

Sport ireland

Therapeutic Use Exemption (TUE) Application Form

Please complete all sections in capital letters or typing. Athlete to complete sections 1, 2, 3 and 7; Physician to complete sections4, 5 and 6. Illegible or incomplete applications will be returned and will need to be re-submitted in legible and complete form.

1. **Athlete Information**

Last Name: *Click or tap here to enter text.* First Name(s): *Click or tap here to enter text.*

Female: [ ]  Male: [ ]  Date of Birth: *Click or tap here to enter text.*

*(dd/mm/yyyy)*

Address: *Click or tap here to enter text.* City: *Click or tap here to enter text.*

Country: *Click or tap here to enter text.* Postcode: *Click or tap here to enter text.*

Email: *Click or tap here to enter text.* Telephone: *Click or tap here to enter text.*

*(with International code)*

Sport: *Click or tap here to enter text.* Discipline: *Click or tap here to enter text.*

1. **Previous Applications**

**Have you submitted any previous TUE application(s) to any Anti-Doping Organisation for the same condition?**

Yes [ ]  No [ ]

For which substance(s) or method(s)? *Click or tap here to enter text.*

To whom? *Click or tap here to enter text.* When? *Click or tap here to enter text.*

Decision: Approved [ ]  Not approved [ ]

Version 10.0, June 16th, 2022

1. **Retroactive Applications**

**Is this a retroactive application?** *(i.e. after an athlete has provided a sample at a doping control session)*

**Yes** [ ]  **No** [ ]

If yes, on what date was the treatment started? *Click or tap here to enter text.*

**Do any of the following exceptions apply? (Article 4.1 of the ISTUE):**

[ ]  **4.1 (a)** - You required emergency or urgent treatment of a medical condition.

[ ]  **4.1 (b)** - There was insufficient time, opportunity or other exceptional circumstances that prevented you from submitting the TUE application, or having it evaluated, before getting tested.

[ ]  **4.1 (c)** - You were not permitted or required to apply in advance for a TUE as per the **Irish** Anti-Doping Rules.

[ ]  **4.1 (d)** - You are a lower-level athlete who is not under the jurisdiction of an International Federation or National Anti-Doping Organisation and were tested.

[ ]  **4.1 (e)** - You tested positive after using a substance Out-of-Competition that was only prohibited In-Competition (See S6 to S9 of the [Prohibited List](https://www.wada-ama.org/sites/default/files/resources/files/2021list_en.pdf); e.g. S9 glucocorticoids).

|  |
| --- |
| *Click or tap here to enter text.* |

Please explain (if necessary, attach further documents)

[ ]  **Other Retroactive Applications (ISTUE Article 4.3)**

In rare and exceptional circumstances notwithstanding any other provision in the ISTUE, an Athlete may apply for and be granted retroactive approval for their TUE if, considering the purpose of the Code, it would be manifestly unfair not to grant a retroactive TUE.

In order to apply under Article 4.3, please include a full reasoning and attach all necessary supporting documentation.

|  |
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| *Click or tap here to enter text.* |

**Physician to complete sections 4, 5 and 6.**

1. **Medical Information (please attach relevant medical documentation**)

Diagnosis (Please use the [WHO ICD 11](https://icd.who.int/en) classification if possible):

|  |
| --- |
| *Click or tap here to enter text.* |

1. **Medication Details**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Prohibited Substance(s)/Method(s)Generic name(s) | Dosage | Route of Administration | Frequency | Duration of Treatment |
| 1. |  |  |  |  |
| 2. |  |  |  |  |
| 3. |  |  |  |  |
| 4. |  |  |  |  |
| 5. |  |  |  |  |

*Evidence confirming the diagnosis must be attached and forwarded with this application.* ***The medical information must include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies.*** *Copies of the original reports or letters should be included when possible. In addition, a short summary that includes the diagnosis, key elements of the clinical exams, medical tests and the treatment plan would be helpful.*

*If a permitted medication can be used to treat the medical condition, please provide justification for the therapeutic use exemption for the prohibited medication.*

*WADA maintains a series of TUE Checklists to assist athletes and physicians in the preparation of complete and thorough TUE applications. These can be accessed by entering the search term “Checklist” on the WADA website:* [*https://www.wada-ama.org*](https://www.wada-ama.org)*.*

1. **Medical Practitioner’s Declaration**

I certify that the information in sections 4 and 5 above is accurate. I acknowledge and agree that my personal information may be used by Anti-Doping Organisation(s) (ADO) to contact me regarding this TUE application, to verify the professional assessment in connection with the TUE process, or in connection with Anti-Doping Rule Violation investigations or proceedings. I further acknowledge and agree that my personal data will be uploaded to the Anti-Doping Administration and Management System (ADAMS) for these purposes (see [the [Sport Ireland Privacy Policy](https://www.sportireland.ie/privacy-policy) and] the [ADAMS Privacy Policy](https://adams-help.wada-ama.org/hc/en-us/articles/360012071820-ADAMS-Privacy-Policy#h_01121492-b374-476b-b44a-948d88fa3544) for more details).

