

## 1. Objective of Policy

The objective of this Policy is to outline the privacy obligations and guidelines relating to the use and access of personal and sensitive information by Motorsport Australia.

## 2. Scope of Policy

- (a) This policy document is intended to enable all people who interact with Motorsport Australia to understand what types of personal information we collect, and what we do with such information in performing our functions and in light of our privacy obligations.
- (b) Motorsport Australia:
  - (i) is committed to protecting the privacy of the personal information we collect and receive. This Privacy Policy seeks to explain how Motorsport Australia collects, uses, discloses and otherwise handles personal information. It also seeks to explain how individuals can access and correct the personal information we hold or complain about any suspected privacy breach;
  - (ii) recognises that privacy is important and that individuals have a right to access their personal information held by Motorsport Australia;
  - (iii) is committed to complying with the Australian Privacy Principles set out in the Privacy Act 1998 (Cth) (Privacy Act) (and state and territory equivalents).
- (c) This policy is created in accordance with the Australian Privacy Principles and is binding on Motorsport Australia and its related bodies corporate.

## 3. Definitions

Capitalised terms used in this Policy have the following meanings unless stated otherwise:

- (a) **FIA** means the Fédération Internationale de l'Automobile;
- (b) **Motorsport Australia** means the Confederation of Australian Motor Sport Ltd. trading as Motorsport Australia.

## 4. What Personal Information May Be Collected?

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.

The information collected by Motorsport Australia about a particular individual will vary depending on the circumstances of collection. It may include, but is not limited to, an individual'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 Motorsport Australia.

From time to time Motorsport Australia may collect information from individuals in relation to Motorsport Australia's activities. This information may include but not be limited to personal information such as the individual's:

- (a) name;
- (b) contact details such as their address, phone number and email address;
- (c) gender, age and financial and marital status;
- (d) motor sport experience and qualifications;
- (e) vehicle details;
- (f) club affiliations;
- (g) medical condition and history;
- (h) manner and method of use of Motorsport Australia's services (and details about where those services were accessed);
- (i) history of offences and other acts which may be prejudicial to the interests of motor sport; and
- (j) other information specifically provided by individuals to Motorsport Australia or which is relevant to their participation in motor sport.

## 5. Sensitive Information

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

- racial or ethnic origin;
- political opinions;
- membership of a political association, professional or trade association or trade union;
- religious beliefs or affiliations or philosophical beliefs;
- sexual preferences or practices;
- criminal record; or
- health, genetic information or disability.

If it is reasonably necessary in the circumstances, Motorsport Australia may also collect sensitive information such as an individual's medical history, nationality, their ethnic background or disabilities.

Motorsport Australia is required by law to obtain consent when collecting sensitive information. Motorsport Australia 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.

## 6. How Personal Information is Collected

Motorsport Australia will not collect personal information unless the information is reasonably necessary for, or directly related to, one or more of Motorsport Australia's objects, functions or activities. Motorsport Australia will only collect personal information by lawful and fair means and not in an unreasonably intrusive way.

Motorsport Australia may directly collect personal information data through various means, including but not limited to the following:

- (a) as part of an application for a licence, visa, permit or other permission required in relation to a Motorsport Australia related activity;
- (b) as a result of participating in a Motorsport Australia affiliated club or a motor sport activity;
- (c) when an individual contacts, or is contacted by, Motorsport Australia by any medium (including but not limited to electronic, tangible and personal means);
- (d) where an individual provides details to Motorsport Australia in an application, consent form, survey, feedback form, incident report or any other form of document;
- (e) where an individual engages with Motorsport Australia via social media;
- (f) where provided or made available by third parties (including but not limited to recruiters, timing recorders, government entities, track operators, event managers, promoters and organisers);
- (g) from Motorsport Australia's related entities, contractors, agents and employees;
- (h) from family members and other people involved in Motorsport Australia affiliated events;
- (i) searches for information which is publicly available;
- (j) when an individual applies for employment with Motorsport Australia;
- (k) from the use of any of Motorsport Australia's services (including its web based services and services provided by others on behalf of Motorsport Australia); and
- (l) where Motorsport Australia is required to do so by law (for education, VET training, child protection, work health and safety laws, charitable collections, medical treatment or other legislation in Australia).

## 7. Providing information

Depending on the circumstances, some types of information will be required and others might be optional. If an individual does not provide some or all of the information requested, this may affect Motorsport Australia's ability to communicate with that individual or provide the requested products or services.

By not providing requested information, an individual's ability to participate in programs or competitions or apply for employment or volunteer positions with Motorsport Australia may be jeopardised. If it is impracticable for Motorsport Australia



to deal with an individual as a result of them not providing the requested information or consents, Motorsport Australia may refuse to do so.

## 8. Collection from third parties

Motorsport Australia may collect personal information regarding a child from the parent or other responsible person associated with that child.

