



PRIVACY POLICY

Procedures #:	CYCA: GP21	Version:	001
Drafted by:	Steve York	Approved by Board on:	23 November 2021
Responsibility:	John Brennan	Scheduled review date:	24 October 2023
Related Policies:	None		

PURPOSE

This policy defines the conditions, rules and procedures that apply to gathering, retention and use of personal information

SCOPE

This policy relates to all CYCA employees, members, volunteers, guests, crew, customers and suppliers.

POLICY

It is CYCA's policy to achieve legislation compliance and the trust of all stakeholders.

AUTHORISATION

Policy was approved by the Board on 23 November 2021

Our Privacy Commitment

The Cruising Yacht Club of Australia (CYCA) is committed to keeping your personal information safe and secure and only using it in a way that you approve. We will take all necessary measures to fulfil this commitment, including to:

- comply with the Australian Privacy Principles ("APPs");
 - ensure that we manage your personal information in a way that is open and transparent to you;
 - only collect personal information from you that we need in order to offer you the best possible service and membership experience;
 - tell you how we might use your personal information;
 - let you know if we need to disclose your personal information to anyone else (including anyone overseas) and if so, in what circumstances this might occur;
 - keep your personal information secure;
 - promptly respond to any request by you not to receive direct marketing material from us;
 - make sure your personal information is kept accurate and up to date and to properly dispose of any personal information which is no longer required by us;
- and



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

- ensure that, where appropriate, you can access and correct your personal information.

About this Policy

This policy is intended to explain clearly and in plain language some of the key processes and procedures that we have implemented to manage your personal information, to protect your privacy and to comply with the Privacy Act 1988, the Privacy Amendment (Enhancing Privacy Protection) Act 2012 ("Act") and the Australian Privacy Principles.

References to "our", "us" and "we" in this policy are references to the CYCA, CYCA Sailing Foundation and SOLAS.

This policy gives a broad overview of our policies in relation to privacy but if you require further information, you are welcome to contact us or to read any of the privacy statements or notices that will be issued to you as and when personal information is collected.

What sorts of personal information do we collect?

We will only collect from you information that is necessary and relevant to our relationship with you, including to enable us to provide to you the best possible service and member experience.

Depending on the exact nature of our relationship with you, we may request that you provide some or all of the following information:

- information that we may require to initially identify you, including your name, home address and your date of birth;
- information that we can use to contact you, including your telephone number, mobile number, email address, work address, mailing address;
- information we may require to confirm your identity, including your driver's license number, passport details, business name, Medicare card;
- information that may assist us to confirm your financial position or credit history when you are considering a finance or credit arrangement, including your credit card details, bank details, purchase history or transaction details and loan and credit information where finance arrangements may apply.

It would be very unusual for us to need to collect all or even most of the above information from you however the information we will require will depend on the specific service or services that we are providing to you. We will only collect personal information from you that we reasonably require in order to satisfactorily perform the services that you require from us.

The Act places restrictions on us collecting sensitive information about you (which includes information about your religion, political views, ethnicity, criminal records and sexual preferences). Generally, we will not collect this type of information, however we



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

may need to collect some sensitive information if you are applying for a job with us, and you have provided us with your consent to do so.

Why do we require your personal information?

There are various reasons why we might need to collect, hold, use or disclose your personal information and this will depend upon the specific services that we are providing to you, but we will tell you the main reason for asking for your personal information at the time when we ask you to provide it.

Usually, the main reason that we will need to collect your personal information will be relating to a service that we are providing to you or are about to provide to you and for contacting you in relation to those services or races. Our main services include the provision of member services relating to sailing, cruising or related services goods; providing a forum for membership activities reviews and feedback; providing information and responding to queries in relation to our club; facilitating competitions; facilitating online activities.

We may also use your personal information for other reasons, including:

- to contact you in relation to an event, special offer or product that you might be interested in,
- preventing fraud and other criminal activities,
- to assist us to run our club and to improve our services and performance, including racing, staff training, accounting, risk management, record keeping, archiving, systems development, developing new products and services and undertaking planning, research and statistical analysis; and
- to comply with our legal obligations.

There is no obligation for you to provide us with any of your personal information but if you choose not to provide us with your personal information, we may not be able to provide the information, membership services that you require.

How do we collect your personal information?

The means by which we collect your personal information will depend on the nature of the service that we are providing to you.

We may collect your personal information:

- (a) directly from you, either in person or over the phone,
- (b) when you place an order via the Website,
- (c) when you interact with the Website, or
- (d) from other sources.