Name: *Click or tap here to enter text.*

Medical specialty: *Click or tap here to enter text.*

License number: *Click or tap here to enter text.* License body: *Click or tap here to enter text.*

Address: *Click or tap here to enter text.*

City: *Click or tap here to enter text.* Country: *Click or tap here to enter text.*

Postcode: *Click or tap here to enter text.*

Telephone: *Click or tap here to enter text.* Fax: *Click or tap here to enter text.*

*(with International code)*

E-mail: *Click or tap here to enter text.*

Signature of Medical Practitioner: *Click or tap here to enter text.* Date: *Click or tap to enter a date.*

1. **Athlete’s Declaration**

I, *Click or tap here to enter text.*, certify that the information set out at sections 1, 2, 3 and 7 is accurate and complete.

I authorise my physician(s) to release the medical information and records that they deem necessary to evaluate the merits of my TUE application to the following recipients: the Anti-Doping Organisation(s) (ADO) responsible for making a decision to grant, reject, or recognise my TUE; the World Anti-Doping Agency (WADA), who is responsible for ensuring determinations made by ADOs respect the ISTUE; the physicians who are members of relevant ADO(s) and WADA TUE Committees (TUECs) who may need to review my application in accordance with the World Anti-Doping Code (Code) and International Standards; and, if needed to assess my application, other independent medical, scientific or legal experts.

I further authorise Sport Ireland to release my complete TUE application, including supporting medical information and records, to other ADO(s) and WADA for the reasons described above, and I understand that these recipients may also need to provide my complete application to their TUEC members and relevant experts to assess my application.

I have read and understood the TUE Privacy Notice (below) explaining how my personal data will be processed in connection with my TUE application, and I accept its terms.

Athlete’s signature: *Click or tap here to enter text.* Date: *Click or tap to enter a date.*

Parent’s/Guardian’s signature: *Click or tap here to enter text.* Date: *Click or tap to enter a date.*

(If the Athlete is a Minor or has an impairment preventing them from signing this form, a parent or guardian shall sign on behalf of the Athlet*e*)

**TUE Privacy Notice**

This Notice describes the personal data processing that will occur in connection with your submission of a TUE Application. This Notice should be read in conjunction with the [Sport Ireland Privacy Policy](https://www.sportireland.ie/privacy-policy)

**TYPES OF PERSONAL DATA**

* The information provided by you or your physician(s) on the TUE Application Form (including your name, date of birth, contact details, sport and discipline, the diagnosis, medication, and treatment relevant to your application);
* Supporting medical information and records provided by you or your physician(s); and
* Assessments and decisions on your TUE application by ADOs (including WADA) and their TUE Committees and other TUE experts, including communications with you and your physician(s), relevant ADOs or support personnel regarding your application.

**PURPOSES & USE**

Your personal data will be used in order to process and evaluate the merits of your TUE application in accordance with the International Standard for Therapeutic Use Exemptions. In some instances, it could be used for other purposes in accordance with the Code, the International Standards, and the anti-doping rules of ADOs with authority to test you. This includes:

* Results management, in the event of an adverse or atypical finding based on your sample(s) or the Athlete Biological Passport; and
* In rare cases, investigations, or related procedures in the context of a suspected Anti-Doping Rule Violation (ADRV).

**TYPES OF RECIPIENTS**

Your Personal Data, including your medical or health information and records, may be shared with the following:

* ADO(s) responsible for making a decision to grant, reject, or recognise your TUE, as well as their delegated third parties (if any). The decision to grant or deny your TUE application will also be made available to ADOs with testing authority and/or results management authority over you;
* WADA authorised staff;
* Members of the TUE Committees (TUECs) of each relevant ADO and WADA; and
* Other independent medical, scientific or legal experts, if needed.

