

MOTORSPORT AUSTRALIA ELECTRONIC EVENT ENTRY GUIDE

The Confederation of Australian Motor Sport Ltd (**trading as Motorsport Australia**) recognises the importance of online event entry systems and their role in reducing the administrative burden of organising Motorsport Australia permitted events (**Event**). Online entry systems can, when used correctly, remove the need to obtain a Participant or Entrant's physical signature on a form when they enter an Event.

However, it is critical that these systems meet certain legal requirements so that they are effective in obtaining each Participant and Entrant's agreement to Motorsport Australia's Disclaimer (available at <https://www.motorsport.org.au/events/disclaimers>). Obtaining their agreement to Motorsport Australia's Disclaimer is not only a requirement of Motorsport Australia's insurer, but it also assists in reducing Event Organisers, Motorsport Australia and others legal liability arising from an Event. Motorsport Australia relies on Event Organisers to correctly obtain Participants and Entrants agreement to Motorsport Australia's Disclaimer.

An electronic event entry system can be used by Event Organisers to obtain agreement to Motorsport Australia's Disclaimer provided one of the following three requirements has been satisfied:

- (a) Event registration is completed using Motorsport Australia Event Entry. Motorsport Australia has satisfied itself that it meets the requirements of the *Electronic Transactions Act 2000* (Cth) (**Act**) (available at <https://www.legislation.gov.au/Series/C2004A00553>).
- (b) Obtain a signed hard copy of the Motorsport Australia Disclaimer from all Participants and Entrants at the Event. The entry to the Event may still be booked and organised with an electronic system, however a signed form which includes Motorsport Australia's Disclaimer must be obtained in writing in order to ensure that it is legally binding on the Participant and Entrant.
- (c) Verify the compliance of the Event Organiser's own electronic event entry system with the Act and confirm this to Motorsport Australia. In order to verify this to Motorsport Australia the following must be completed:
 - (i) The Event Organiser's online entry system is designed to ensure that the Participant gives their legally binding consent to Motorsport Australia's Disclaimer in accordance with Motorsport Australia's National Competition Rules and the Act. Compliance with the Act will generally require the following steps:
 - (A) Obtaining the details of the Participant or Entrant.
 - (B) Taking steps to confirm that the details provided are correct.
 - (C) Presenting the Motorsport Australia Disclaimer to the confirmed Participant or Entrant.
 - (D) Confirming that the Participant or Entrant agrees to granting their approval to Motorsport Australia's Disclaimer by use of the Event Organiser's website.
 - (E) Obtaining and recording the Participant or Entrant's agreement to the Motorsport Australia Disclaimer.

Note: A guide to the Act is available on the Attorney-General's website (<https://www.ag.gov.au/RightsAndProtections/ECommerce/Pages/default.aspx>).

- (ii) A letter is obtained by the Event Organiser from an Australian qualified legal practitioner and then provided to Motorsport Australia which confirms that the Event Organiser's system that has been put in place meets the requirements and obligations of the Act and this Guide. This letter must be reissued where any changes are made to the Event Organiser's system which affect the requirements of the Act.

The information in this guide is general in nature and should be not relied on as, legal advice. Motorsport Australia recommends seeking advice from a qualified lawyer on the legal issues affecting you before acting on any legal matter.

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