

## NBL MANAGEMENT LIMITED (“NBL”)

### PRIVACY POLICY

1. NBL operates the National Basketball League (“**League**”). NBL recognises that privacy is important and that individuals have a right to control their personal information. NBL acknowledges that providing personal information is an act of trust and NBL takes that seriously. Unless an individual gives NBL consent to act otherwise, the following Policy governs how NBL handles personal information of individuals.
2. This Policy also governs how NBL’s participant clubs (“**Clubs**”) handle personal information of individuals. References to the collection, purposes, use and management of personal information by NBL throughout this Policy shall be read to also apply to Clubs. Personal information collected by Clubs will be shared with NBL for the benefit of NBL, Clubs and the League. For the avoidance of doubt, an individual Club shall not share information with another Club, however, unless requested otherwise, NBL will have access to information collected by all Clubs.
3. NBL is committed to protecting personal information. NBL is also committed to complying with the private sector National Privacy Principles (“**NPPs**”) set out in *Privacy Act 1988* (Cth).
4. NBL may collect information, including personal information, from its “**Constituents**” who include:
  - (a) basketball participants, including, but not limited to, players, coaches, referees and officials;
  - (b) persons that subscribe to current or future NBL or Club membership programs, newsletters or promotional offers;
  - (c) persons who purchase tickets to attend League matches;
  - (d) persons that participate in NBL or Club events including clinics or courses; and
  - (e) persons that have sponsorship or other relationship with NBL or any Club, including through corporate hospitality.

#### HOW DOES NBL COLLECT PERSONAL INFORMATION?

5. Personal information means information or an opinion about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
6. NBL will not collect personal information unless the information is necessary for one or more of its functions or activities. NBL will also only collect personal information by lawful and fair means and not in an unreasonably intrusive way.
7. At the time of collecting personal information, NBL will advise the Constituent of:
  - (a) it’s 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 NBL usually discloses information of that kind;
  - (e) the main consequences (if any) for the individual if all or part of the information is not provided.
8. NBL and Clubs collect personal information in a number of different ways. Historically, NBL has collected personal information on Constituents directly through registration and other forms, including online forms on NBL's website at <http://www.nbl.com.au> ("**Website**"), and indirectly through Clubs, including the websites owned and controlled by Clubs. NBL will retain such personal information and deal with it according to this Policy. NBL will continue to collect personal information from its new Constituents (and updated information from existing Constituents) through the Clubs through application and other forms, from those who register for our courses and events, as well as from online forms on our Website.

### **WHAT PERSONAL INFORMATION DOES NBL COLLECT?**

9. The type of personal information we may collect from Constituents may vary, however it generally comprises name, address, age group, gender and other contact details (including phone, fax and email). We may also collect credit card or other banking information where you are purchasing tickets or other merchandise. We may also collect information about your occupation, Club memberships and certain information about your personal interests. This and any other information we collect is collected primarily for the following purposes, in the course of our business to:
- (a) service participants (including, but not limited to, players, coaches, referees and officials) by effectively operating NBL, and for insurance purposes;
  - (b) service the Clubs and the administrators and sponsors of such Clubs and their affiliates;
  - (c) service subscribers to our on-line newsletters and, unless advised otherwise, for direct marketing purposes;
  - (d) service customers of our on-line shop and, unless advised otherwise, for direct marketing purposes;
  - (e) service customers of our ticket agency in purchasing tickets and those who receive priority notice of ticket sales;
  - (f) publicise and promote NBL and our sponsors to our Constituents;
  - (g) service and survey participants in corporate hospitality and events, so that we can analyse our market and, unless advised otherwise, for direct marketing purposes;
  - (h) contact participants (including, but not limited to, players, coaches, referees and officials) in any courses and clinics that NBL operates to service those participants and, in the event of an emergency, for insurance purposes and, unless advised otherwise, for direct marketing purposes;

- (i) to otherwise operate and manage NBL for the benefit of the League.
10. Where possible, at the time we collect personal information we advise the Constituent of the primary purpose.
  11. As explained below, the reason we collect this information is so that we can provide you with our services, manage our relationship with you, communicate with you effectively and identify which of our services will best meet your requirements. However, we don't collect information we don't need.

#### **HOW IS PERSONAL INFORMATION USED?**

12. The personal information collected from Constituents by NBL is used to:
  - (a) provide our services; and/or
  - (b) notify you about services and promotions offered by us and our sponsors; and/or
  - (c) otherwise operate and manage NBL for the benefit of the League.
13. We use the personal information we collect and store for the purposes we have either advised or for which we have obtained consent. We also carry out research using personal information from time to time, in order to improve our business and our products and services. The analysis is carried out using aggregated information, not information relating to specific individuals.
14. As a non-profit body, NBL needs to enter into sponsorship arrangements with third parties from time to time. One of NBL's objectives in doing so is to keep membership fees at a low level. This will sometimes mean that NBL uses personal information about you to provide you with information about products, services and promotions offered by our sponsors. If at any time you do not wish to be notified about the products, services or promotions offered by our sponsors, please let us know.

