

PRIVACY POLICY OF THE MOTOR TRADERS' ASSOCIATION OF NSW

1. General

The Motor Traders Association of New South Wales (MTA) is a not for profit employer association representing the interests of its members in the motor industry across New South Wales. The aim of the Association is to help the motor industry and it does this by assisting in the daily running of Member's businesses through advice and services and by lobbying to ensure a long and viable future for the industry.

In the course of its operations, MTA may collect your personal information for the purposes of providing MTA products or services (such as training and consulting services) or information about these products and services, to you, and for related and incidental purposes.

The ability of the MTA to provide products or services to you may be affected if we are not provided with all personal information we request. MTA understands that in the course of your dealings with the MTA you may be required to provide personal and sensitive information to the MTA which is critical to your business operations, compliance, and reputation. The MTA also understands that unauthorised use of this information may result in damage and loss to your business.

As part of MTA's commitment to you, the following privacy policy outlines how we handle your personal information including how its collected, how it is used and potentially disclosed, importantly how it is stored and secured and additionally how you can access and update your personal information.

1.1 Application of this Privacy Policy

The MTA Privacy Policy applies to any and all personal and sensitive information collected by the MTA regardless of whether or not, the information was asked for or volunteered. The MTA complies with the Privacy Act 1988 (Commonwealth) and subsequently with the thirteen Australian Privacy Principles (APP's) outlined in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which prescribe and mandate the way organisations must collect, manage, use, secure, disclose and dispose of personal and sensitive information.

This policy applies only to the Motor Traders' Association of NSW (a separate and similar Privacy Policy operates in relation to the Motor Traders' Association of NSW operating as a Registered Training Organisation), including the Employment Relations Information System (ERIS) website, and not to any other company or organisations affiliated with the MTA. Third party organisations affiliated with the MTA such as or business partners, the Australian Taxation Office, and MTA 'internet web hosting provider' have their own privacy policies and are not bound by the MTA Privacy Policy. The MTA does not accept any responsibility or liability for the privacy practices of such third parties.

From time to time, the MTA will review this privacy policy and, where necessary, update it. If we make changes to this policy, we will advise members that this policy has changed via email, MTA publications and/or by notice on this website.

2. Collection and use of personal information

2.1 Generally

Personal information is any information that can be used to identify you no matter how it is collected or recorded. The information may be collected from you directly or provided to us by another party.

Sensitive information is a special category of personal information and includes, but is not limited to, information about your health, race or ethnic origin, political or religious beliefs, membership of a trade union or association, or criminal record. Unless otherwise provided by law, we will not collect, hold, use or disclose sensitive information without your express consent.

The MTA collects personal information from you for a number of different purposes (**Primary purposes**) which include, but are not limited to, enabling us to lawfully carry out our functions and activities, to deliver the services and products that are requested by our members and clients, to provide members and clients with further information about our services and products, to help us review, manage and enhance our services, to communicate with our members and clients, for administration purposes, including charging, billing and collecting debts, for recruitment purposes, and for the purposes of receiving services from you or the organisations which engage you.

In addition to the Primary Purpose, we may use the personal information we collect and you consent to us using your personal information to provide you with news about our products and services, send you marketing and promotional material that you may be interested in, communicate with you, including by email, telephone and mail, manage and enhance products or your experience on our Website and domains, conduct surveys or promotions, verify your identity, and to investigate any complaints about, or made by you.

Personal information that we commonly collect from you would include (but is not limited to) your name, address, telephone number, email details, and postal address.

We also collect your payment and banking details for billing purposes and as a means of personal identification.

2.2 Methods of gathering information

Generally, personal information is collected by the MTA from a variety of sources, including when dealing with members, customers or clients, when dealing with individuals, undertaking marketing initiatives, or when recruiting.

For example, MTA may collect personal information from you when you are dealing with membership services, when you seek advice or assistance from our employment relations team, when fulfilling your registrations to events, participating in surveys, purchasing products or services, or when you apply for a job.

Personal information may be provided by you using our Website or by telephone, business cards, contracts, applications, competition entries, survey entries, mail or email, registration forms, face-to-face or in writing, whether verbally, in hardcopy or electronic format.