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

We will collect your personal information directly only from you unless it is unreasonable or impracticable to do so. This would usually be done through the Website when you elect to disclose your personal information to us for a particular purpose.

Your personal information will not be collected if you are only browsing the Website but we may use cookies to better tailor our information and our services to meet your needs.

A cookie is a small piece of text that is placed within the memory of a computer and can be later retrieved by web page servers. Cookies are used to enhance your interaction and convenience in using the Website and we do not use cookies to record any of your personal information.

Cookies may record information about your visit, including the type of browser and operating system you use, the previous site you visited, your server's IP address, the pages you access, and the information downloaded by you. While this anonymous statistical data may be aggregated and used in broader statistical analysis by us and our web monitoring service provider to improve our services, at no time can we personally identify you as the source of that data.

Where we are collecting your personal information, at or before doing so, or as soon as practicable after, we will make you aware of the following:

- our details, including our contact details,
- that we are collecting your information and the reasons why we are collecting your information.
- if the collection is required or authorised by law, the details of the law, court or tribunal order,
- what happens if we cannot collect your personal information,
- any third parties to whom we may disclose the personal information,
- how you can access and correct your personal information,
- how you can complain about any breach of the APPs and how we will handle any such complaints, and
- whether your personal information is likely to be disclosed to anyone overseas and if practicable, the countries in which those recipients are located.

Collecting and disclosing personal information about others

Wherever possible, we will collect personal information directly from the relevant individual to whom that information relates. You represent and warrant to us that where you provide personal information to us about another person:

- you are authorised to provide that information to us,
- you have obtained the express consent of the individual to disclose their personal information to us for its relevant use, including for use in our business and to provide our services,



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

- you have complied with the APPs in collecting that personal information, including by making all relevant notifications required under APP 5, and
- you have informed that person about the contents of this privacy policy including who we are, how we use and disclose personal information, and that they can gain access to, and correct, that information.

Unsolicited personal information

From time to time, we may receive personal information about you that we have not requested or taken steps to come to know. In these circumstances, we will only hold onto such information where the information is necessary in our dealings with you. If we determine that the information received is not necessary to our relationship with you then we will take steps to de-identify or destroy the information as soon as is practicable. Any determination as to whether or not the information is required to be retained by us will be made within a reasonable period after the information is received by us. Any information that has not been requested but is subsequently retained by us will be subject to the procedures and requirements set out in this privacy policy.

How do we use or disclose your personal information?

We may use and disclose your personal information for the purposes for which it was collected or for a related purpose such as:

- to set up and activate your account with CYCA,
- to consider your request for a product or service,
- to enable us to provide a service to you,
- to facilitate and process your orders and payments,
- to carry out or respond to your queries or requests,
- to provide information to you that you have requested,
- to provide additional information to you as requested by you and to respond to your queries about our services,
- to facilitate your entry into competitions run through the Website,
- to facilitate online chat,
- to any third-party suppliers of our goods or services, including third party application owners or licensors,
- to any third-party credit provider to facilitate the provision of credit to you as required,
- to our third-party service providers to assist us in providing and improving our services to you, and to analyse trends in sales and better understand your needs or to develop, improve and market our products and services to you,
- for regulatory reporting and compliance with our legal obligations,
- to relevant third parties to undertake fraud checks,
- to various regulatory bodies and law enforcement officials and agencies to protect against fraud and for related security purposes,
- to perform administrative and operational tasks (including risk management, systems development and testing, staff training and collecting debts),



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

- to facilitate product reviews and to seek your feedback in relation to particular products, member satisfaction and our relationship with you and to manage any member complaints,
- for use in direct marketing of promotions, products and services that we think might be of interest to you, including to add to a database compiled by us for this purpose,
- to our third-party service providers, for use in direct marketing of promotions, products and services that our third-party service providers think may be of interest to you, including to add to a database compiled for this purpose,
- to monitor or improve the quality and standard of service that we provide to you,
- to consider any concerns or complaints you may raise against us,
- to our agents, successors and/or assigns,
- to notify you of offers that may be of interest to you; and
- to better understand your preferences.

By agreeing to accept the terms of this privacy policy or by providing your personal information to us, or both, you are taken to have consented to the use and disclosure of your personal information for the above purposes.

At the time that we collect your personal information, we will make it clear to you why we are collecting your information, including through this privacy policy where appropriate. We will not use your personal information for any other purpose without your consent or where we do use your information for another purpose, it will either be for a purpose which we believe is related to the purpose for which you first provided us with the information or for a purpose which you would expect.

We may also provide your personal information to third parties as outlined in this privacy policy.

