



IOC Needle Policy & Rules applicable to the XXIV Olympic Winter Games Beijing 2022

The Olympic Games are “needle-free” for all participating athletes at the XXIV Olympic Winter Games Beijing 2022 (respectively the “**Athletes**” and the “**Games**”). Needles must not be used except by: (i) medically qualified practitioners for the clinically justified treatment of injury, illness or other medical conditions (for which a valid therapeutic use exemption (“**TUE**”) may be required); or (ii) those requiring auto-injection therapy for an established medical condition with a valid TUE, e.g. for insulin-dependent diabetes.

It is the responsibility of each Athlete, his/her entourage and each National Olympic Committee (“**NOC**”) to ensure compliance with this IOC Needle Policy, in particular:

- (i) any needles, and associated clinical materials, intended for use by members of the NOC's delegation are stored in a central secured location, access to which is restricted to authorised medical personnel of the NOC's delegation. Athletes with a valid TUE for the use of insulin, and non-athletes requiring other forms of auto-injection, may keep the appropriate materials with them if safely stored and disposed of in accordance with point (ii) below;
- (ii) all used needles and associated materials (vials, syringes and swabs) are safely disposed of in an appropriate bio-hazards container (e.g. “sharps bin”). If necessary, these may be procured from the Olympic Village Polyclinic;
- (iii) whenever an Athlete receives an injection during the period of the Games (i.e. from the date of the opening of the Olympic Village(s) on 27 January 2022 to and including the date of the Closing Ceremony on 20 February 2022), a formal declaration using the attached Injection Declaration Form (“**Injection Declaration Form**”) shall be duly completed either online here: <https://ioc-needleform.integrityline.org/> or delivered to the Olympic Village Polyclinic for processing by the IOC, in particular its Medical and Scientific Commission, by no later than noon of the day following such injection. This applies to all injections administered to Athletes on the occasion of the Games;
- (iv) Injection Declaration Forms shall be completed legibly in English or French and include any additional evidence attesting to the need for injection therapy (e.g. imaging or laboratory results). The completed Injection Declaration Form may be submitted after completion either online or on paper and then placed in the Injection Declaration Form box at the Olympic Village Polyclinic.

No Injection Declaration Form is required if the injection has been administered by a medically qualified practitioner from the Beijing 2022 Organising Committee for the Olympic and Paralympic Winter Games, and the injection has been recorded in the medical encounter system. Acupuncture or the use of dry needling techniques are not considered to be a medical injection, and thus an Injection Declaration Form is not required for such treatments.

Privacy:

In the event that an Injection Declaration Form is not required, the practitioner shall bring the Information Notice (attached to this Policy) to the attention of the Athlete and:

- (i) ensure that the Athlete has read and understood the content of this Information Notice;
- (ii) if deemed necessary by the IOC, collect any further proof that the Athlete has provided the necessary authorisations for the processing of his/her personal data.



Justification of injections:

There is, as a matter of principle, no justification for any Athlete, coach or other non-medically qualified person to administer an injection. The only exception is auto-injection, by those Athletes with an established clinical condition requiring auto-injection and a valid corresponding TUE.

Injections by medically qualified person are permitted only when there is a clinically justified reason for such an intervention as determined by the IOC, in particular its Medical and Scientific Commission. All completed Injection Declaration Forms will be reviewed by the IOC, and in particular its Medical and Scientific Commission.

Any concerns identified as a result will prompt a review of the rationale and justification for the treatment by a panel of physicians convened by the IOC. Ordinarily, this review will include a meeting with the practitioner(s) involved in the administration of the injection.

Based on the above review, the IOC, and in particular its Medical and Scientific Commission, shall decide whether an injection shall be considered as justified. Such decision shall be final and binding in respect of the Games, and is not subject to a challenge.

Failure to respect this IOC Needle Policy, including, without limitation, failure to submit a completed Injection Declaration Form to the IOC and the performance of injections without sufficient justification, may expose the Athlete(s), the entourage of the Athlete(s), the NOC and the members of its delegation, as well as the person(s) who administered the injection, to disciplinary measures and/or sanctions in application of Rule 59 of the Olympic Charter. Such disciplinary measures and/or sanctions are without prejudice to (i) any other rights of the IOC and of any other competent body, organisation and/or authority, and/or to (ii) proceedings in accordance with the applicable anti-doping regulations, in particular the IOC Anti-Doping Rules applicable on the occasion of the Games, in the event that the circumstances in question may constitute anti-doping rule violations. In such cases, the consequences shall be determined in application of the applicable anti-doping regulations as *lex specialis*.



