

MOTORCYCLING AUSTRALIA POLICY

Title:	Privacy Policy
Last Review Date:	25 March 2024
Next Review Date:	April 2026 (or as required by law)
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.

The protection of personal information is important to Motorcycling Australia Limited (**MA**). MA is committed to respecting the right to privacy and the protection of personal information.

This document sets out:

- What personal and sensitive information MA collects;
- How MA collects personal and sensitive information;
- How MA uses or discloses personal and sensitive information;
- How individuals can access or seek correction of information held by MA; and
- Who to contact regarding privacy issues and complaints.

By providing your personal information to MA by whatever means, you consent to its use, storage and disclosure in accordance with this Privacy Policy.

This Policy provides for the way in which MA may collect, use, store and disclose information. Third party commercial entities and subsidiaries, whether owned or acting on behalf of MA, may be subject to privacy laws and may be governed by their own privacy policies. MA will always do its utmost to ensure that personal information is respected and protected.

1. WHAT PERSONAL AND SENSITIVE INFORMATION DOES MA COLLECT?

1.1 Personal Information

- 1.1.1 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.
- 1.1.2 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.

1.2 Sensitive Information

1.2.1 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.

1.2.2 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.

1.2.3 MA is required by law to obtain consent when collecting sensitive information. MA assumes, and will assume, consent to the collection of all sensitive information that is provided to it for use in accordance with this Privacy Policy, unless you expressly tell us otherwise.

2. HOW DOES MA COLLECT PERSONAL AND SENSITIVE INFORMATION?

2.1 Information may be collected when you:

- 2.1.1 become a member of MA or other body which is a member of, or affiliated with, MA;
- 2.1.2 subscribe to any publication of MA including electronic publications;
- 2.1.3 provide details to MA in an application form, consent form, survey, feedback form or incident report;
- 2.1.4 enter personal information into, or agree to having your personal information entered into, a MA online system;
- 2.1.5 access any MA website;
- 2.1.6 contact MA via email, telephone or mail or engage with MA via social media;
- 2.1.7 participate in any program, activity, competition or event run by MA;
- 2.1.8 purchase tickets to a MA activity event from MA or an authorised agent;
- 2.1.9 purchase merchandise, products or services from MA;
- 2.1.10 are elected or appointed to the Board or a committee of MA;
- 2.1.11 apply for employment or a volunteer position with MA; or
- 2.1.12 where MA is required to do so by law (for education, VET training, child protection, Work health and safety laws, AVETMISS, charitable collections, Good Samaritan, Medical Treatment or other legislation in Australia).

- 2.2 MA may provide a link to this Privacy Policy at each point of collection.
- 2.3 Providing information
- 2.3.1 Depending on the circumstances, some types of information will be required, and others might be optional. If you do not provide some or all the information requested, this may affect MA's ability to communicate with you or provide the requested products or services.
- 2.3.2 Not providing requested information, may jeopardise your ability to participate in programs or competitions or apply for employment or volunteer positions with MA. If it is impracticable for MA to deal with you because of you not providing the requested information or consents, MA may refuse to do so.
- 2.4 Collection from third parties
- 2.4.1 MA may collect personal information regarding a child from the parent or other responsible person associated with that child. Where MA does collect such information the parent or other responsible person associated with that child consents to the collection
- 2.4.2 In some circumstances, MA collects information from other sporting entities or other third parties.
- 2.4.3 Examples of such third parties could include, without limitation, Australian Sports Commission (**ASC**), Sport Integrity Australia (**SIA**), Australian Olympic Committee (**AOC**), Paralympics Australia (**MA**) and other NSOs and other non-affiliated MA sport organisations or government and law enforcement bodies.
- 2.5 Information storage and protection
- 2.5.1 MA stores information in different ways, including in paper and electronic form. Much of the information collected from and about MA's members is added to MA's database which is hosted by a third-party data storage provider. When your information is entered into MA's database, the information may be combined or linked with other information held about you.
- 2.5.2 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 including:
- (a) The database is fortified with SSL encryption and robust password protection;
 - (b) Data is encrypted at rest and in transit;
 - (c) The application is protected by a market leading web application firewall;
 - (d) Credit card information is not stored in the database; and
 - (e) MA's employees, volunteers, other Motorcycling entities and service providers are subject to strict confidentiality requirements and security measures for system access.
- 2.5.3 MA is required to comply with the Federal Government Notifiable Data Breaches Scheme. When MA has had a data breach that could result in serious harm, MA will notify the individual(s) that is/are affected. MA when notifying the individual(s) and 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.

