



PRIVACY STATEMENT

Title of Policy: Privacy Policy	Date of Revision:: 19 November 2019	Page 1 of 7
		Appendices: Nil
Issued by: Racing NSW		

Background

Racing NSW is a body corporate established under the *Thoroughbred Racing Act (NSW) 2004*.

Functions of Racing NSW

The functions of Racing NSW include:

- Control, supervision and regulation of horse racing in NSW
- Initiation, development and implementation of policies considered conducive to the promotion, strategic development and welfare of the horse racing industry in NSW
- Protection of the public interest as it relates to the horse racing industry

Powers of Racing NSW

Racing NSW has the power to:

- Register or licence, or refuse to register or licence, or cancel or suspend the registration or licence of, a race club, an owner, trainer, jockey, stablehand, bookmaker, bookmakers clerk or another person associated with racing, or disqualify or suspend any of those persons permanently or for a specified period
- Supervise the activities of persons licensed by Racing NSW and all other persons engaged in or associated with racing
- Inquire into and deal with any matter related to racing

Privacy

Racing NSW understands how important the privacy of your Personal Information is to you. Racing NSW is committed to the protection of your Personal Information. Racing NSW will request you provide information only if it is necessary for one or more of its functions. The types of Personal Information that Racing NSW requests that you provide will depend on the category of licence or registration that you are applying for. Racing NSW respects that individuals have the right to know what information it holds about them.

Purpose of collection

Information is collected by Racing NSW to assist it in making licensing and registration determinations, to assist with Stewards' inquiries and integrity investigations and also for

welfare purposes. Among other things, this might include but is not limited to the assessment of an applicant's fitness and propriety to hold or be issued with the particular category of registration or licence and also the location and tracking of the whereabouts of horses.

How is information collected?

Information is usually collected by means of a standard form for the particular category of licence, registration or subscription. Occasionally, information will be collected from overseas or interstate governing racing bodies (see Transborder Data Flows below). However, the information is usually collected:

- direct from the applicant, and/or
- from the NSW Police Service with the written consent of the applicant

How long information is kept

We will keep personal information for as long as we reasonably require personal information for any valid and lawful purpose. These purposes include to provide you with our services and any information that you have requested, exercise our rights and perform our obligations under a contract, investigate and defend actual or potential claims, comply with our legal obligations and other purposes permitted by law.

When it is no longer reasonably necessary for us to keep your personal information, your information will be destroyed or put beyond use. However, we may de-identify data and retain such data for statistical purposes only.

Data security

Racing NSW will take all reasonable steps to secure personal information from misuse, loss, unauthorised access, modification and disclosure. We do this by having physical and electronic security systems and by limiting who can access your personal information. We also have online and network security systems in place. However, because of the nature of the internet and wireless technologies, we cannot guarantee the security of your personal information. The information will usually be stored in either hard copy or computer database. We use third party providers to store some personal information. Information can only be accessed by staff on a need to know basis. In the case of breaches or suspected breaches, Racing NSW acts in accordance with its Data Breach Policy.

Please contact us if you become aware of any breach of security.

Access

At any time, you can request access to the information that Racing NSW holds about you. If you wish to have access to the information held about you, you should contact the Racing NSW Privacy Officer, whose details are listed below. Each application will be determined and dealt with in accordance with the relevant legislation.

Consequences of not providing information requested

You may choose not to supply Racing NSW with the information that it has requested. However, if you do not supply the information requested, Racing NSW may be unable to process your application for registration, licence, subscription or claim. There may also be other collateral adverse consequences should your refusal hinder a welfare investigation.

Personal information

Racing NSW may ask a person to provide it with certain personal information. Amongst other things, such information may include:

- name
- date of birth
- address
- telephone numbers
- employment history
- licence history
- occupation
- bank details
- credit card details
- purchase and sale history
- information regarding the location and distribution of horses
- ownership and registration details

Sensitive information

In some circumstances, Racing NSW will request a person to provide it with sensitive information. Sensitive information will only be collected from you with your consent. The sensitive information may include requests for information regarding:

- criminal history
- convictions under the rules of racing
- medical history
- defaulter and bankruptcy history
- nationality

Sensitive information may be sought in the following categories of licence or registration applications:

- register or lease a racehorse or syndicate
- jockeys
- trainers
- stablehand
- rider's agent
- bookmaker and bookmaker's clerk

Disclosure

Racing NSW will not use or disclose your personal information except for any purpose which you would reasonably expect us to use the information or as required by law or the order of a court or tribunal. Listed below by are some of the means by which your information may be used and disclosed.

Racebooks and Form Guides

It is a condition of racing that every entry form or stable return shall state the name or names of every person having any share or interest in the ownership or lease of the horse. As this information forms part of the entry for the horse, the names of owners and lessees are made available to appear in any list of race fields, racebooks, form guides and other similar publications. Owners and lessees may not opt out of having their names made publicly available.

Racing NSW Magazine

The Racing NSW Magazine is the official racing calendar and publication of Racing NSW. It

contains various types of notices including:

- Trainer, jockey and farrier contact details
- Penalties
- Nominations refused
- Licenses revoked
- Suspensions
- Fines
- Disqualifications
- Bleeders
- Racing colours
- Special notices

It is a condition of registration or a license that no person may opt out of having their names appear in the magazine in relation to any of the above notices. In the case of trainers, riders and riders' agents at least one contact address and telephone number must be provided.

