

PRIVACY STATEMENT

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

The Australian Breaking Association will not disclose any personally identifiable information obtained from you to other parties or for purposes other than those stated in this document, 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 The Australian Breaking Association 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 The Australian Breaking Association.

The Australian Breaking Association may also use your personal information for the purposes of direct marketing in relation to promotional activities and events where it is impracticable for us to obtain your prior written consent. However, when The Australian Breaking Association does this, we will provide an express option for you to decline receiving any further marketing communications from The Australian Breaking Association, via an opt out mechanism.

At any time, you may also notify us if you do not wish to receive marketing materials or other communications from The Australian Breaking Association or should your contact details or address change, please inform us.

If you have any queries or concerns about your personal information which The Australian Breaking Association maintains, please send the details of your query or concern in writing to australianbreakinassociation@gmail.com.

Who we share your Personal Information with

We will NOT sell, trade or rent your name or personal information to anyone else. We DO NOT sell, trade, rent or provide outside access to our mailing list at all.

The Australian Breaking Association will not release your personal information to authorities unless required by law, search warrant, court order, subpoena, or fraud investigation.

Except as otherwise stated in this policy, The Australian Breaking Association will share your information with third parties only to the extent necessary to provide the services and products requested by you (e.g. at events, competitions, workshops or other activities requiring information to complete the activity at hand). All such third parties are prohibited from using your personal information except to provide these services and they are required to maintain the confidentiality of your information.

Collection of Personal Information

The Australian Breaking Association will not collect personal information unless the information is necessary for one or more of its functions or activities. The Australian Breaking Association 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, The Australian Breaking Association will advise the individual of:

- a. its name and contact details;
- b. the fact that he, she or they is able to gain access to the information;
- c. the purposes for which the information is collected;
- d. other organisations to which The Australian Breaking Association 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.

Use and Disclosure

The Australian Breaking Association 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 The Australian Breaking Association 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 the Australian Breaking Association to seek the individual's consent before that particular use; and
 - ii. the Australian Breaking Association will not charge the individual for giving effect to a request by the individual to the Australian Breaking Association not to receive direct marketing communications; and
 - iii. if the individual has not made a request to the Australian Breaking Association not to receive direct marketing communications; and
 - iv. in each direct marketing communication with the individual, the Australian Breaking Association draws to the individual's attention, or prominently displays a notice, that he, she or they may express a wish not to receive any further direct marketing communications; and
 - v. each written direct marketing communication by the Australian Breaking Association with the individual sets out the Australian Breaking Association's business address and telephone number;

OR

- d. the Australian Breaking Association 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. the Australian Breaking Association 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. the Australian Breaking Association 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.

Data Quality

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

Data Security

The Australian Breaking Association will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

The Australian Breaking Association will also take reasonable steps to destroy or permanently de-identify personal information that it no longer requires.

Access and Correction

The Australian Breaking Association 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 The Australian Breaking Association 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 The Australian Breaking Association 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.

The Australian Breaking Association may impose reasonable charges for providing access to personal information.

Transborder Data Flows

The Australian Breaking Association will only transfer personal information about an individual to someone who is in a foreign country if:

- a. The Australian Breaking Association 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 the Australian Breaking Association, 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 the Australian Breaking Association 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
 - iv. The Australian Breaking Association 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.

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 Australian Breaking Association's Privacy Officer by emailing australianbreakinassociation@gmail.com. The Board of The Australian Breaking Association may amend this Regulation from time to time.