

MOTORCYCLING AUSTRALIA POLICY

Title:	Privacy Policy
Last Review Date:	11 August 2020
Next Review Date:	August 2022
Responsible Persons:	Motorcycling Australia Board
Authority:	This Policy is made under clause 15 of the MA Constitution. It is binding on all Members of MA and volunteers, and all employees of MA and its State Controlling Bodies, and is to be interpreted in accordance with the MA Constitution.

1. PURPOSE

- 1.1 This Policy highlights MA's commitment to the protection of Member's personal information and sets out:
- 1.1.1 What personal and sensitive information MA collects;
 - 1.1.2 How MA collects personal and sensitive information;
 - 1.1.3 How MA uses or discloses personal and sensitive information;
 - 1.1.4 How individuals can access or seek correction of information held by MA; and
 - 1.1.5 Who to contact regarding privacy issues and complaints.
- 1.2 By providing your personal information to MA you consent to its use, storage and disclosure in accordance with this Privacy Policy.
- 1.3 This Policy provides for the way in which MA, its SCBs and affiliated clubs and entities (affiliates) may collect, use, store and disclose information.

2. DEFINITIONS AND INTERPRETATION

- 2.1 **MA** means Motorcycling Australia Ltd.
- 2.2 **Member** has the meaning given to it by the MA Constitution.
- 2.3 **Sport** means the sport or recreational activity of motorcycling.
- 2.4 **WWCC** means working with children or equivalent check .
- 2.5 Headings are for convenience only and do not affect interpretation and unless the context indicates a contrary intention.

2.6 "Includes" in any form is not a word of limitation.

2.7 A reference to "month" is to a calendar month.

2.8 A reference to "\$" or "dollar" is to Australian currency.

3. WHAT PERSONAL AND SENSITIVE INFORMATION IS COLLECTED?

3.1 Personal Information

3.1.1 Generally, personal information is information or an opinion (including information or an opinion forming part of a database) from which it is possible to determine someone's identity.

3.1.2 The information collected by MA about a particular person will vary depending on the circumstances of collection. It may include, but is not limited to, a person's contact details (name, email and/or postal address, phone number), date of birth, gender, credit card details, driver licence number, passport number, insurance details, employment history, qualifications or communication history with MA.

3.2 Sensitive Information

3.2.1 Sensitive information is a type of personal information that also includes information or an opinion about:

- (a) racial or ethnic origin;
- (b) political opinions;
- (c) membership of a political association, professional or trade association or trade union;
- (d) religious beliefs or affiliations or philosophical beliefs;
- (e) sexual preferences or practices;
- (f) criminal record; or
- (g) health, genetic information or disability.

3.2.2 If it is reasonably necessary in the circumstances, MA may also collect sensitive information such as a person's medical history, nationality, their ethnic background or disabilities.

3.2.3 MA is required by law to obtain consent when collecting sensitive information. MA will assume consent to the collection of all sensitive information that is provided to it for use in accordance with this Privacy Policy, unless told otherwise. Whenever possible MA will alert persons providing sensitive information that by providing the information they are consenting to its use and disclosure in accordance with this Privacy Policy.

4. HOW IS PERSONAL AND SENSITIVE INFORMATION COLLECTED?

4.1 Information may be collected when you:

- 4.1.1 become a Member ;
- 4.1.2 subscribe to any publication of MA or a MA affiliate, including electronic publications;
- 4.1.3 provide details to MA or a MA affiliate in an application form, consent form, survey, feedback form or incident report;
- 4.1.4 enter personal information into, or agree to having your personal information entered into, any MA online system;
- 4.1.5 access the MA website;
- 4.1.6 contact MA via email, telephone or mail or engage with MA via social media;
- 4.1.7 participate in any MA-permitted program, activity, competition or event;
- 4.1.8 purchase tickets to an MA event from MA or an authorised agent;
- 4.1.9 purchase merchandise, products or services from MA or an authorised agent or licensee;
- 4.1.10 are elected or appointed to the Board or a committee of MA, an SCB or an affiliated club;
- 4.1.11 apply for employment or a volunteer position with MA, an SCB or a MA affiliate; or
- 4.1.12 where MA is required to do so by law (for education, VET training, child protection, Work health and safety laws, AVETMISS, charitable collections, Medical Treatment or other legislation in Australia).

