



# BMX AUSTRALIA

## Privacy Policy

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### **Protecting Privacy and Application of this Policy**

1.1 BMX Australia Limited (BMXA) is the governing body of BMX in Australia. BMX Australia manages and promotes various BMX programs.

1.2 In its role as the governing body of BMX in Australia, BMX Australia is committed to the protection of your personal information in accordance with the National Privacy Principles set out in the Privacy Act 1988 (Cth).

1.3 This document sets out how BMXA may collect, hold, use and disclose personal information. By providing your personal information to BMXA, you consent to its use, storage and disclosure in accordance with this Privacy Policy.

1.3 In Australia, BMX programs, events and activities are implemented and conducted by a number of different BMX organisations across the country. Accordingly, BMX Australia has developed this privacy policy to apply to each Australian BMX Organisation (ABO).

1.4 For the purpose of this policy, each of the following is an ABO:

- (a) BMX Australia,
- (b) Member Associations, being the governing body of BMX in each Australian State and Territory known as BMX ACT, BMX Victoria, BMX New South Wales, BMX Queensland, BMX NT, BMX Western Australia, BMX SA and BMX Tasmania,
- (c) Affiliated Clubs, being those clubs (other than Member Associations, Regional Associations and Affiliated Clubs) which are affiliated to BMX Australia from time to time in accordance with its constitution,
- (d) Member Affiliated Clubs, being those clubs (other than Regional Associations and Affiliated Clubs) which are members of or affiliated to Member Associations and/or Affiliated Clubs,
- (e) Regional Associations, means those regional or metropolitan BMX associations which are members of, or affiliated to, a Member Association,
- (f) Affiliated Clubs, being those BMX clubs, which are a member of or affiliated to a Regional Association and/or Member Association,

if they are required to have a privacy policy under Australian privacy laws, and they have not chosen to adopt a separate privacy policy.

1.5 This privacy policy describes the manner in which ABOs may collect, hold and use personal information. By providing your personal information to an ABO, you consent to its use, storage and disclosure in accordance with this privacy policy.

1.6 It is important to note that only BMX organisations that are members of or affiliated with BMX Australia can be an ABO. If you choose to deal with a non-member or non-affiliated BMX organisation, this privacy policy will not apply.

1.7 BMX Australia may, from time to time, review and update this privacy policy to adapt to changing business practises, and to take into account new laws and technology. The use, storage and disclosure of all personal information held by an ABO will be governed by the most recent privacy policy.

## **2. What is “Personal Information”?**

“Personal information” means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

## **3. How is personal information collected?**

3.1 Generally, an ABO will collect personal information directly from you. You may decide to provide your personal information to an ABO for a range of different reasons. By way of example:

- (a) you may be a BMX rider or member
- (b) you may wish to attend a BMX activity or event;
- (c) you may wish to purchase a ticket or a corporate hospitality package to a BMX event;
- (d) you may attend a BMX event and elect to provide your personal information while at the event;
- (e) you may wish to be a BMX Australia Coach or Official;
- (f) you may wish to apply for employment at, or volunteer for, an ABO;
- (g) you may wish to provide services to an ABO; or
- (h) you may enter a competition or promotion being conducted by an ABO.

3.2 Personal information can be collected by an ABO in a number of ways and through a number of mediums. By way of example, personal information can be collected:

- (a) when you provide your personal information, or agree to your personal information being provided via one of BMX Australia’s websites, including without limitation <http://www.bmxaustralia.com.au/>, or a website managed by another ABO (Websites).
- (b) when you provide your personal information or agree to your personal information being provided via the BMXA App.
- (c) when you enter your personal information, or agree to your personal information being entered into one of BMX Australia’s online IT systems including, without limitation, MyBMX, or a system managed by another ABO (IT Systems).
- (d) when you email an ABO or contact an ABO by telephone or mail;
- (e) when you engage with an ABO via social media;
- (f) when you elect to receive BMX related newsletters or other information;
- (g) when you enter a competition that is being conducted by, or on behalf of, an ABO;
- (h) when you purchase tickets to a BMX event from an ABO or an authorised agent or licensee;
- (i) when you purchase merchandise from an ABO or an authorised agent or licensee;
- (j) when you purchase other products or services from an ABO or an authorised agent or licensee; and/or
- (k) when you provide an ABO with information in an application or consent form, survey, feedback form or incident report.