Information Notice

This Information Notice complements the Information Notice on the processing of personal data of participants and other accredited persons for the XXIV Olympic Winter Games Beijing 2022 provided as part of their accreditation, and contains important information about the processing of the personal information contained in this Injection Declaration Form related to the XXIV Olympic Winter Games Beijing 2022, including information concerning:

1. Information collected about the Athlete and the Practitioner
2. Entities involved in the process
3. Use of the Information collected
4. Rights of the Athlete and the Practitioner

Please read this Information Notice carefully and make sure you understand what it says.

1. Information collected about the Athlete and the Practitioner

In accordance with the IOC Needle Policy and Rules for the XXIV Olympic Winter Games Beijing 2022 (respectively the “**Needle Policy**” and the “**Games**”), information shall be collected whenever an Athlete receives an injection during the period of the Games, either through the Injection Declaration Form or recorded in the electronic medical record system.

Information collected and otherwise processed in connection with the Needle Policy (the “**Information**”), includes the following:

- Athlete’s personal information related to his/her identity (name, date of birth, gender, National Olympic Committee membership and sport);
- Athlete’s medical information, including clinical history and diagnosis;
- Personal information of the person who has administered the injection (the “**Practitioner**”) related to his/her identity (name, mobile number and email address).

Information may constitute “personal data” and, in certain instances “sensitive data” or “special categories of personal data” as such terms are defined under the applicable data protection or privacy laws.

2. Entities involved in the process

The Needle Policy is managed and implemented under the responsibility of the International Olympic Committee (the “**IOC**”), in accordance with the Needle Policy. The IOC will use the services of service providers working on its behalf and providing information technology services or other services that are necessary to implement the Needle Policy, including in particular the online Injection Declaration Form provided by EQS Group AG, or the electronic medical record system provided by General Electric Company.

In accordance with the Authorised Purposes (as defined hereunder), this Injection Declaration Form may also be used for the purposes of ensuring the compliance with the IOC Anti-Doping Rules applicable to the Games (the “**Rules**”). Doping controls on the occasion of the Games are carried out under the responsibility of the IOC acting as an Anti-Doping Organisation, in accordance with the Rules and the World Anti-Doping Code, including the related international standards (the “**Code**”).

For the effective operation of doping controls on the occasion of the Games, the IOC has delegated some of its responsibilities related to the implementation of the anti-doping programme for the Games to the International Testing Agency (“**ITA**”), as set out in the Rules. The ITA will in particular initiate and undertake testing activities on the occasion of the Games; determine whether or not a potential anti-doping rule violation has occurred pursuant to the Rules; and, if it so determines, file the case with the Court of Arbitration for Sport (“**CAS**”) for decision. The ITA will be assisted by the Beijing Organising Committee for the Olympic and Paralympic Winter Games (“**Beijing 2022**”) and, where required, law enforcement authorities. The IOC, the ITA and/or these above-mentioned entities will also cooperate with the World Anti-Doping Agency (“**WADA**”), whose mission is to monitor the implementation of the Code and which will use the ADAMS data-management system developed by WADA to process and manage doping control-related information (“**ADAMS**”). For more information on ADAMS, consult the WADA website at www.wada-ama.org. The IOC, the ITA and the above-mentioned entities will use the services of laboratories and other service providers (such as Professional Worldwide Controls - PWC GmbH), working on their behalf and providing them with certain anti-doping services, information technology services or other services that are necessary to perform doping controls.

3. Use of the Information collected

a) Purposes of processing Information

Information will be processed by:

- i. the IOC for the purposes of ensuring compliance with the Needle Policy;
- ii. the IOC, the ITA and the above-mentioned entities for the purposes of ensuring the integrity of the competitions at the Games, carrying out doping controls, investigating and prosecuting breaches of the Rules and the Code or for otherwise establishing, exercising or defending legal rights or complying with legal obligations related thereto (collectively referred to as the “**Authorised Purposes**”).

b) Grounds for processing Information

Doping controls and the processing of Information for the Authorised Purposes are necessary to safeguard the health and well-being of the Athletes and to ensure the integrity of the sports competitions at the Games. These processing activities can be based on the following grounds in accordance with the applicable laws:

- i. Necessity, in view of allowing the participation of Athletes and other participants at the Games in compliance with the obligations of the IOC as an Anti-Doping Organisation and major event organisations under the Code;
- ii. The substantial public interest and the interest of the IOC, the ITA and Beijing 2022 to guarantee doping-free sports competitions at the Games, to safeguard the health and well-being of the Athletes and to protect the clean Athletes;
- iii. The legitimate interests of the IOC, the ITA and Beijing 2022 to ensure that the Athletes respect their covenant to comply with the provisions applicable to them (including the Olympic Charter, the Rules and the Code as referred to in the Conditions of Participation form);



- iv. The applicable legal provisions authorising the processing of the Athletes' and Practitioners' personal information for the purposes of fighting against doping;
- v. The consent, where required by applicable laws.

