



## DATA PROTECTION AND PRIVACY POLICY

### BACKGROUND

The Rolls-Royce Owners' Club of Australia South Australian Branch Inc (“**the Club**”) operates, inter alia to

- encourage, both generally and amongst members of the Club, the ownership, careful maintenance, and restoration of, and general interest in, Rolls-Royce and Bentley motor cars;
- promote the practical and social aspects of motoring within its membership;
- further the motoring interests of its Members generally and where necessary or desirable to join with other persons or Clubs or Associations to this end;
- collect and disseminate between Members of this Club and equivalent Clubs, information regarding Rolls-Royce and Bentley Motor Cars, and
- keep & maintain a register- and assist the Rolls-Royce Owners' Club of Australia Ltd (“**RROCA**”) to maintain and publish a similar register- of Rolls-Royce and Bentley” motor cars whether or not such cars are owned by Members;

### PURPOSE

The purpose of this Data Protection and Privacy Policy (“**Policy**”) is to enable the Club to obtain, process, store and use personal data (as defined below) in order to perform its functions.

In this Policy and the Privacy Notice and depending on context:

- the Club is referred to as ‘We’, ‘Us’ or ‘Our’; and
- A person to whom personal data relates is referred to as ‘You’ or ‘Your’.

The Club values the privacy of every individual and is committed to the protection of personal data.

This Policy:

- is based on the principle of responsible and transparent handling of personal data;
- seeks to ensure compliance with applicable privacy laws in processing personal data;<sup>1</sup> and
- explains:
  - what personal data (as defined below) is held by the Club
  - how it might be processed and reasons for doing to,
  - who We share it with and
  - how You can exercise Your rights in relation to the personal data that We hold about You.

The ways in which We process and use personal data will vary depending on the person’s relationship with Us. We rely on the legal bases to lawfully process any personal data as set out in the Privacy Notice.

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<sup>1</sup> These privacy laws include but are not limited to: the *Privacy and Personal Information Protection Act 1998 (NSW)* (which covers the Information Privacy Principles) and Australian State and Territory legislation similar to it; the *Privacy Act 1988 (Cth)* (to the extent it applies to Our activities); and the *General Data Protection Regulation (GDPR)* (which gives certain rights to individuals who are based in the European Economic Area (EEA) during their interactions with Us).



This Policy needs to be read together with the Data Protection and Privacy Notice (**Privacy Notice**) described below.

### **SCOPE – PERSONAL DATA**

This Policy and the Privacy Notice apply to **personal data**, which includes personal information, sensitive information, personal data and special category data as defined under applicable privacy laws. This Policy and the Privacy Notice apply to personal data Privacy Notice regardless of how the data is processed or stored (or whether it is hardcopy, electronic or by verbal means).



## DATA PROTECTION AND PRIVACY POLICY

### 1. Privacy Officer

#### 1.1 Privacy Officer

The Club has appointed a Privacy Officer (**Privacy Officer**) who is responsible for data protection and privacy across the Club's databases.

### 2. Processing of personal data and Our lawful bases

- 2.1 Our Privacy Notice provides detailed information relating to the handling of Your personal data, as well as any individual rights that may be available to You. Our Privacy Notice outlines how Your personal data is collected by the Club and shared with the RROCA .
- 2.2 The Club collects, processes, uses, discloses and stores personal data from each person who contacts (**visitor**) or joins the Club (**member**). The Club shares some of this data with the RROCA.
- 2.3 The Club will only process personal data that is necessary for it to fulfil its functions and activities as determined by the nature of Your interaction with the Club and where there is a lawful basis to do so. The processing of personal data will be by fair means and will not be unreasonably intrusive.

### 3. Automatically processed information, including use of cookies

- 3.1 Personal data may be automatically processed as a result of You using the Club website, Wi-Fi and other online services. The types of personal data processed may include:
  - usernames, passwords and other registration details that You provide when registering to use Our website or other services;
  - details of Your visits to, and use of, Our website , Wi-Fi and other online services, including different parts of those services You access during Your visits, Your IP address, and the date and time of Your access.
- 3.2 The Club website uses cookies<sup>2</sup> and related technologies. It is possible to disable the acceptance of cookies by Your web browser. However, doing so may restrict Your ability to access some web pages. Some parts of the Club website are access restricted. These parts may use cookies to deliver content specific to Your interest. Cookies may also be used for authentication purposes and to improve security during a member's or visitor's session online. Please refer to Our website Terms and Conditions for more detailed information.