3. MA'S USE AND DISCLOSE OF PERSONAL AND SENSITIVE INFORMATION?

3.1 Use

3.1.1 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 Motorcycle sport, membership management, education offerings and organisation, social events, 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 us and third parties;
- (e) respond to emergency situations involving or requiring medical treatment;
- (f) administer, manage and provide you with access to MA websites and other IT based applications; and
- (g) keep you informed of news and information relating to various MA events, activities and opportunities via various mediums.

3.1.2 MA may use and store health information:

- (a) to ensure that programs it operates are run safely and in accordance with any special health needs participants may require;
- (b) for competition classification purposes; or
- (c) for insurance purposes.

3.1.3 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 does not provide a "health service" as defined under the *Privacy Act 1988* and will not use health information for the purposes of providing a "health service" as defined under the *Privacy Act 1988*.

3.2 Disclosure

3.2.1 MA may disclose your personal information to a range of organisations which include, but are not limited to:

- (a) MA affiliates and other organisations involved in Motorcycle sport;
- (b) companies MA engages to carry out functions and activities on MA's behalf, including direct marketing;
- (c) our professional advisers, including our accountants, auditors and lawyers;

- (d) our insurers;
- (e) police and other legal agencies;
- (f) MA companies, subsidiaries and affiliates; and
- (g) sporting bodies such as ASC, SIA, AOC, MA, Commonwealth Games Australia, other NSOs and Federal and State Departments of sport amongst others; and in other circumstances permitted by law.

3.2.2 In some circumstances, personal information may also be disclosed outside of Australia. In such circumstances, MA will use its best endeavours 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.

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

3.3 Direct marketing

3.3.1 MA assumes, and will assume, your consent to use non-sensitive personal information to provide to you better services and marketing purposes (including disclosure of such information to service providers). If you do not so consent to MA's use of non-sensitive personal information for marketing purposes, please advise MA.

3.3.2 Every person whose data is collected by MA including you have the option to refuse e-mail, SMS or posted offers. You can do this by updating the direct marketing settings in your user portal in MA's database (if offered) or via the opt-out procedures included in any communication from MA (information relating to the option to unsubscribe from those communications may be retained).

3.3.3 If you are still not satisfied at the communication you are receiving, please write to MA via the contact details set out below.

3.4 Other disclosures

3.4.1 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
- (d) to lessen or prevent a threat to an individual or public health or safety.

3.5 MA website

3.5.1 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 may use this information to help analyse and improve the performance of the MA website.

3.5.2 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 can disable cookies on your internet browser to prevent this information being collected. You may however lose the benefit of an enhanced website experience that the use of cookies may offer.

- 3.5.3 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.

4. ACCESS TO AND CORRECTION AND DELETION OF INFORMATION HELD BY MA

- 4.1 MA will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up to date. MA relies on the accuracy of personal information as provided to us both directly and indirectly.
- 4.2 MA also relies on members to enter data and make their best endeavours to ensure data is accurately recorded. If your personal information changes, please notify MA.
- 4.3 All users should regularly review and update their personal information on the MA database and via the "members portal" link (if available) or otherwise by notifying MA.
- 4.4 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 us immediately and we will see that it is corrected.
- 4.5 Subject to any Australian law, or a court/tribunal order, requiring MA to retain the information MA will delete or de-identify information that it no longer needs ed.

5. RESOLVING PRIVACY ISSUES AND COMPLAINTS

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

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

- 5.2 MA will respond to your complaint within 30 days and try 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.
- 5.3 For further information on MA's management of personal information, please contact MA.
- 5.4 MA may amend this Privacy Policy from time to time.

6. TEMPLATE PRIVACY DECLARATION FOR THIRD PARTY SYSTEMS

- 6.1 Privacy laws require organisations to notify individuals at the time that the information is collected. Below is a declaration that can be used at the point of data collection (as a suggestion) to comply with the new requirements:
- 6.2 I understand that the information I have provided in this system is necessary for the proper management of this activity and for the administration of Motorcycle sport related activities in Australia.
- 6.3 The information is collected in accordance with the MA Privacy Policy (available at www.ma.org.au).
- 6.4 I acknowledge my information may be shared with other Paddling Organisations and third parties in accordance with the MA Privacy Policy. It may also be used to notify me of other events, news, and to offer me the provision of services, including by third-party providers.
- 6.5 I understand that the MA Privacy Policy contains information about how I may access and request correction of my personal information held by a Paddling Organisation, or make a complaint about the handling of my personal information, and provides information about how a complaint will be dealt with. If the information is not provided, my application may be rejected or services may be unable to be provided to me.
- 6.6 I acknowledge that if I do not wish to receive promotional material from sponsors and third parties I may advise in writing or via the opt-out process provided in the relevant communication.
- 6.7 Privacy complaints should be made to the MA Privacy Officer at:
Privacy Officer
Motorcycling Australia
PO Box 1062
GLADSTONE PARTK VIC 3043