Where possible, MTA collects your personal information directly from you. In some circumstances, MTA may obtain personal information from a third party. If you provide personal information about another person to us, we require that you inform that person that you have done so and provide them with a copy of this policy; and confirm to us that you have that person's consent to provide such information for the purpose specified.

2.3 Website and the Internet

In addition to the information you provide us through your membership, or through your use of MTA products and services, your registration to events and participating in surveys, our web server automatically collects various forms of information when you use our web site including:

- the Internet Protocol address and a component of the domain name used (eg. .com or .net);
- the type of browser and operating system you used;
- the date and time you visited our Website;
- the time spent on individual pages and our Website overall;
- which files you downloaded;
- information about your computer and Internet connections using cookies.

Although, in some circumstances, it may be possible to identify you from this information, we do not attempt to do so, and only use this information for statistical analysis, system administration, and similar purposes. This information is not disclosed to any other party.

2.4 Cookies

'Cookies' are small files that are stored on your internet browser. This information is aggregate in nature and does not contain information by which the MTA can identify you. They identify your computer to our servers. The type of information MTA obtain from your cookies are used for identifying trends and technical issues such as:

- the type of internet web browser you are using to access the MTA website or subscription service sites such as ERIS;
- the operating system you are accessing MTA websites from (ie. tablet, windows, apple);
- the times you have logged into the MTA or ERIS website;

- the IP address you use when signing in MTA websites.

The use of cookies is commonly used by reputable companies on the internet including banks, telcos and government departments alike. It is an industry standard throughout the world, and MTA may use the information contained in cookies to make assumptions about the user of the computer.

MTA does not use cookies for any marketing purposes. Nor does the MTA use information stored in cookies for the purpose of tracking your use of websites. The cookies are required to enable a number of the functions within the site.

MTA will not use your personal information for any purpose which is not related to the primary purpose for which it is collected and for other secondary purposes that are related to the primary purpose of collection. We will not use your personal information for any purpose for which you would not reasonably expect us to use your personal information.

2.5 Non disclosure of personal information by members, clients and customers

You are not obliged to give MTA your personal information. If you would like to access any of our services on an anonymous basis or using a pseudonym, MTA will take reasonable steps to comply with your request. However, if you choose not to provide MTA with personal details such as your name or address, the range of options available to you or the organisation that is a member of the MTA, maybe limited. For example, MTA may not be able to provide the full range of member services or allow you or your organisation to participate in networking functions, seminars and events, or successfully deliver any products and services that you may be interested in or have purchased from the MTA website.

3. Disclosure of personal information

3.1 Disclosure to third parties

We guarantee that we will not sell your personal information to any third party.

For the purposes referred to above in this Privacy Policy, we may disclose your personal information to external organisations including:

- our Affiliated Entities;
- third parties engaged by us to perform functions or provide products or services on our of their behalf such as mail outs, marketing or advertising. We enter into appropriate confidentiality agreements with these organisations to protect personal information from inappropriate disclosure;
- third parties that sponsor or promote us (subject to appropriate confidentiality agreements with these organisations to protect personal information from inappropriate disclosure);
- credit agencies (subject to appropriate safeguards to protect personal information from inappropriate disclosure);
- our professional advisers, including our accountants, auditors and lawyers;
- persons authorised by you to receive information held by us; and

- any persons as required or permitted by any law.

In addition, occasionally we receive requests from other organisations to send information to our members, customers or clients. If we consider that this information is of relevance to our members, customers or clients, our policy is not to provide personal information to these organisations, but rather to send this information directly to our members, customers or clients on behalf of those organisations.

We may seek your consent to disclose your personal information to other organisations in some circumstances, depending on the purpose for which we collect that information and our understanding of your reasonable expectations in respect to our use of that information.

3.2 Direct marketing

As previously indicated, the MTA collects personal information about an individual or a corporate entity from a number of sources.

Examples of direct marketing by an organisation include but not limited to:

- sending an individual a catalogue, other promotional material, newsletters and corporate events information in the mail or electronically addressed to them by name;
- displaying an advertisement or other material on a social media website that an individual is logged into, using personal information, including data stored on cookies relating to websites the individual has viewed;
- sending an email to an individual about a discount or sale of products sold by the organisation.