### 4. Use and disclosure of personal data

- 4.1 Personal data processed by the Club is used and disclosed for the following purposes:
  - to support prospective and current Club members in their search for information regarding the Club and eligible motor cars and other Club members;
  - to provide analytics, including traffic flows in and around Our website, for the purpose of content and capacity utilisation;

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<sup>2</sup> A cookie is a small message given to Your web browser by Our web server. The browser stores the message in a text file and the message is then sent back to the server each time the browser requests a page from the server.



- to ensure the use of the Club network is authorised, to protect against unauthorised access, to monitor the use and availability of the website, and system administration purposes, facilities and services;
- in the management, security and safety of Club members and visitors;
- to enable the Club to meet its public privacy principles obligations;
- the provision of security or safety messages and to facilitate appropriate assistance in the event of a breach of security or privacy including to comply with any government directions;
- in the course of addressing enquiries and requests; and
- for the specific purposes outlined in the Collection Statement(s) that apply to Your interaction with Us.

4.2 Your personal data may be disclosed to the Club's legal advisers or other professional advisers and consultants engaged by the Club.

4.3 Personal data may be used or disclosed by the Club where permitted or required by law. This will usually be where it is necessary to lessen or prevent a serious breach of security or privacy.

4.4 In addition, We may, from time to time be required to disclose Your personal data to third parties, such as:

- law enforcement or other government and regulatory bodies as required by law;
- external third party providers such as Our insurers or those who require the information to provide a service to the Club or to the RROCA or for the purposes of checking the quality of the services We provide (e.g. Our auditors); and
- third party payment processors for the purposes of validation where payments are made online to the Club

4.5 Any other uses or disclosures that the Club makes will be where permitted by law or other lawful bases (as notified to You) and Your interests will always be considered. Where the Club is required to disclose Your personal data to third parties, We will always seek to share the minimum amount of personal data necessary.

4.6 The Club website may have chat rooms, forums, online teaching environments, message boards and/or news groups available to users. Please remember that any information that is disclosed in these areas may become public information and You should exercise caution when deciding to disclose Your personal data.

## **5. Security and quality of personal data**

5.1 We are committed to the integrity and safeguarding of personal data and take all reasonable steps to ensure that the personal data We process, maintain, use or disclose is:

- accurate, complete and up to date (as provided by You);
- protected from misuse, loss, unauthorised access, modification or disclosure; and
- managed in accordance with the Club's Retention and Disposal Policy.



- 5.2 Physical, technical and appropriate protective data security practices are applied to all personal data held by Us.
- 5.3 The Club website has security measures in place against the loss, misuse and alteration of information in accordance with applicable privacy laws.
- 5.4 The Club has a social media policy which prohibits the disclosure of Your personal data on social media by Us.
- 5.5 When using contracted service providers, We endeavour to ensure contracted service providers are subject to a law, binding scheme or contract that provides similar protection of the personal data as provided for by applicable privacy laws.

## **6. Access and correction of personal data**

- 6.1 You should ensure Your personal data is accurate, complete and up to date.
- 6.2 You have a right to access or correct the personal data that We hold about You.
- 6.3 If You would like to request access to, or correction of, Your personal data and You are a Club member, please contact the Club's Privacy Officer.
- 6.4 If You are not covered by section 6.3 and You would like to request access to, or correction of, Your personal data, please contact the Club's Privacy Officer.
- 6.5 The Privacy Notice provides further details on the additional rights that may be available to You in certain circumstances depending on the nature of Your interaction with Us.

## **7. Use of identifiers**

- 7.1 We may assign Club members with a unique identifier in the form of an ID number. Those ID numbers are considered to be personal data and will be handled in accordance with the law.

## **8. Transfer of Your personal data**

- 8.2 We may use service providers that are located outside of South Australia and/or Australia and as a result, personal data processed and held by Us may be transferred outside of South Australia (but within Australia) or outside Australia.
- 8.3 Where We transfer personal data outside of South Australia or outside of Australia, We will take all reasonable steps to comply with the relevant Information Privacy Principle relating to trans-border data flows (IPP9). Such reasonable steps may include:
  - de-identifying personal data; or
  - determining if the recipient is subject to legal or binding scheme that provides protection which is substantially similar to the applicable Information Privacy Principles; or
  - contractual arrangements requiring the recipients of the personal data to handle information in accordance with the Information Privacy Principles; or
  - seeking the consent of the individual prior to transferring the personal data; or
  - as is otherwise permitted by law.