Other than as outlined in this privacy policy or in any notice provided to you at the time of collecting your personal information, we will not disclose your personal information without your consent unless disclosure is either necessary to prevent a threat to life or health, authorised or required by law, reasonably necessary to enforce the law or necessary to investigate a suspected unlawful activity.

Do we share your personal information with others?

We deal with third party service providers who may assist us with a variety of functions including with research, mail and delivery, security, insurance, professional advisory (including legal, accounting and auditing advice), banking, payment processing, facilitating credit arrangements, credit reporting, fraud checks, data storage, information processing, order tracking, marketing, product reviews, online competitions, responding to member queries and complaints or technology services. By agreeing to accept the terms of this privacy policy or by providing your personal information to us, or both, you are taken to have consented to us disclosing your personal information to our third-party service providers. Where we engage third party service providers to perform services for us, those third parties may be required to handle or deal with your personal information.



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

Under these circumstances, those third parties must safeguard this information and must only use it for the purposes for which it was supplied and we will make all reasonable enquiries to try to ensure that this is the case.

Wherever possible, we will limit the information provided to independent third parties to that information required for those third parties to properly perform their functions. Further, our contracts with these third parties will always require the third parties to comply with the APPs (or equivalent standards).

Do we use your personal information for marketing purposes?

As part of the services that we provide to you, we may:

- (a) use personal information that we have collected about you to identify a product or service that may benefit you,
- (b) contact you from time to time to let you know about a product or service that we believe you might be interested in, and
- (c) disclose your personal information to our related entities, any one or more of the Recipient Parties or to our business partners (including third party facilitators) to enable them to tell you about a product or service that you might be interested in.

By providing your personal information to us or by agreeing to accept the terms of this privacy policy, or both, you consent to your personal information being included in our database to be used for marketing purposes, including those described above, however, you can opt-out, unsubscribe or make a request not receive direct marketing communications from us, by writing to the CYCA, The Privacy Officer,

You may make a request that we do not disclose your personal information to facilitate marketing by another organisation and you may request that we provide you with the source of any personal information we use for direct marketing purposes. Any such requests will be actioned within a reasonable period and there will be no charges to you for making, or to you from us actioning, such requests.

How do we store your personal information?

We have implemented appropriate processes and techniques (including physical security such as locks and security systems and computer and network security, including firewalls, encryption and passwords) to protect personal information from loss, misuse and interference and from unauthorised access, modification or disclosure. In addition, access to your personal information is limited to those who specifically need it to conduct their responsibilities.

We and our third-party service providers take all necessary steps to destroy or permanently de-identify your personal information where it is no longer required and to



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

protect your personal information from loss, misuse and interference and from unauthorised access, modification or disclosure.

While care is taken to protect your personal information on the Website, unfortunately no data transmission over the Internet is guaranteed as 100% secure. Accordingly, we cannot ensure or warrant the security of any information you send to us or receive from us online. This is particularly true for information you send to us via email as we have no way of protecting that information until it reaches us. Once we receive your personal information, we are required to protect it in accordance with the Act.

Maintaining your personal information

We take reasonable steps to ensure that:

- the information that we collect about you is accurate, complete and up to date at the time of collection,
- when we use your personal information, it is accurate, up to date, complete and accurate at the time of use, and
- if we disclose your personal information, it is accurate, up to date, complete and accurate at the time of disclosure.

Will we disclose your personal information to anyone overseas?

There may under certain circumstances where we need to disclose personal information that we hold about you to a third party overseas ("Overseas Recipients"). This may occur, for example, where we have a database or server hosted outside Australia or where you are interacting with an application which is based overseas.

Where individuals are participating in overseas races, whether as crew, coaches, judges or otherwise, it is likely that Personal Information will need to be disclosed to travel agents, airlines, hotels, Government authorities issuing visas, race organising authorities and other organisations with which we need to liaise in relation to an individual's travel and participation.

It is not practical to specify those countries in which the overseas recipients of the Personal Information are located, as it will depend upon where races are being conducted.

Prior to us disclosing your personal information to an Overseas Recipient, we have an obligation under APP 8.1 to take reasonable steps to ensure that the Overseas Recipient does not breach the APPs in relation to your personal information, as well as an obligation under APP 6 to only disclose your personal information to an Overseas Recipient for the primary purpose for which that personal information was collected (unless an exception applies under APP 6) (the "Overseas Disclosure Obligations"). We will take all reasonable steps to satisfy our Overseas Disclosure Obligations.



How can you access your personal information?

