX/XXXX** received on **XX/XX/XXXX**

Dear **Mr/Ms XX,**

You have requested confirmation as to whether or not we process personal data related to you and, where that is the case, access to your personal data.

Within one month (**or two months**) of receipt of your request **we hereby confirm that we do not process any personal data related to you.**

We hope this answer meets your expectations and please do not hesitate to contact us at the following Email: info@triathlon.org.

Sincerely,

XXXXXXXXXXXXXXXXXXXXXXXXXX

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II- RIGHT TO ERASURE (*TO BE FORGOTTEN, Art. 17 GDPR*)

A- Instruction concerning the right of erasure

The data subject has the right to request the erasure all or part of his/her personal data that we collect/store.

Time: after the receipt of the request, we have **1 month** to answer

Obligations: Verify the identity of the requester by asking the **ID**.

In accordance with GDPR the data **shall be erased** when:

- The data is no longer necessary for the purpose which was originally collected or processed
- An organisation is relying on an individual's consent as the lawful for processing the data (withdraw the consent).
- An organisation is relying on legitimate interests as its justification for processing an individual's data.
- An organisation is processing personal data for direct marketing purposes and the subject objects to this processing.
- An organisation processed an individual's personal data unlawfully.
- An organisation must erase personal data in order to comply with a legal ruling or obligation.
- An organisation has processed a child's personal data to offer their information society services.

The erasure of data **will not be necessary** when:

- The data is being used to exercise the right of freedom of expression and information.
- The data is being used to comply with a legal obligation.
- The data is being used to perform a task that is being carried out in the public interest or when exercising an organisation's official authority.
- The data processed is necessary for public health and public interest, scientific or historical research purposes.
- The data is being used for the establishment of a legal defense or in the exercise of other legal claims.

STEPS TO FOLLOW AFTER A RECEIPT OF REQUEST OF ERASURE

1. Identification of the requester:

- ✓ Verify the identity of the requester. In case of doubt, it is possible to ask extra information (for example when it concerns minors).



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- ✓ In case that someone is requesting on behalf of someone else, please check first that the requester has the legal authorisation to do it (like a proxy) and second check the identity of the requester.
- ✓ In case of information requested about minors (under 18 years old), please check that the requester has the legal guard of the minors.

2. Erase the data

Check what we hold about the requester. Before to delete the personal data, check if the erasure is really necessary or not (**page 1**).

3. Notification to the requester

You should communicate the requester (or authorised representative) what we did with the data and explain (*deleted, or not deleted*).

B- TEMPLATES

Notification to the requester:

- 1) **Notification of erasure of data**
- 2) **Notification of refuse of erasure of data**



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World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]
[Name of recipient]
[Street, address]
[City]
[Country]
[email]

NOTIFICATION SENT BY E-MAIL

Request to erase data sent by email/ letter dated **XX/XX/XXXX received on XX/XX/XXXX**

Dear **Mr/Ms XX**,
Within **one month** of receipt of your request **to erase the personal data related to you**.
We notify that we deleted the personal data that we held about you under the European General Data Protection Regulation (GDPR). We deleted the following:

(THE DATA THAT HAS BEEN DELETED)

We hope this answer meets your expectations and please do not hesitate to contact us at the following email address: info@triathlon.org.

Sincerely,

XXXXXXXXXXXXXXXXXXXXXXX

World Triathlon



World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]
[Name of recipient]
[Street, address]
[City]
[Country]
[email]

NOTIFICATION SENT BY E-MAIL

Request to erase data sent by email/ letter dated **XX/XX/XXXX received on **XX/XX/XXXX****

Dear **Mr/Ms XX**

Within **one month** of receipt of your request **to erase the personal data related to you**. We notify you that we refuse to delete your personal data that we hold for the following reason(s):

Under the article 17.3 of the EU General Data Protection Regulation (GDPR) **(Choose one or two)**

1. *(for exercising the right of freedom of expression and information;*
2. *for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller*
3. *for reasons of public interest in the area of public health in accordance with points (h) and (i) of article 9 (2) as well as article 9 (3);*
4. *for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with article 89 (1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or*
5. *for the establishment, exercise or defense of legal claims.*

We hope this answer meets your expectations and please do not hesitate to contact us at the following email address: info@triathlon.org.

Sincerely,

XXXXXXXXXXXXXXXXXXXXXXXXXX
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III- OBLIGATION OF NOTIFICATION (*Art. 19 GDPR*)

A- Instructions for the obligation of notification

According to the article 19 of the GDPR, we shall communicate any **rectification or erasure of personal data or restriction of processing carried out** to each **recipient** to whom the personal data have been disclosed.

Recipient: means a natural or legal person, public authority, agency or another organisation, to which the personal data are disclosed.

The notification does not be necessary if we prove **impossible** or this process involves **disproportionate effort**.

We shall inform the data subject about **those recipients** if the data subject requests it.

- **Right to rectification:** Under the article 16 the data subject can obtain without undue delay the rectification of inaccurate personal data concerning him or her. (The right to complete the incomplete personal data including by means providing a supplementary statement).
- **Right to erasure:** Under the article 17, the data subject have the right that the controller erasure the personal data concerning to him or her.
- **Right to restriction of processing:** The data subject shall have the right to obtain a restriction of the processing of her or his data.