Workers Compensation and Insurance

As a necessary part of the claims process, Racing NSW is required to gather certain information from a claimant, their employer and other entities with their consent as part of the investigation and progression of each claim. This information is only obtained subject to the requirements of subject legislation and is only dealt with for the purposes contained therein. Any information gathered as part of the claims and/or litigation process is retained for at least 7 years. Racing NSW may also be required to disclose information to our professional advisers and insurers to obtain the appropriate advice, obtain insurance coverage and make claims on behalf of Racing NSW or an associated entity.

Transborder data flows

The information that you supply to Racing NSW may be passed on to other interstate or overseas governing bodies in certain circumstances. For example, any horse or licensee wishing to race in another jurisdiction must first provide a clearance from Racing NSW to that governing body. Likewise, on returning from another state or country, Racing NSW will require a clearance be provided to it. Clearances may also contain information including disciplinary records and personal or sensitive information. All owners and registered or licensed persons are deemed to have authorised Racing NSW to share, pass on and collect information from other governing bodies without having to obtain actual consent from that person.

Contractors

On occasion, Racing NSW will use a third party such as a mailing house or an archive facility to provide a service to it. Where possible, Racing NSW will use appropriate security measures to ensure that contractors deal with the information in accordance with any agreements.

Direct Marketing by industry bodies and associations

Racing NSW may on occasion provide names and contact details of owners and lessees to various organisations that have a connection with racing. However, Racing NSW will only pass such information to organisations where it is of the opinion that such communication may be of interest or benefit to owners and lessees.

Racing NSW might release information to organisations including race clubs and owners or breeders associations. Racing NSW will seek guarantees that the other organisations adhere to the National Privacy Principles and that the information will not be used other than for the purpose

it has been requested. Owners may opt out of receiving such information by advising the Racing NSW Privacy Officer whose details are listed below.

Government Enforcement Agencies and Law Enforcement

Racing NSW might share and/or disclose your information with government and law enforcement agencies for a secondary purpose in accordance with APP6 in Schedule 1 of the *Privacy Act 1988* (Cth). For example, Racing NSW might, where it deems appropriate, share your information with bodies that include but are not limited to the state police in each of Australia's states and territories, the Australian Federal Police, the Australian Tax Office, The Department of Agriculture, Government Regulators and Animal Welfare Organisations. Racing NSW may share or disclose information in this way if it reasonably believes that such a secondary use or disclosure is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, a government enforcement agency or law enforcement body.

Specific Rights for EU Residents Only

If you are located in the European Union, then you may have additional rights. Some of these rights will only apply in very limited circumstances.

- You can withdraw your consent, where we rely on it for processing your personal information, at any time.
- You can ask us to confirm if we are using your personal information.
- You can ask us to delete your personal information. This right only applies in limited circumstances and will not usually apply where it remains necessary for us to process your information for the purposes for which it was collected, we are required by law to retain your information or your information is relevant to a legal dispute.
- You can ask us to stop or restrict how we process your personal information. These rights will apply in limited circumstances and will not usually apply when we need to process your information to carry out our day-to-day business functions or where we have compelling legitimate grounds for processing your information.
- You can ask us to help you move your personal information to other companies, where this is technically possible and only if we have collected and used your data via automatic means. Other conditions apply.
- You have the right to be informed and know about any protections that we have put in place when we are transferring your data overseas.

Stakes Payment System

If you have an interest in the ownership of a racehorse or are trainers you will be asked to provide information including:

- name
- address
- phone number
- ABN
- GST status
- hobbyist declaration

- bank details

If you supply this information to us we will pay your prizemoney by EFT twice monthly. If you choose not to supply this information, your prizemoney will be paid monthly by cheque, however, certain information such as your name address and phone number is still likely to be required for payment by cheque. The Stakes Payment Department and Registrar of Racehorses are the only departments with access to this information.

Contact Details

For further Information on privacy information, please contact the Racing NSW Privacy Officer whose details are listed below.

Mr. Peter V'landys
Privacy Officer
Racing NSW
Level 7, 51 Drutt St,
SYDNEY NSW 2000

Postal Address:
Racing NSW
Level 7, 51 Drutt St,
SYDNEY NSW 2000

Telephone (02) 9551 7556
Facsimile (02) 9551 7501
Website www.racingnsw.com.au
Email pvlандys@racingnsw.com.au

Organisations covered by Privacy Statement

The organisations covered by this privacy statement are listed below:

- Racing NSW
- Registrar of Racehorses
- Racing NSW Magazine
- Australian Racing Forensic Laboratory

Changes to our Privacy Policy

We may update our Privacy Policy from time to time. Our Privacy Policy was last updated in November 2019. By continuing to deal with Racing NSW, you accept this Privacy Policy as it applies from time to time.

We will post all updates to our website.

Complaints

If you have a complaint, Racing NSW would like to try and resolve it with you first. If you have a complaint please contact our privacy officer whose details are listed above. Then, if you are still not satisfied with our response you should lodge a complaint with the Federal Privacy Commissioner whose contact details are listed below:

Office of the Federal Privacy Commissioner
Level 8 Piccadilly Tower

133 Castlereagh St
SYDNEY NSW 2000

Postal Address:
GPO Box 5218
SYDNEY NSW 1042

Phone: (02) 9284 9800

Fax: (02) 9284 9666

Email: privacy@privacy.gov.au

Web: www.privacy.gov.au