Usually, we will be able to provide you with access to your personal information upon receipt of your written request, either by email sent or by post sent to the CYCA Privacy Officer, and confirmation of your identity.

There are some limited circumstances in which we may not be able to provide you with access to your personal information when requested. Such circumstances might include where access would pose a serious threat to the life, health or safety of another person or where such access would unreasonably impact on the privacy of others.

Where you request access to your personal information, we will respond to any such request within a reasonable period after the request is made and if possible, we will provide you with access to your information in the manner requested by you, if specified. In any event, we will take all reasonable steps to give you access to your information in a way that meets your needs.

If we deny you access to your personal information for any reason, or if we are unable to provide you with access to your information in the manner requested by you, then we will provide you with a written notice confirming:
the reason for such refusal; and
the procedure to complain about the refusal.

We may recover from you our reasonable costs of supplying you with access to your personal information, but we will not charge you for any request you might make to access your information.

How can you seek to correct your personal information?

We do what we can to ensure that the information we hold about you is accurate, complete, up-to-date, relevant and not misleading. To assist us to do this, please ensure that you provide us with correct information at the time you provide it to us and immediately inform us if your details change at any time. If we are concerned that any of your information is inaccurate, incomplete, out-of-date, irrelevant or misleading, or if you request that we correct any of your information, then we will take all reasonable steps to correct the information to ensure that it is accurate, complete, up-to-date, relevant and not misleading in the context of the purpose for which it is held.

If we correct any of your personal information and that information has previously been disclosed to another entity that is required to comply with the APPs, then, upon your request to do so, we will take reasonable steps to notify that other entity of the correction unless such notification is impracticable or unlawful.

If we refuse to correct your personal information following a request by you to do so, then we will provide you with a written notice confirming:

- the reason for such refusal; and



CRUISING YACHT CLUB OF AUSTRALIA

Home of the Rolex Sydney Hobart Yacht Race

- the procedure to complain about the refusal.

If we refuse to correct your personal information following a request by you to do so and you request that we associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading then we will take reasonable steps to associate the statement with the information so that the statement is apparent to users of the information.

We will respond to any requests regarding the correction of your personal information within a reasonable period after the request is made.

We will not charge you for any request to correct your personal information, nor will we pass on to you any costs incurred by us in correcting your personal information or for associating a statement with your personal information.

What if you want to make a complaint about some aspect of our privacy procedures?

We are committed to maintaining and protecting your privacy, but it is possible that in limited circumstances, mistakes might be made. If you are concerned with the way your personal information has been handled, then you are entitled to make a complaint. If you would like to lodge a complaint, please contact us through our Privacy Compliance Officer, whose details are set out below.

John Brennan

The Privacy Officer

Postal address: 1 New Beach Road, Darling Point, NSW 2070

E-mail address: john.brennan@CYCA.com.au

Phone +61-2-8292-7800

If your personal information has not been handled in an appropriate way, we will do our best to remedy your concerns as quickly as possible. Where this is not possible, we will contact you within a 30-day period to let you know an anticipated time frame within which your complaint will be resolved.

If your complaint is not satisfactorily resolved, you may approach an external dispute resolution service or apply to the Office of the Australian Information Commissioner ("OAIC") to have the complaint heard and determined.

Protecting your identity

Wherever it is practicable, we will always provide you with the option not to identify yourself when dealing with us or to use a pseudonym to protect your identity.



Links to other websites

This Website may contain links to websites which are related or operated by other parties. You should make your own enquiries as to the privacy policies of these parties. We are not responsible for information on, or the privacy practices of, such websites.

Changes to this policy

From time to time, it may be necessary for us to review and revise this privacy policy. We reserve the right to change our privacy policy at any time.

How can you contact us?

Please find above our contact details. Please do not hesitate to contact us in relation to any privacy-related concerns and we will use our best endeavours to address any such concerns thoroughly and in a timely manner.

If it is practical to do so, you can contact us without identifying yourself. However, if you choose not to identify yourself, it may be more difficult for us to assist you with your enquiry. This will depend on the nature of your enquiry.

Please note that the Act contains certain exemptions which may permit us to use your personal information in a particular way if specific circumstances arise. Any such exemptions under the Act will take priority over this privacy policy to the extent of any inconsistency.

Express consent to collection, storage, use and disclosure

In addition to the other consents provided by you above, by agreeing to accept the terms of this privacy policy, or by providing your personal information to us, or both, you are taken to have expressly consented to the collection, storage, use and disclosure of your personal information for each of the purposes and to all the parties outlined in this privacy policy.

Policy Updates

This Policy may change from time to time and is available on our website.