



**SKATE AUSTRALIA**

**PRIVACY STATEMENT**

**BYLAW 4**

***Effective from June 2002***  
***Revised October 2003 & Nov 2006***

## PREFACE

Skate Australia is committed to the protection of your personal information. Any personal information you provide to Skate Australia will be used for those purposes that the information was gathered as stated and related purposes that can be reasonably expected.

Skate Australia will not disclose any personally identifiable information obtained from you to other parties or for purposes other than those stated above, unless you provide your written consent to us, with the following exceptions:

- where there are grounds to believe that disclosure is required in order to prevent a threat to health or life;
- where Skate Australia suspects that unlawful activity is or has been engaged in, such personal information may be used to investigate the suspected unlawful activity; or
- the use is authorised by law or reasonably necessary to enforce the law.

Information that you provide through various means will be kept safe and secure within Skate Australia.

Skate Australia may also use your personal information for the purposes of direct marketing in relation to promotional activities where it is impracticable for us to obtain your prior written consent. However, when Skate Australia does this, we will provide an express option for you to decline receiving any further marketing communications from Skate Australia, via an opt out mechanism. Skate Australia will only send you emails if you have elected to receive such emails or if they are in response to an email we have received from you.

At anytime, you may also notify us if you do not wish to receive marketing materials or other communications from Skate Australia. Please put this request in writing and send to the address below or telephone Skate Australia on 07 55 933 699.

Should your contact details or address change, please inform us.

If you have any queries or concerns about your personal information which Skate Australia maintains, please send the details of your query or concern in writing to:

Chief Executive Officer  
[Hamish@skateaustralia.org.au](mailto:Hamish@skateaustralia.org.au)  
Skate Australia  
PO Box 4233  
Robina Town Centre, QLD 4230

Thank you for taking the time to read this important statement.

## SKATE AUSTRALIA INC. ("SKATE AUSTRALIA")

### PRIVACY REGULATION

#### 1. Skate Australia Privacy Regulation

This Regulation was adopted by the Board of Skate Australia on June 21<sup>st</sup> 2002 under clause 30 of the Skate Australia Constitution.

Skate Australia recognises that privacy is important and that individuals have a right to control their personal information. Skate Australia acknowledges that providing personal information is an act of trust and Skate Australia takes that seriously. Unless an individual gives Skate Australia consent to act otherwise, the following Regulation governs how Skate Australia handles personal information of individuals.

Skate Australia is committed to protecting personal information. Skate Australia is also committed to complying with the private sector National Privacy Principles set out in the *Privacy Act (Cth) 1988*.

#### 2. Collection of Personal Information

Skate Australia will not collect personal information unless the information is necessary for one or more of its functions or activities. Skate Australia will also only collect personal information by lawful and fair means and not in an unreasonably intrusive way.

At the time of collecting personal information, Skate Australia will advise the individual of:

- (a) its name and contact details;
- (b) the fact that he or she is able to gain access to the information;
- (c) the purposes for which the information is collected;
- (d) other organisations to which Skate Australia usually discloses information of that kind; and
- (e) the main consequences (if any) for the individual if all or part of the information is not provided.

#### 3. Use and disclosure

Skate Australia will not use or disclose personal information about an individual for a purpose (the ***secondary purpose***) other than the primary purpose of collection unless:

- (a) both of the following apply:
  - (i) the secondary purpose is related to the primary purpose of collection and, if the personal information is sensitive information, directly related to the primary purpose of collection; and
  - (ii) the individual would reasonably expect Skate Australia to use or disclose the information for the secondary purpose; or
- (b) the individual has consented to the use or disclosure; or

- (c) the information is not sensitive information and the use of the information is for the secondary purpose of direct marketing:
  - (i) if it is impracticable for Skate Australia to seek the individual's consent before that particular use; and
  - (ii) Skate Australia will not charge the individual for giving effect to a request by the individual to Skate Australia not to receive direct marketing communications; and
  - (iii) if the individual has not made a request to Skate Australia not to receive direct marketing communications; and
  - (iv) in each direct marketing communication with the individual, Skate Australia draws to the individual's attention, or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications; and
  - (v) each written direct marketing communication by Skate Australia with the individual sets out Skate Australia's business address and telephone number; or
- (d) Skate Australia reasonably believes that the use or disclosure is necessary to lessen or prevent:
  - (i) a serious and imminent threat to an individual's life, health or safety; or
  - (ii) a serious threat to public health or public safety; or
- (e) Skate Australia has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or
- (f) the use or disclosure is required or authorised by or under law; or
- (g) Skate Australia reasonably believes that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:
  - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
  - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime;
  - (iii) the protection of the public revenue;
  - (iv) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
  - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

#### **4. Data quality**

Skate Australia will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.

#### **5. Data security**

Skate Australia will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

Skate Australia will also take reasonable steps to destroy or permanently de-identify personal information that it no longer requires.

#### **6. Access and correction**

Skate Australia will provide individuals access to their personal information on request by the individual, except to the extent that:

- (a) providing access would pose a serious and imminent threat to the life or health of any individual; or
- (b) providing access would have an unreasonable impact upon the privacy of other individuals; or
- (c) the request for access is frivolous or vexatious; or
- (d) the information relates to existing or anticipated legal proceedings between Skate Australia and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- (e) providing access would reveal the intentions of Skate Australia in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- (f) providing access would be unlawful; or
- (g) providing access would be likely to prejudice an investigation of possible unlawful activity; or
- (h) providing access would be likely to prejudice:
  - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or
  - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime; or
  - (iii) the protection of the public revenue; or
  - (iv) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
  - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders;

by or on behalf of an enforcement body.

Skate Australia may impose reasonable charges for providing access to personal information.

## **7. Transborder data flows**

Skate Australia will only transfer personal information about an individual to someone who is in a foreign country if:

- (a) Skate Australia reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles; or
- (b) the individual consents to the transfer; or
- (c) the transfer is necessary for the performance of a contract between the individual and Skate Australia, or for the implementation of pre-contractual measures taken in response to the individual's request; or
- (d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between Skate Australia and a third party; or
- (e) all of the following apply:
  - (i) the transfer is for the benefit of the individual;
  - (ii) it is impracticable to obtain the consent of the individual to that transfer;
  - (iii) if it were practicable to obtain such consent, the individual would be likely to give it; or
- (f) Skate Australia has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles.

## **8. Complaints, Further Information and Future changes**

Any complaints in relation to the collection, use, disclosure, quality, security and access of your personal information, may be made to the Skate Australia's Privacy Officer, Hamish McLean who may be contacted on 07 5593 3699.

The Board of Skate Australia may amend this Regulation from time to time.