In some circumstances, Motorsport Australia collects information from other third parties. Examples of such third parties could include, without limitation, the Sport Australia, non-affiliated motor sport organisations or government and law enforcement bodies.

## 9. Information storage and protection

Motorsport Australia stores information in different ways, including in paper and electronic form. Much of the information collected from and about Motorsport Australia's members is added to Motorsport Australia's database which is hosted by a third-party data storage provider. When an individual's information is entered into this database, the information may be combined or linked with other information held about you.

Motorsport Australia has taken steps to protect the information we hold from misuse, loss, unauthorised access, modification or disclosure. Some of the security measures Motorsport Australia uses includes strict confidentiality requirements of employees, volunteers and service providers, as well as security measures for system access, and security measures for Motorsport Australia's website such as firewalls and system encryption.

Motorsport Australia seeks to protect all personal information from any unauthorised loss, disclosure or access. However, if a serious data breach occurs, Motorsport Australia must notify the affected individual as required under the Privacy Act regarding the circumstances of the breach, and must also advise the Office of the Australian Information Commissioner.

## 10. Indirect Collection of Personal Information

Motorsport Australia may also collect personal data indirectly about an individual through their use of Motorsport Australia's services and from other third parties. Such means may include but are not limited to:

- (a) placement of cookies and other electronic markers or files on an individual's computer; and
- (b) monitoring an individual's usage of Motorsport Australia's services (including its web based services).

## 11. Use of Personal Information

The primary purpose for which Motorsport Australia collects information is to enable it to perform its activities and functions and to provide the best possible quality of service.

To this extent, Motorsport Australia collects, holds, uses and discloses personal information for purposes which may include but are not limited to the following:

- (a) to provide products and services;
- (b) to provide news, information or advice about Motorsport Australia's activities, products and services;
- (c) to communicate with an individual including by email, mail or telephone;
- (d) to manage and enhance Motorsport Australia's activities, products and services;
- (e) to provide access to Motorsport Australia's services;
- (f) to conduct competitions or promotions on behalf of Motorsport Australia and selected third parties;
- (g) to verify an individual's identity and complete background checks;
- (h) to conduct business processing functions for operation of our websites or our business;
- (i) for Motorsport Australia's administrative (including billing), marketing (including direct marketing), promotional, planning, product/service development, quality control and research purposes, or those of Motorsport Australia's contractors or external service providers;
- (j) to respond to emergency situations involving or requiring medical treatment;
- (k) to investigate any complaints about or made by an individual, or if Motorsport Australia has reason to suspect that an individual is in breach of any of Motorsport Australia's terms and conditions or that they are or have been otherwise engaged in any unlawful activity; and
- (l) as required or permitted by any law (including the *Privacy Act*).

Motorsport Australia may use health information to ensure that programs it operates are run safely and in accordance with any special health needs participants may require. Health information may also be kept for insurance purposes. In addition, Motorsport Australia 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.

## 12. Disclosure of Personal Information

- (a) In order to achieve these purposes, Motorsport Australia may disclose personal information to third parties as permitted by law. Such third parties may include but not be limited to the following:
  - (i) Motorsport Australia's service providers, agents, employees and contractors;
  - (ii) Motorsport Australia's advisors, committees, commissions, auditors, insurers, sponsors and re-insurers;

- (iii) persons involved or interested in Motorsport Australia affiliated activities and/or in motor sport;
  - (iv) government and law enforcement agencies and regulators;
  - (v) relevant sporting bodies such as the FIA, Sport Australia, State Government departments of sport and recreation, Australian Sports Anti-Doping Authority or other national and state sporting organisations; and
  - (vi) investigators and assessors.
- (b) Motorsport Australia may also disclose personal information:
- (i) with an individual's express or implied consent;
  - (ii) when required or authorised by law;
  - (iii) to an enforcement body when reasonably necessary; or
  - (iv) to lessen or prevent a threat to an individual or public health or safety.

### 13. Non-Disclosure of Information

Individuals can always decide to not provide some or any personal information requested by Motorsport Australia. If a request to provide any personal information is declined Motorsport Australia may:

- (a) not be able to provide the product or service an individual has requested (such as memberships, licences or permits);
- (b) deny access in part or in full to the products and services Motorsport Australia provides (such as access to electronic and web based systems);
- (c) cancel a membership, permit or licence or prevent an individual from participating in a Motorsport Australia affiliated event; and
- (d) not be able to provide information about products and services that an individual may want, including information about discounts sales or special promotions.

### 14. Data-Security

- (a) Motorsport Australia will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. Motorsport Australia will also take reasonable steps to destroy or permanently de-identify personal information that it no longer requires.
- (b) If an individual suspects any misuse or loss of, or unauthorised access to, their personal information, they should immediately notify Motorsport Australia.