B- Template

1) Notification about the personal data



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World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

- [date]
- [Name of recipient]
- [Street, address]
- [City]
- [Country]
- [email]

NOTIFICATION ABOUT THE PERSONAL DATA WHICH HAVE BEEN DISCLOSED SENT BY E-MAIL

Dear (Mr/Ms Recipient name or legal representative, partner, sponsor, etc.) or (who it may concern),

Under the article 19 of the European General Data Protection Regulation, we are obligated to write the present letter with the aim **to notify you about the (rectification, data erase or restriction processing)** of the data which we have been disclosed with you in **(date)** from the data subject **(name if it is necessary)**.

According to the above **(the rectification data or part of data erase)** of the subject is **(...)**

Please do not hesitate to contact us at **the following contact details** specified to the attention of **MR/MS XXXX**. World Triathlon HDQ Maison du Sport International, Av. de Rhodanie 54, Lausanne CH -1007, Switzerland. Tel: + 41 21 614 60 30 Fax: + 41 21 614 60 39 Email: **XXXXXXXXXX**.

Sincerely,

XXXXXXXXXXXXXXXXXXXXXXX

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IV- DATA BREACH OF VIOLATION (*Art. 33 GDPR*)

A- Instruction for data breach of violation

Definition of breach of violation

A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted stored or otherwise processed. The types of personal data breaches are:

- **Confidentiality breach:** where there is an unauthorised or accidental disclosure of, or access to, personal data.
- **Integrity breach:** where there is an unauthorised or accidental alteration of personal data.
- **Availability breaches:** where there is an accidental or unauthorised loss of access to, or destruction of, personal data.

In case of personal data breach, we shall without undue delay taking the following steps:

- Investigate immediately the incident to establish which personal data have been compromised;
- Take remedial actions;
- Recover the breach;
- Make a documentation of the breach with the facts, effects and actions taken;
- Notify to the supervisory authority and/or to the person concerned by this breach of violation;

1. Notification to the supervisory authority (article 33 of the GDPR)

If the breach of violation is unlikely to result in **a risk for the rights and freedoms of the person**, we **should not notify to the supervisory authority**.

In case of risk for the rights and freedoms of the person, we have to notify after become aware of the breach within 72 hours (and justify if it takes more than 72 hours) with the following information:

- Nature of the personal data breach which include: the categories of data, the approximate number of persons concerned and the approximate number of personal data records concerned.
- Name and contact details of ITU.
- Describe the likely consequences of the breach.
- Describe the measures has been taken or proposed to stop and protect the data concerned.

The data control authorities of the different EU countries:

https://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080

2. **Notification to the data subject (article. 34 GDPR)**

A- If the breach of violation is **unlikely** to result in **a risk for the rights and freedoms of the person**, we **should not notify to data subject (person concerned)**.

B- Conversely, in the case that the breach of violation is **likely** to result in a **risk for the rights and freedoms** of the person, we **shall communicate the following**:

- A clear notification in a simple language;
- The name and contact details of ITU;
- Describe the likely consequences of the breach.
- Describe the measures has been taken or proposed to stop and protect the data concerned.

BUT this notification **is not required if one of these conditions is fulfilled**:

- We have implemented appropriate technical protection measures (render the personal data unintelligible to any person who is not authorised to access it).
- We have taken subsequent measures which ensure that the high risk for the rights of the person is no longer likely to materialise.
- It would involve disproportionate effort and, in this case, it shall be instead a public communication.

B- TEMPLATES

Templates:

1. **Notification to the supervisory authority**
2. **Notification to the person**



World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]
[Name of the control authority of that state]
[Street, address]
[City]
[Country]
[email]

DATA BREACH NOTIFICATION

Dear Mr/Ms [Name control authority],

We are a Swiss civil organisation created by the Article 60 and following of the Swiss Civil Code, is legally domiciled at Maison du Sport International, in Avenue de Rhodanie 54, Lausanne CH-1007, Switzerland and is governed by the Swiss law; is recognised by its members and athletes as the world governing body of Triathlon, Paratriathlon, and its related other Multisports.

In accordance to the GDPR we as a controller of the personal data of people in YOUR COUNTRY are writing the present letter to notify you as the data control authority in COUNTRY about a breach of security to our data base which might involve personal data relating to our members in COUNTRY.

- **The nature of personal data breach is:**
- **The approximate number of categories of Data involved of the data subject(s) concerned are:**
- **The approximate number of Personal data records concerned are:**
- **The likely consequences are:**
- **We are taking the following steps:**

Please do not hesitate to contact us at the following contact details specified to the attention of MR/MS XXXXX. World Triathlon HDQ Maison du Sport International, Av. de Rhodanie 54, Lausanne CH -1007, Switzerland. Tel: + 41 21 614 60 30 Fax: + 41 21 614 60 39 email address: XXXXXXXXXX.