#### **WILL PERSONAL INFORMATION BE GIVEN TO ANYONE ELSE?**

15. Personal information may be disclosed outside NBL or a Club in the circumstances described below or as otherwise set out in this Policy.
16. Outsourcing
  - (a) Personal information collected by NBL may be disclosed to third parties to whom NBL contracts out specialised functions (including mailing houses, printing companies and conference organisers).
  - (b) For example, when NBL enters into a sponsorship arrangement, NBL does not ordinarily disclose personal information to the sponsor. Instead, NBL usually enters into a contractual arrangement with a secure mailing house, and it will be that third party's contractual obligation to mail out information about the relevant products, services or promotions offered by that sponsor.

- (c) If NBL does disclose personal information to third party contractors under outsourcing or contracting arrangements, NBL takes steps to ensure that those contractors:
    - (i) comply with the NPPs when they handle your personal information (regardless of whether they are a small business, and would otherwise be exempt from relevant privacy laws); and
    - (ii) are authorised only to use personal information in order to provide the services or to perform the functions required by NBL.
17. Disclosures required by law: The only other time NBL would make disclosures of personal information is if it is required to do so by law, or if the disclosure is permitted under the Privacy Act.
18. Transborder data flows: The League is an international competition, however it will only transfer personal information about a Constituent to someone who is in a foreign country if:
- (a) NBL 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 NPPs; or
  - (b) the transfer is to the International Basketball Federation (“FIBA”) or for the purposes of compliance with the World Anti-Doping Code; or
  - (c) the individual consents to the transfer; or
  - (d) the transfer is necessary for the performance of a contract between the individual and NBL, or for the implementation of pre-contractual measures taken in response to the individual’s request; or
  - (e) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between NBL and a third party; or
  - (f) 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
  - (g) NBL 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 NPPs.

## **ACCESS AND CORRECTION**

19. NBL and Clubs will take reasonable steps to make sure that the personal information collected, used or disclosed is accurate, complete and up-to-date.
20. Under the Privacy Act, you have a right to seek access to information which NBL holds about you (although there are some exceptions to this). You also have the

right to ask us to correct information about you which is inaccurate, incomplete or out of date.

21. If you wish to exercise your right under the Privacy Act to seek access to the personal information that NBL holds about you, we ask that you contact NBL and/or the relevant Club, who will explain how your access request will be handled.
22. We will assume (unless you tell us otherwise) that your request relates to our current records about you. These current records will include personal information about you which is included in our databases and in paper files, and which may be used by NBL on a day to day basis. To provide you with access to "current" personal information, NBL would ordinarily provide you with a print-out of the relevant personal information from our databases, or with photocopies of records which are held only on paper files. Ordinarily, NBL will not charge you for the cost of providing this type of access to these records.
23. If you are of the view that personal information about you is not accurate, complete or up to date, please provide NBL and/or the relevant Club with your request for correction.

#### **IS PERSONAL INFORMATION STORED SAFELY?**

24. NBL and Clubs take steps to ensure the security of personal information held from such risks as loss or unauthorised access, destruction, use, modification or disclosure. NBL only permits your details to be accessed by authorised personnel.
25. NBL will also take reasonable steps to destroy or permanently de-identify personal information that it no longer requires.

#### **ONLINE PRIVACY ISSUES**

26. NBL will apply this Policy to all personal information it handles, whether collected online or otherwise. To the extent that this Policy applies to online privacy issues, it is to be read as forming part of the terms of use for our Website. This clause is intended to provide more information about privacy for the users of our Website.
27. Online collection of personal and non-personal information
  - (a) NBL collects personal information through our Website.
  - (b) Our Website also collects other information which may or may not be personal information. For each visitor to our Website, our server automatically recognises and stores your "address" (eg your domain name or Internet protocol address), the type of your Internet browser, the address of the site which "referred" you to our Website and clickstream data.
  - (c) In addition, our Website may use cookies to track usage of our Website. Most web browsers are set by default to accept cookies. However, if you do not wish to receive any cookies you may set your browser to either prompt or refuse cookies. Please note that rejecting cookies may mean that not all the functions on the Website are available to you. We use cookies for tracking the statistics of our Website. This allows us to better understand our users and improve the layout and functionality of our Website. This tracking is conducted in such a way to ensure the anonymity

of visitors – in this context the cookie may identify your computer – but it should not identify you.

28. Links to other websites: Sometimes our Website contains links to third party websites, for your convenience and information. When you access a non-NBL website, please understand that NBL is not responsible for the privacy practices of that site. We suggest that you review the privacy policies of each site you visit.

#### **CONTACTING NBL**

29. If you have any questions or comments about this privacy policy, or if you wish to complain about how we have handled personal information about you, please contact NBL:
- (a) by telephone: 02 9469 7200; or
  - (b) by facsimile: 02 9469 7201; or
  - (c) by e-mail: [nbl@basketball.net.au](mailto:nbl@basketball.net.au); or
  - (d) by letter: Level 3, 256 Coward Street, Mascot, NSW, 2020.