3.3 An ABO may collect personal information regarding a child from the parent or other ‘responsible person’ associated with that child. At times an ABO may collect personal information regarding an adult from another ‘responsible person’ associated with that adult.

3.4 An ABO may also collect and use personal information that is given to it by another ABO or a third party in the course of its business, if that collection is reasonably necessary for an ABO’s or the third party’s legitimate functions or activities. Examples of such third parties could include, without limitation, the ITF, The Australian Institute of Sport, the Australian Olympics Committee, non-affiliated BMX organisations, BMX Australia Coaches or Law enforcement bodies.

3.5 An ABO may, at times, collect information on publicly maintained records, if that collection is reasonably necessary for the ABO’s legitimate functions or activities.

#### **4. What personal information may be collected about you?**

4.1 The kinds of personal information that an ABO collects about you will depend on the primary purpose for which such information was collected. An ABO may collect and store various kinds of information about you in connection with its legitimate functions and activities, including, without limitation:

- (a) 'contact information', such as your name, phone numbers, address details, email address and social media details;
- (b) your date of birth, age, gender, BMX rankings and results;
- (c) details of BMX programs that you have participated in and the organisations that you have participated with;
- (d) details of a disability you may suffer, if you elect to provide that information to allow the ABO to provide you with relevant services and information;
- (e) details of your cultural background, nationality, and language(s) spoken, if you elect to provide that information to allow the ABO to provide you with culturally sensitive information and services;
- (f) copies of communications between an ABO and you;
- (g) information regarding any outstanding payments owed by you to an ABO;
- (h) other personal information provided voluntarily by you. For example, this could be information provided in response to surveys or competitions;
- (i) payment details, if you apply for membership, purchase of goods or services from, or make other payments to, an ABO or their agents, licensees or contactors;
- (j) details of your academic qualifications, results, professional interests, reference checks, car registration and drivers licence details (if applicable), if you apply for employment or volunteer positions with an ABO;
- (k) background checks, including reference checks, police checks, working with children checks and completed member protection declarations and related documents. This information may be obtained and retained about you if:
  - (i) you apply for, and/or obtain employment or volunteer positions;
  - (ii) you apply for and/or obtain BMX Australia Coach or Official Membership;
  - (iii) you are proposing to, or provide certain services to an ABO;
  - (iv) you apply for and/or obtain accreditation at a BMX event;
  - (v) you are a BMX rider participating in one of our programs or a BMX tournament, competition or event; or
  - (vi) the ABO otherwise considers it appropriate to obtain background checks in relation to you before entering into contracts, arrangements or understandings with you, or entities related to you;
- (l) medical information and emergency contact details. For example, this information may be held about you if you are a BMX player/rider and/or have elected to participate in fitness or sporting activities;
- (m) non-personally identifiable information, such as your IP address, browser type, web pages visited etc.; and/or
- (n) other personal information that is relevant to the conduct of the ABO's legitimate activities.

4.2 Some of the information that you give to an ABO may be required. Other information may be optional. If you do not give an ABO some of, or all, the personal information that it requests, it may affect the ABO's ability to communicate with you. It may also affect the ABO's ability to provide products or services to you and it may affect your ability to participate in programs conducted by an ABO or apply for employment or volunteer positions with an ABO. If it is impracticable for an ABO to deal with you in circumstances where you have not provided the information or consents that it has requested, it may decline to do so.