Note that due to the sensitivity of TUE information, only a limited number of ADO and WADA staff will receive access to your application. ADOs (including WADA) must handle your personal data in accordance with the [International Standard for the Protection of Privacy and Personal Information (ISPPPI).](https://www.wada-ama.org/sites/default/files/resources/files/2021_ispppi_en_24092020.pdf) Sport Ireland operates a confidentiality net system where information is kept strictly within the confines of relevant professional staff within the organisation. If you have queries on any of the above these can be addressed to the Anti-Doping Unit or Sport Ireland’s Data Protection Officer (dpo@sportireland.ie)

Your personal data will also be uploaded to ADAMS by Sport Ireland so that it may be accessed by other ADOs and WADA as necessary for the purposes described above. ADAMS is hosted in Canada and is operated and managed by WADA. Organisations in Canada such as WADA are the subject of an EU Commission adequacy decision for the purpose of transfers of data outside the EEA. For details about ADAMS, and how WADA will process your personal data, consult the ADAMS Privacy Policy ([ADAMS Privacy Policy](https://adams-help.wada-ama.org/hc/en-us/articles/360012071820-ADAMS-Privacy-Policy)).

**FAIR & LAWFUL PROCESSING**

When you sign the Athlete Declaration, you are confirming that you have read and understood this TUE Privacy Notice. The Sport Ireland Act specifics the functions of Sport Ireland. Sections 41 and 42 outline Sport Ireland’s role and function in relation to anti-doping matters. Sport Ireland is processing your personal data based on the public interest / exercise of official authority and substantial public interest grounds.

Processing of personal data for the purpose of reducing and/or eliminating doping in sport is specifically recognised in Recital 112 of the GDPR as being an important public interest matter.

**RIGHTS**

You have rights with respect to your personal data under the ISPPPI, including the right to a copy of your personal data and to have your personal data corrected, blocked or deleted in certain circumstances.

You have additional rights under the GDPR and Data Protection Act 2018, such as the right to lodge a complaint with the [Data Protection Commission](https://forms.dataprotection.ie/contact).

In certain circumstances, you have the right to seek the erasure or correction of your data, to object to particular aspects of how your data is processed, and otherwise to seek the restriction of the processing of your data.  If you have any questions about these rights, please contact Sport Ireland’s Data Protection Officer (dpo@sportireland.ie).

In certain cases, it may be necessary for ADOs to continue to process your personal data to fulfill obligations under the Code and the International Standards or for public interest or other reasons, despite your objection to such processing . This includes processing for investigations or proceedings related to an ADRV, as well as processing to establish, exercise or defend against legal claims involving you, WADA and/or an ADO.

**SAFEGUARDS**

All the information contained in a TUE application, including the supporting medical information and records, and any other information related to the evaluation of a TUE request are handled in accordance with the principles of strict medical confidentiality. Physicians who are members of a TUE Committee and any other experts consulted are subject to confidentiality agreements.

Under the ISPPPI, ADO staff must also sign confidentiality agreements, and ADOs must implement strong privacy and security measures to protect your personal data. The ISPPPI requires ADOs to apply higher levels of security to TUE information, because of the sensitivity of this information. You can find information about security in ADAMS by consulting the response to [How is your information protected in ADAMS?](https://adams-help.wada-ama.org/hc/en-us/articles/360010175840-How-is-your-information-protected-in-ADAMS-) in our [ADAMS Privacy and Security FAQs](https://adams-help.wada-ama.org/hc/en-us/categories/360001964873-ADAMS-Privacy-and-Security).

**RETENTION**

Your personal data will be retained by ADOs (including WADA) for the retention periods described in Annex A of the [ISPPPI](https://www.wada-ama.org/sites/default/files/resources/files/2021_ispppi_en_24092020.pdf). TUE certificates or rejection decisions will be retained for 10 years. TUE application forms and supplementary medical information will be retained for 12 months from the expiry of the TUE. Incomplete TUE applications will be retained for 12 months.

**CONTACT**

Consult Sport Ireland Data Protection Officer **3** at dpo@sportireland.ie **3** or Sport Ireland Anti-Doping Unit at tue@sportireland.ie for questions or concerns about the processing of your PI. To contact WADA, use privacy@wada-ama.org.

Please submit a password protected version (where possible) of completed form to [tue@sportireland.ie] (keeping a copy for your records). The password should be emailed by way of follow up email to tue@sportireland.ie. Hard copies can be mailed to TUE Secretariat, Sport Ireland, The Courtyard, Sport Ireland Campus, Snugborough Road, Blanchardstown, Dublin 15, D15 PN0N