4.2 Providing information

- 4.2.1 Depending on the circumstances, some types of information will be required and others might be optional. If you do not provide some or all of the information requested, this may affect MA's ability to communicate with you or provide the requested products or services.
- 4.2.2 By not providing requested information, you may jeopardise your ability to participate in programs or competitions or to apply for employment or volunteer positions with MA, an SCB or a MA affiliate. If it is impracticable for MA to deal with you as a result of you not providing the requested information or consents, MA may refuse to do so.

4.3 Collection from third parties

- 4.3.1 MA, an SCB or a MA affiliate may collect personal information regarding a child from the parent or other responsible person associated with that child.
- 4.3.2 In some circumstances, MA collects information from SCBs, MA affiliates or other third parties. Examples of such third parties could include, without limitations, the Australian Institute of Sport (AIS), the Australian Sports Commission (ASC), non-affiliated MA organisations or government and law enforcement bodies.

4.4 Information storage and protection

- 4.4.1 MA stores information in different ways, including on paper and in electronic form. Much of the information MA collects from and about its Members is added to MA's database which is hosted by a third party database storage provider. When your information is entered into this database, the information may be combined or linked with other information held about you.
- 4.4.2 Security of personal information is important to MA. MA has taken steps to protect the information it holds from misuse, loss, unauthorised access, modification or disclosure. Some of the security measures MA uses includes strict confidentiality requirements of its employees, volunteers, MA affiliates and service providers, as well as security measures for system access, and security measures for our website such as firewalls and system encryption.
- 4.4.3 MA is required to comply with the Federal Government Notifiable database Breaches Scheme (NDBS). When MA has had a database breach that could result in serious harm, MA will notify the individual(s) that is/are affected. MA, when notifying the individual(s) and the Australian Information Commissioner, will also outline what steps will be undertaken in response to the breach. A review of the breach will be undertaken, and action(s) implemented to prevent a future breach.

5. HOW IS PERSONAL AND SENSITIVE INFORMATION USED AND DISCLOSED?

5.1 Use

- 5.1.1 MA, and third parties to whom it may disclose personal information in accordance with this Privacy Policy, may use your personal information to:
- (a) verify your identity;
 - (b) complete background checks;
 - (c) research, develop, run, administer and market competitions, programs, activities and other events relating to a variety of MA-permitted events and activities including but not limited to competitions and events, membership management, education offerings and organisation, social events and police or other legal agencies for the purposes of medical treatment amongst others;
 - (d) research, develop and market products, services, merchandise and special offers made available by MA and third parties;
 - (e) respond to emergency situations involving or requiring medical treatment;
 - (f) administer, manage and provide you with access to MA database(s), self service portal and other IT based applications; and
 - (g) keep you informed of news and information relating to various Motorcycling events, activities and opportunities via various mediums.
- 5.1.2 MA may use health information as part of the planning for any MA-permitted event including any special health needs of participants. Health information may also be kept for insurance purposes. In addition, MA may use de-identified health information and other

sensitive information to carry out research, to prepare submissions to government or other regulatory bodies, or to plan events and activities. MA will not use health information for the purposes of providing a Health Service as defined under the *Privacy Act 1988*.

5.2 Disclosure

5.2.1 Your personal information may be disclosed to a range of organisations which include, but are not limited to:

- (a) MA affiliates and other organisations involved in MA-permitted events;
- (b) companies MA engage to carry out functions and activities on MA's behalf, including direct marketing;
- (c) MA's professional advisers, including its accountants, auditors and lawyers;
- (d) MA's insurers;
- (e) MA companies, subsidiaries and affiliates;
- (f) relevant sporting bodies such as ASC, AIS, SIA , various National Sporting bodies, and Federal and State Departments of sport amongst others; and
- (g) in other circumstances permitted by law.

5.2.2 In some circumstances, personal information may also be disclosed outside of Australia. In such circumstances, MA will take reasonable steps to ensure such parties are subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are suitably similar to the Australian Privacy Principles.

5.2.3 Any disclosure will be on such terms and conditions as MA determines taking into account the circumstances of the disclosure but always with the best interests of the parties whose personal information is being disclosed.