8.4 Where We transfer personal data from inside the EEA to outside the EEA, We will, to the extent applicable, comply with the GDPR and take specific measures to safeguard Your personal data.

9. **Opting out of receiving material produced by the Club or having personal data published**

9.1 If You do not wish to:

- receive communications from Us, or
  - have Your personal data published in any form by Us,
- you can opt out by utilising the unsubscribe options on the specific publication.

9.2 Alternatively, a written request can be forwarded to the Club's Privacy Officer at [peter8998@icloud.com](mailto:peter8998@icloud.com) detailing the communications You no longer wish to receive or personal data You no longer wish to have published.

9.3 Some Club communications to members are not optional and must continue to enable Us to operate effectively and carry out Our main functions.

10. **Data Protection Impact Assessments**

10.1 A Data Protection Impact Assessment (**DPIA**) may be undertaken when there is a change to an existing project, system or process, or the introduction of a new project, system or process, that involves a change in current practices for the processing, use, disclosure or storage of personal data. A DPIA is undertaken:

- to ensure legal obligations are met to protect the privacy of any personal data We process, use, disclose and store;
- to assess the necessity and proportionality of processing in relation to any risks against the rights and freedoms of individuals resulting from the processing of personal data;
- to support good governance and informed decision making in the handling of personal data;
- to ensure appropriate risk mitigation considerations to the Club, community and individuals in the handling of personal data are considered;
- to assess whether it is safe and appropriate to proceed to the implementation phase of a new activity/project/process; and
- to consider non legal risks related to the planned change such as, but not limited to, individuals being uncomfortable with the use of their information for particular purposes that the Club should be sensitive to.

11. **Complaints relating to how We handle Your personal data**

11.1 If You are concerned that Your personal data has not been handled in accordance with this Policy, the relevant Collection Statement(s) and/or Your individual rights, You may lodge a written complaint with the Club's Privacy Officer.

11.2 Your complaint will be appropriately investigated, and the Club will provide a response to You, as required, within a reasonable period of time.

11.3 If You are unhappy with the way that We are using Your personal data, or if You are not satisfied with Our response to a complaint, You may lodge a complaint with the Privacy



Commission of South Australia (in relation to personal information and/or sensitive information), the Office of the Australian Information Commissioner (to the extent that the Privacy Act 1988 (Cth) applies) or if the GDPR or other jurisdiction's data and privacy law applies, with a Data Protection Authority.

**12. Reporting data and privacy incidents and responsibilities**

- 12.1 If You become aware of a data or privacy incident, including an actual or suspected data breach, this must be immediately reported to the Club's Privacy Officer.
- 12.2 A data or privacy incident means an actual or suspected data breach as defined under applicable privacy laws, including:
- the use or disclosure of personal data for a purpose that is not authorised by the individual or by law; or
  - the loss, accidental or unlawful destruction, misuse, unauthorised access, alteration or unauthorised disclosure of personal data.
- 12.3 The Club is also responsible for appointing a privacy coordinator and informing Our Privacy Officer of changes to any appointment.
- 12.4 The Privacy coordinator is responsible for:
- assisting members and others with general queries regarding data management and privacy relating to the Club;
  - escalating queries and data or privacy complaints to the Club's Privacy Officer where appropriate; and
  - informing the Club's Privacy Officer immediately of data or privacy incidents.

**13. Changes to the Policy and Privacy Notice**

- 13.1 We may make changes to this Policy and to the Privacy Notice from time to time.
- 13.2 When We make changes, We will make reasonable efforts to bring this to Your attention by placing a notice on the website or by sending You an email.

**14. Further information and assistance**

- 14.1 If You have any questions, or You would like to find out more about this Policy and the Privacy Notice, please contact the Club's Privacy Officer by email - [peter8998@icloud.com](mailto:peter8998@icloud.com)



## ADMINISTRATION

Supporting policies	The Club Website Terms and Conditions The Club Document Retention Policy
Supporting documents	The Club Data Protection and Privacy Notice
Legislation mandating compliance	<ul style="list-style-type: none"><li>• Privacy Committee of South Australia</li><li>• Privacy Act 1988 (Cth)</li><li>• General Data Protection Regulation (EU) 2016/679</li></ul>
Responsibility for implementation	Club Privacy Officer
Approval body	Club Committee
Policyowner	Club Privacy Officer
Date effective	Sept 2024
Review date Category	Sept 2027