### 15. Marketing

- (a) Motorsport Australia may send marketing communications and information about its activities, products and services that it considers may be of interest. These communications may be sent in various forms, including mail, SMS or email, in accordance with applicable laws. If an individual indicates a preference

for a method of communication, Motorsport Australia will endeavour to use that method whenever practical to do so.

- (b) Motorsport Australia will endeavour to provide an option to opt out of receiving further marketing and promotional materials from Motorsport Australia where personal information is disclosed. In addition, an individual may contact Motorsport Australia at any time to request that any further promotional or marketing information is not sent directly to that individual.
- (c) Motorsport Australia should immediately be contacted in the event that an individual receives a communication from Motorsport Australia that is sent other than in accordance with this policy, or in breach of any law.

## 16. Motorsport Australia's website

- (a) When users visit the Motorsport Australia website, our systems may record certain information about their use of the site, including the web pages visited and the time and date of their visit. Motorsport Australia uses this information to help analyse and improve the performance of our website.
- (b) Motorsport Australia may use "cookies" on our 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. Motorsport Australia will treat this information in the same way as other personal information it collects. An individual is free to disable cookies on their internet browser to prevent this information being collected.
- (c) Websites linked to the Motorsport Australia website are not subject to our privacy standards, policies or procedures. Motorsport Australia cannot take any responsibility for the collection, use, disclosure or security of any personal information provided to a third party website.

## 17. Access and Correction

- (a) An individual may request access to any personal information held by Motorsport Australia about them at any time by contacting Motorsport Australia (details below). Where Motorsport Australia holds information that an individual is entitled to access, we will try to provide suitable means of accessing it (for example, by mail or email). Motorsport Australia will respond to a request for access within 14 days and endeavour to provide the requested information within 30 days.
- (b) Motorsport Australia will not charge for simply making a request and will not charge for making any corrections to personal information or for any reasonable costs incurred in delivering that information to an individual in Australia. Motorsport Australia may charge an individual for compiling, copying and providing information they have requested where we consider that the time and cost involved is unreasonable or excessive.
- (c) If a request for access is made, Motorsport Australia may ask for verification of identity. There may be instances where we cannot grant an individual access



to the personal information held by us and we will provide written reasons for not giving that information

- (d) If an individual believes that personal information held by Motorsport Australia about them is incorrect, incomplete or inaccurate, then Motorsport Australia may be asked to amend it. Motorsport Australia will consider if the information requires amendment and if we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that the individual disagrees with it.
- (e) Motorsport Australia requests that individuals keep their information as current as possible so that we can continue to improve our service.

## 18. Disclosure of Personal Information Outside of Australia

- (a) Motorsport Australia deals with others in countries outside of Australia and may disclose personal information to others located overseas for some of the purposes listed in this policy. Motorsport Australia takes reasonable steps to ensure that the overseas recipients of personal information do not breach the privacy obligations relating to that personal information.
- (b) Some of the overseas entities to whom Motorsport Australia may disclose personal information include:
  - (i) the FIA in France and other sporting organisations worldwide (predominantly in western countries and Asia but may include other countries in which motor sport related activities may be conducted);
  - (ii) service providers engaged by Motorsport Australia in relation to our activities; and
  - (iii) entities which engage Motorsport Australia to provide services.

## 19. Complaints, Further Information and Future Changes

- (a) Any complaints in relation to the collection, use, disclosure, quality, security and access of personal information or a breach of this policy, the *Privacy Act* or the *Australian Privacy Principles* by Motorsport Australia may be made to Motorsport Australia's Legal Counsel, who may be contacted as follows:

Legal Counsel  
Motorsport Australia  
275 Canterbury Road  
Canterbury, VIC, 3126

Phone: 1300 883 959

- (b) Motorsport Australia will respond to a complaint within 30 days and try to resolve it within 90 days. If we are unable to resolve a complaint within this time, or an individual is unhappy with the outcome, they can contact the Office of the Australian Information Commissioner via its enquiries line 1300 363 992 or website <http://www.oaic.gov.au/> to lodge a complaint.
- (c) Motorsport Australia may amend this Policy from time to time.



## 20. Implications for Non-Adherence

Any breach of this Policy by may result in disciplinary action being taken by Motorsport Australia against any individual responsible for such breach. Disciplinary action may include but not be limited to suspension of duties or obligations or termination of employment or other arrangements with Motorsport Australia.

## 21. Related Rules, Policies or Procedures

- (a) Motorsport Australia Constitution.
- (b) Motorsport Australia Member Protection Policy.

## 22. General

- (a) The Policy Manager is the Motorsport Australia Legal Counsel to whom any questions in relation to this Policy should be directed.
- (b) This Policy was first adopted by Motorsport Australia on 16 April, 2014.

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