

# ATS & GDPR

## (Global Data Protection Regulation) For European Citizens



Does GDPR apply to you? Likely YES. GDPR “applies *to any business collecting personal data from a citizen of the EU.*”

### Key provisions of the GDPR for EU citizen’s (athlete) rights:

- ◆ **Consent.** ATS Clients should use the “Pre-Login” statement/capabilities found in their Site Info configuration area. This should include language to address the “explicit permission” for personal data as referenced in the GDPR.  
Note: This could also be accomplished via a special Athlete Form with a signature that is for “EU citizens”...
- ◆ **Breach Notification.** ATS has the applicable plan and notification methods in place.
- ◆ **Right to Access.** ATS has the applicable methodology in place for HIPAA. We believe it addresses this as well.
- ◆ **Right to be Forgotten.** ATS has the applicable methodology in place for this. It is controlled by the ATS client’s administrator.
- ◆ **Data Portability.** We believe the only part of ATS to which this applies would be eFiles uploaded by the EU citizen. These may be transmitted if requested.
- ◆ **Privacy by Design; data protection.** We feel the security configuration in ATS meets these needs.
- ◆ **Data Protection Officers.** Since we believe most, if not all, of our clients meet the GDPR definition of “public authority” they should consult local counsel and consider assigning a staff member for this purpose. However there is still no clear definition for this requirement; the documentation we reviewed mentioned 250+ employees or > 5,000 athletes in a 12-month period.

### Notes/thoughts for ATS Clients:

- ☑ *Some GDPR requirements apply to ATS; other to our ATS Clients.*
- ☑ ATS Clients should use the “Electronic Signature” statement/capabilities found in their Site Info configuration area and include language regarding age verification. This language should come from your legal council.
- ☑ ATS Clients should/may consider adding an Athlete Form for parental consent for children under the age of 16
- ☑ ATS clients should regularly update their privacy policy and notify athletes of changes.

Should you have any questions please contact us using the information below.

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