#### **5. How can an ABO use and disclose the personal information it collects about you?**

5.1 An ABO may use and disclose your personal information for the primary purpose for which it was collected and secondary purposes related to the primary purpose. You acknowledge that such primary and secondary purposes may include, without limitation:

- (a) to verify your identity and reduce the likelihood of duplications in IT Systems and Websites;
- (b) to complete and retain background checks;
- (c) to maintain the Australian BMX rankings;
- (d) to provide you with products or services you have requested;
- (e) to provide you with information about relevant activities and opportunities;
- (f) to assist other ABOs;
- (g) to promote your business if you are a BMX Australia Coach and have agreed to have your contact details listed on BMX Australia's Website and other promotional materials;
- (h) to develop, run, and administer existing and new competitions, programs, activities and other events;
- (i) to share relevant player information with the Australian Olympic Committee and other relevant bodies;
- (j) to organise medical treatment for players/riders;
- (k) to administer, manage and improve the Websites and IT Systems and to provide you with access to those Websites and IT Systems;
- (l) to manage your relationship with ABOs;
- (m) to implement and administer BMX Australia's National Policies, copies of which are available on BMX Australia's website;
- (n) to disclose to other ABOs relevant information regarding your financial standing with an ABO, including whether or not you are a financial member;
- (o) to disclose to an ABO's professional advisors, including accountants, auditors and lawyers, or insurers or insurance brokers, when considered necessary or appropriate;

- (p) to assist law enforcement bodies, when considered necessary or appropriate;
- (q) for direct marketing communications from an ABO in relation to products, services, event tickets, merchandise and special offers made available by either the same or another ABO or their respective corporate partners, licensees, sponsors, suppliers and broadcasters (who may, at times be outside Australia), where you have consented to receive such communications or would reasonably expect to receive such communications, and have not requested not to receive such communications. You will be able to opt-out of direct marketing at any time if you so choose, by utilizing the unsubscribe feature on electronic marketing communications, or in the case of other direct marketing materials contacting the ABO in accordance with Item 7 below; and
- (r) where permitted by an ABO, to enable third party corporate partners, licensees, sponsors, suppliers and broadcasters who have a relationship with an ABO (and who may, at times be outside Australia), to market and promote their products and services to you where you have consented to receive such communications or would reasonably expect to receive such communications, and have not requested not to receive such communications. You will be able to opt-out of direct marketing at any time if you so choose, by utilizing the unsubscribe feature on electronic marketing communications, or in the case of other direct marketing materials contacting the ABO in accordance with Item 7 below.

5.2 An ABO may have contractual relationships with a number of third party suppliers and IT System administrators who assist the ABO, for example IT vendors who develop, test and maintain IT Systems and Websites or medical consultants who provide medical services at Events. At times, the third-party suppliers and IT System administrators may have access to your personal information in the course of supplying products and services to the ABO. At times these third-party suppliers and IT System administrators may be located outside Australia. These third-party suppliers and IT System administrators will be required to protect your personal information on the terms set out in their contract with the ABO.

## **6. How to correct and access personal information**

6.1 You can update your personal information in the BMXA ABO IT System or Website at any time by logging onto the relevant IT System or Website and submitting the updated information. For changes to name or DOB, you must contact a BMXA in accordance with Item 7 to request that they update the personal information they hold about you. They may require supporting documentation.

6.2 You may be entitled to access personal information that an ABO holds about you. You can request access to the personal information by contacting that ABO in accordance with Item 7. The ABO may charge a reasonable fee where access is provided.

## **7. Who to contact about privacy matters**

Each ABO is responsible for protecting the personal information that it holds about you in accordance with this privacy policy. If you have any queries you should contact the relevant responsible ABO directly.

If you wish to contact BMX Australia, you can contact BMX Australia's privacy officer ~~either~~ by email to: [info@bmxaustralia.com.au](mailto:info@bmxaustralia.com.au);

## **8. Access to BMXA Virtual (electronic) Licences**

BMXA membership licences are displayed electronically within the BMXA App.

BMXA will link the electronic licences of members, where a member has provided permission for another member to store their electronic licence.

A member grants permission to another member to store their electronic licence, by accepting an email invitation to have their electronic licences linked.

Once linked, all members who have accepted an invitation to link to the same email address, can access each other's membership licence upon logging into the BMXA App.

The number of membership licences which can be linked is unlimited.

An email invitation to link, will also include a decline to link and the ability to report to BMXA the receipt of an invitation to link request.