5.3 Direct marketing

5.3.1 Unless you advise MA otherwise, MA will assume consent to use non-sensitive personal information to provide to you better services and marketing purposes (including disclosure of such information to service providers).

5.3.2 Every person whose data is collected by MA has the option to refuse e-mail, SMS or posted offers. You may do this by the opt-out procedures included in any communication from MA (information relating to the option to unsubscribe from those communications may be retained).

5.3.3 If you are still not satisfied at the communication you are receiving, you can also write to MA's Chief Executive Officer whose contact details are set out below.

5.4 Other disclosures

5.4.1 In addition, MA may also disclose personal information:

- (a) with your express or implied consent;

- (b) when required or authorised by law;
- (c) to an enforcement body when reasonably necessary; or to lessen or prevent a threat to an individual or public health or safety.

5.5 Website

- 5.5.1 When users visit the MA website, MA's systems may record certain information about their use of the site, including the web pages visited and the time and date of their visit. MA uses this information to help analyse and improve the performance of the MA website.
- 5.5.2 In addition, MA may use "cookies" on the MA website. Cookies are small text files that help a website to remember the preferences of users to improve the experience of using that website. In some cases, the cookies that we use may collect some personal information. MA will treat this information in the same way as other personal information it collects. You may disable cookies on your internet browser to prevent this information being collected; however, you may lose the benefit of an enhanced website experience that the use of cookies may offer.
- 5.5.3 Websites linked to the MA website are not subject to MA's privacy standards, policies or procedures. MA does not take any responsibility for the collection, use, disclosure or security of any personal information that you provide to a third party website.

6. ACCESSING AND SEEKING CORRECTION OF INFORMATION HELD

- 6.1 MA will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up-to-date. However, MA relies on the accuracy of personal information as provided to it both directly and indirectly.
- 6.2 MA also relies on its affiliates and volunteers to enter data and take all reasonable steps to ensure that data is accurately recorded.
- 6.3 MA encourages all users to regularly review and update their personal information on MA's database and via the "members portal" link.
- 6.4 Individuals may also request access to their personal information held by MA by making a request via the contact details set out below. MA will respond to your request for access within 14 days and endeavour to provide the requested information within 30 days. If you find that the personal information MA holds about you is inaccurate, incomplete or out-of-date, please contact MA immediately and MA will see that it is corrected.

7. RESOLVING PRIVACY ISSUES AND COMPLAINTS

- 7.1 Any issues or complaints in relation to the collection, use, disclosure, quality, security of and access to your personal information may be made to the MA Privacy Officer at this address:

Chief Executive Officer
Motorcycling Australia
PO Box 2162 Gladstone Park Vic 3043
Phone: (+61) 03 9684 0500
Fax: (+61) 03 9684 0555
Email: mail@ma.org.au
Web: www.ma.org.au

- 7.2 MA will respond to your complaint within 30 days and endeavour to resolve it within 90 days. If MA is unable to resolve your complaint within this time, or you are unhappy with the outcome, you can contact the Office of Australian Information Commissioner via its enquiries line 1300 363 992 or website <http://www.oaic.gov.au/> to lodge a complaint.
- 7.3 For further information on MA's management of personal information, please contact MA. MA may amend this Privacy Policy from time to time.

8. TEMPLATE PRIVACY DECLARATION FOR THIRD PARTY SYSTEMS

- 8.1 Privacy laws require organisations to notify individuals at the time that the information is collected. Below is a declaration that can be used by MA and its affiliates at the point of data collection (as a suggestion) in order to comply with the new requirements:

“Privacy: I understand that the information I have provided in this form is necessary for the proper management of this activity and for the administration of Motorcycling related activities in Australia.

The information is collected in accordance with the MA Privacy Policy (available at www.ma.org.au).

MA may share my information in accordance with the Privacy Policy and it may also be used to notify me of other events, news, and to offer the provision of services, including by third-party providers, to me.

I understand that the MA Privacy Policy contains information about how I may access and request correction of my personal information held by MA, or make a complaint about the handling of my personal information, and provides information about how a complaint will be dealt with by MA. If the information is not provided, my application may be rejected or services may be unable to be provided to me.

I acknowledge that if I do not wish to receive promotional material from MA sponsors and third parties I may advise in writing or via the opt-out process provided in the relevant communication.

Privacy complaints should be directed to MA.”