Insofar as Chinese data protection laws apply to the processing of Information, the processing will be based on the legal grounds of (iv) and (v) above.

c) Data recipients and international transfer

The IOC and/or the ITA may disclose Information to the entities mentioned in section 2 above where necessary for the Authorised Purposes. In accordance with the Rules and the Code, Information may also be shared with other authorised recipients, such as designated national anti-doping organisations, International Federations, major event organisations, the CAS and law enforcement authorities.

The IOC and the ITA will process Information mainly in China, where the Games take place, and in Switzerland, where the IOC's and the ITA's headquarters are located. However, they shall be entitled to make Information available to entities referred to above located in other countries, including outside the European Union/European Economic Area and/or China, where data protection and privacy laws may not be equivalent to those applicable in the Athletes' country of residence. In such cases, the IOC and the ITA shall take technical and organisational measures to protect the Information according to applicable laws to ensure that Information continue to benefit from an adequate level of protection.

d) Public disclosure

In accordance with the Rules and while Information will normally be processed in a confidential manner, Athletes' identity and some other Information may be publicly disclosed in cases where the ITA asserts that an Athlete has committed an anti-doping rule violation, after appropriate notice has been provided to the Athlete concerned. 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 the informed, express and written consent of the Athlete; 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 Doping Control Data is reasonably relevant to the offence in question and cannot otherwise reasonably be obtained by the authorities.

e) Data retention period

As a general rule, processing of Information described in this Information Notice will cease after a period of four years after the end of the Games. Information may be archived and kept for a longer period of time where necessary to fulfil the Authorised Purposes.

The various retention periods applicable to Information are specified in Annex A of the International Standard on Protection of Privacy and Personal Information, which forms part of the Code. According to this document, Information may be retained over time by the ITA, the IOC and WADA, including, for some data, for a period of up to 10 years or indefinitely.

f) Information security

The IOC and the ITA will use technical and organisational measures to protect the Information against the risks of damage, destruction, loss or unauthorised access, in accordance with the applicable laws.

g) Withdrawal of express consent

Insofar as consent is a basis for the processing of Information, Athletes are informed of the following:

- i. A refusal or withdrawal of their authorisation to the processing of the Information in the manner defined in this Information Notice will be interpreted as a refusal to comply with the Needle Policy;
- ii. Insofar as participation in the Games is further contingent upon Athletes' participation in the anti-doping procedures set forth in the Rules, a refusal or withdrawal of their authorisation will lead to the consequences provided for in the Rules, including, without limitation, disqualification of results and exclusion from further participation in the Games, and ineligibility for participation of other sports events;
- iii. It may still be necessary to process Information related to them for the Authorised Purposes, even without the consent of Athletes, or after such consent has been withdrawn, provided that such activity complies with the applicable laws.

4. Rights of the Athletes and Practitioners

Both the IOC and the ITA have designated a person to be in charge of receiving Athletes' and Practitioners' complaints or questions in relation to their processing of the Information, who can be contacted at the following addresses in order to exercise their right to request access, rectification, erasure, restriction of processing, objection to the processing or to the adoption of automated decisions and, if this is the case, data portability, as well as the remaining privacy rights and digital rights:

- i. In the case of the IOC, through the IOC's dedicated portal as indicated in the IOC's privacy policy (<https://www.olympic.org/privacy-policy>) or by mail sent to the following address: International Olympic Committee, Data Protection Officer, Legal Affairs Department, Maison Olympique, 1007 Lausanne, Switzerland;
- ii. In the case of the ITA, at the following address: privacy@ita.sport.

EU residents may also contact the IOC's EU representative, Olympic Broadcasting Services S.L., at the following address: Calle de Torrelaguna, 75, 28027 Madrid, Spain.

Any complaint in relation to the processing of Information that has not been addressed within a reasonable timeframe and/or that does not comply with the Code or other provisions applicable thereto, may be:

- i. Addressed to the Swiss Federal Data Protection Commissioner, Feldeggweg 1, CH – 3003 Bern, Switzerland, <https://www.edoeb.admin.ch>; and/or
- ii. In the context of the Rules, notified to WADA and/or submitted to the CAS, which will determine whether a violation has occurred.
- iii. For EU residents, addressed to the Agencia Española de Protección de Datos, c/ Jorge Juan 6, 28001 Madrid, Spain, <https://www.aepd.es/>.