The MTA does not sell its list of members stored on the MTA membership data base to third persons for marketing purposes and will not use or disclose your personal information for purposes of direct marketing unless you have given permission for this to occur or unless members, clients or customers have a reasonable expectation that their personal information could be used for this purpose, and conditions relating to opt-out mechanisms are met.

The MTA will:

- honour a request from an individual not to use or disclose their personal information for the purposes of direct marketing or to facilitate direct marketing by other organisations;
- allow an individual to request not to receive direct marketing communications (known as 'opting out') and comply with that request;
- provide, on request, its sources of the individuals personal information, that has been used for direct marketing purposes unless this is unreasonable or impracticable.

3.3 Cross Border Disclosure

Generally, MTA does not transfer personal information outside of Australia. We may do so, however, if you have given your permission for this to occur or if we are otherwise legally entitled or required to do so.

If the MTA sends personal information to overseas recipients, MTA will take reasonable measures to protect your personal information such as ensuring that all information is de-identified where appropriate before being transmitted. MTA will, if necessary, also enter into contractual arrangements with overseas recipients of personal information to ensure that we meet our obligations under the Privacy Act and the APPs.

4. Accessing your personal information

You have a right to request access to your personal information that is held by the MTA about you. You will be required to put your request in writing and provide proof of your identity.

If we are required or authorised by law to do so, we may refuse to provide you with access to this information.

If you make a request for access to personal information, we will:

- respond to your request within in a reasonable period; and
- if reasonable and practicable, give access to the information in the manner requested.

If we refuse to give access to personal information because of an exception or in the manner requested by you, we will give you a written notice that sets out at a minimum:

- our reasons for the refusal (to the extent that it is reasonable to do so); and
- the mechanisms available to complain about the refusal.

We may charge a fee for you to access your personal information we hold, for example, a fee for photocopying any information requested by you. We will not charge a fee for you to lodge a request for access.

Nothing in this Privacy Policy replaces other informal or legal procedures by which you can be provided with access to personal information.

5. Correcting your personal information

You have a right to request the correction of any personal information that the MTA holds. The MTA will take reasonable steps to make appropriate corrections to personal information so that it is accurate, complete and up-to-date.

Whether you are seeking access to your personal information or wish to update or correct your personal information you should do so:

- By email:
mail@mtansw.com.au
- By mail:
Motor Traders Association of NSW
PO Box 715
Burwood NSW 1805

6. Security of your personal information

6.1 Generally

The MTA will take all reasonable and practicable steps to ensure that your personal information is properly protected from misuse, interference, and loss, and from any unauthorised access, modification or disclosure.

Electronic information is protected by various security measures (including encryption and password protection) and access to information and databases is restricted, by password protection, secure servers, and physical security measures, to staff and officers of the MTA. Physical paper files are stored in a secure location. Personal information is de-identified where appropriate.

If you provide any information to us via our online services (including email) or by post, or if the MTA provides information to you by these means, the privacy, security and integrity of this information cannot be guaranteed during its transmission unless MTA has indicated otherwise (for example, where MTA states that information is transmitted using a secure server, or mail is stated as being delivered by registered post requiring the signature of the recipient upon receipt).

6.2 Other online services

If any MTA online services (including any email messages MTA sends you) provide links to other online services that are not operated by the MTA. MTA is not responsible for the content of those other services and MTA does not (unless MTA specifies otherwise) endorse the privacy practices of the organisations that operate those other services.

7. Privacy complaints and enquiries

The MTA welcomes feed back about privacy issues and will attend to all questions and complaints promptly.

You can contact the MTA about any privacy issues as follows:

By phone:
02 9016 9000

By email:
02 9016 9099

By Mail:
Motor Traders' Association of NSW
PO Box 715
Burwood NSW 1805

If the MTA takes more than 30 days to respond to your privacy complaint, or if you are dissatisfied with the outcome, you can make a complaint to the Privacy Commissioner at the Office of the Australian Information Commissioner (OAIC). The OAIC can be contacted on 1300 363 992 or at www.oaic.gov.au