Yours sincerely,

World Triathlon



World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]
[Name of recipient]
[Street, address]
[City]
[Country]
[email]

DATA BREACH NOTIFICATION

Dear **Mr/Ms [Subject name]**,

Dear **member**, we as the controller of your personal data are a Swiss civil organisation created by the Article 60 and following of the Swiss Civil Code, is legally domiciled at Maison du Sport International, in Avenue de Rhodanie 54, Lausanne CH-1007, Switzerland and is governed by the Swiss law; is recognised by its members and athletes as the world governing body of Triathlon, Paratriathlon, and its related other Multisports.

We are writing the present letter **to notify you about a breach of security to our data base** which might involve your personal data.

- **The nature of personal data breach is:**
- **The likely consequences are:**
- **We are taking the following steps:**

Please do not hesitate to contact us at **the following contact details** specified to the attention of **MR/MS XXXX**. World Triathlon HDQ Maison du Sport International, Av. de Rhodanie 54, Lausanne CH -1007, Switzerland. Tel: + 41 21 614 60 30 Fax: + 41 21 614 60 39 email address: **XXXXXXXXXX**.

Yours sincerely,

World Triathlon

V- Information to provide where the personal data have not been obtained from the data subject (*Article 14 GDPR*)

A- Instruction for providing information

We shall provide information to the data subject if:

- Having regard to the specific circumstances in which the personal data are processed. Within a reasonable period after obtaining the personal data (at least within one month);
- At least at the time of the first communication to the data subject if the personal data are to be used for communication;
- If a disclosure to another recipient is envisaged, at the time of the first disclosed.

The notification shall contain the following:

- Contact details of ITU;
- Purposes of the processing as well the legal basis of the processing;
- Categories of personal data concerned;
- Recipients or where applicable the transfer to a third country (existence or absence of an adequacy decision)
- Period of time which the personal data will be stored;
- The legitimate interests of ITU (where applicable);
- The existence of the rights of the person;
- From which source the personal data originate (where applicable if it came from publicity accessible sources);

This information does not apply where

- The data subject already has the information;
- Where the information is impossible or involve a disproportionate effort (Article 14.5.b);
- Obtaining or disclosure is expressly laid down by Union or Member State law or;
- Where personal data must remain confidential subject to an obligation of professional secrecy regulated by Union or Member State law.

B- Template

Template down just if it is the case



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World Triathlon
Maison du Sport International, Av. de Rhodanie 54,
Lausanne CH -1007
Switzerland

[date]

[Name of recipient]

[Street, address]

[City]

[Country]

[email]

NOTIFICATION SENT BY E-MAIL

Dear Mr/Ms [Name],

We are a Swiss civil organisation created by the Article 60 and following of the Swiss Civil Code, which is legally domiciled in Lausanne, Switzerland and is governed by the Swiss law; is recognised by its members and athletes as the world governing body of Triathlon, Paratriathlon, Duathlon and its related other Multisports.

Under the article 14 of the European General Data Protection Regulation we have the aim to inform to you that we are processing data concerning to you

Please find enclosed copy of the following information:

1. We process the following **categories of your personal data**
 - [Name, date of birth, address, passport copy, email address, phone number, vehicle registration number, food preferences, special scheme, disability, credit card information, profession, wages, performance data, competition participation, health data and anti-doping records, etc.].
2. Purposes and legal basis to process your data is
 - [Marketing, anti-doping control, performance record, etc.].
 - [Consent, waiver, fulfillment of a contract, legitimate interests, public interest]
3. Your personal data have been or may be **disclosed to the following recipients**
 - [national federations, organizations and clubs, Wada/NADOs, international multisport organizations (IOC), ethics/compliance independent bodies, governments, public authorities, judicial authorities, CAS, event/competition organizers, media, suppliers, others partners, etc.]
4. We only **keep your personal data** for as long as we need them to fulfill the purposes we collected them for, but never for longer **than [1/2/5/10] years**. We



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periodically, but at least every **[2/3] years**, check that no data is stored for longer than needed.

5. **YOUR RIGHTS**

Upon receipt the present letter and **attachments**, you are entitled to request the following rights:

- Right to withdraw consent at any time
- Right of rectification the inaccurate personal data concerning.
- Right to be forgotten or erase the personal data where one of the grounds of the article 17 of the GDPR applies.
- Right to restriction of processing where one of the grounds of the article 18 of the GDPR applies.
- Right to data portability to transmit those data to another controller according with the article 20.
- Right to object according to the article 21 of the GDPR.
- Right to lodge a complaint with your country supervisory authority.

Please email us to the following address info@triathlon.org.

6. We have obtained personal data concerning you from:

- *(National federations, ethics/compliance independent bodies, etc).*
- (from publicity accessible sources and where)

7. **[if applicable]**: we share or we have the intention to share and transfer your data with, where, purposes, etc.]

8. **[if applicable]**: we obtained personal data concerning to you because we have a legitimate interest for the following reasons]

The attached copy is provided free of charge. For further copies, we might charge reasonable fee based on administrative costs.

We hope this answer meets your expectations and please do not hesitate to contact us at the following Email: info@triathlon.org.

Sincerely,

XXXXXXXXXXXXXXXXXXXXXX

World Triathlon