

22/9/2015

Mr Ben McDevitt
Chief Executive Officer
Australian Sports Anti-Doping Authority
Unit 6, 5 Tennant Street
Fyshwick ACT 2609

Email: compliance@asada.gov.au

UNDERTAKING FOR THE PROTECTION OF PRIVACY OF PERSONAL INFORMATION

Acknowledgement

I, Martin Hastings on behalf of the Australian Dragon Boat Federation declare and accept that, by executing this undertaking, the Australian Dragon Boat Federation is bound by its terms.

Definitions

Entrusted Person has the meaning given by section 69 of the *Australian Sports Anti-Doping Authority Act 2006 (Cth) (ASADA Act)*.

Personal Information includes but is not limited to: Protected Information; information relating to an athlete or athlete support person's contact details; date of birth; gender; nationality(ies); sports affiliation; whereabouts; designated Therapeutic Use Exemptions (if any); health or medical condition; tests results and results management (including disciplinary hearings or appeals relating to or sanctions imposed upon the athlete/support person). It is information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Protected Information means information that:

- was obtained under or for the purposes of the ASADA Act or a legislative instrument made under the ASADA Act; and
- relates to the affairs of a person (other than an entrusted person); and
- identifies, or is reasonably capable of being used to identify, the person.

World Anti-Doping Code means the Code adopted by the Foundation Board of the World Anti-Doping Agency (WADA) on 5 March 2003 at Copenhagen and as amended from time to time.

International Standard for the Protection of Privacy and Personal Information (ISPPPI) means the International Standard as approved by WADA's Executive Committee on 9 May 2009 and as amended from time to time.



A.B.N. 91 151 895 046

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Hon Shane Stone
AC, PGDK, QC

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Australian Government
Australian Sports Commission



Member for Australia of
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Preamble

1. The Australian Sports Anti-Doping Authority (**ASADA**) is an Australian Government agency established under the ASADA Act as the National Anti-Doping Organisation. The legislative framework which regulates ASADA's powers and obligations includes the ASADA Act and the ASADA Regulations 2006 (Cth) (**ASADA Regulations**), as well as the *Privacy Act 1988* (national laws). The ASADA Regulations contain the National Anti-Doping (**NAD**) scheme.
2. Both ASADA and the Australian Dragon Boat Federation acknowledge that, consistent with the World Anti-Doping Code and the ISPPPI, they have a responsibility to ensure that effective and meaningful protections are applied to the collection, use, disclosure and storage of Personal Information.
3. Both parties also acknowledge that it is of paramount importance that information be treated in confidence so as to ensure the preservation of athlete's and athlete support person's rights and to prevent that information from being used or disclosed in a way that would be unfairly prejudicial to the interests of the athlete or support person.

Undertakings

1. The Australian Dragon Boat Federation acknowledges that, from time to time, ASADA may provide/disclose Personal Information to it.
2. The Australian Dragon Boat Federation agrees that it will collect, store, access, use and disclose all Personal Information provided to it by ASADA in accordance with the terms of this undertaking.
3. Any Personal Information provided by ASADA shall be forwarded to the Person or Persons whose details are set out below in Schedule A attached hereto (**Contact Person**). The Contact Person shall be the person or persons designated pursuant to clause 9.1 of the ISPPPI.

Any changes to the above details (including a change to any Contact Person) must be notified immediately in writing to ASADA.

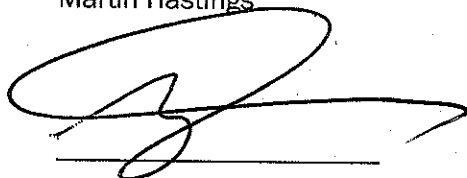
4. The Australian Dragon Boat Federation confirms that only the Contact Person and persons within the organisation with a need to know (**Authorised Personnel**) will have access to any Personal Information provided by ASADA and that disclosure of that Personal Information within the Australian Dragon Boat Federation is strictly limited to the Contact Person and those Authorised Personnel. The Australian Dragon Boat Federation shall ensure that any Authorised Personnel who are given access to any Personal Information are provided with a copy of this undertaking and agree to abide by its terms prior to any disclosure being made.
5. The Australian Dragon Boat Federation shall ensure that any Personal Information provided to it by ASADA is stored securely by applying reasonable security safeguards, including physical, organisational, technical, environmental and other measures, to prevent the loss or unauthorised access, destruction, use, modification or disclosure

(including disclosures made via electronic network) of the Personal Information.

6. The Australian Dragon Boat Federation will not use or disclose the Personal Information for a purpose other than the purpose for which the Personal Information is given. Furthermore, the Australian Dragon Boat Federation will not use or disclose the Personal Information in a way that would be unfairly prejudicial to the interests of the athlete or athlete support person.
7. Subject to clause 8, the Australian Dragon Boat Federation undertakes that it will keep the Personal Information confidential until the matter to which the Personal Information pertains has been finally determined at a hearing and/or the athlete or athlete support person waives their right to a hearing and/or the assertion of an anti-doping rule violation has not been challenged in a timely manner and/or as may otherwise be permitted by ASADA. Any publication of the Personal Information by the Australian Dragon Boat Federation subsequent to the occurrence of any one of the events described in this clause must be in accordance with the requirements of the World Anti-Doping Code.
8. ASADA notes that the Australian Dragon Boat Federation may need to disclose Personal Information to third parties in connection with or for legitimate anti-doping purposes. Prior to releasing any information to which this undertaking relates, to any third party, the Australian Dragon Boat Federation must ensure that such third parties are subject to appropriate controls, in order to protect the confidentiality and privacy of the Personal Information.
9. The Australian Dragon Boat Federation undertakes that it will ensure that Personal Information that is disclosed by ASADA is only retained for as long as necessary for the Australian Dragon Boat Federation to administer anti-doping programs (including testing) or fulfil other obligations arising under the World Anti-Doping Code. Once the Personal Information no longer serves these purposes, the Australian Dragon Boat Federation must ensure it is deleted or destroyed as soon as practicable.
10. The Australian Dragon Boat Federation undertakes to ensure that all Authorised Personnel are aware of the undertakings that have been given by the Australian Dragon Boat Federation to ASADA and accept the obligation of confidentiality encompassed within the undertakings.
11. This undertaking supersedes all prior undertakings between Australian Dragon Boat Federation and ASADA.
12. This undertaking is binding on all assigns and successors in title to the Australian Dragon Boat Federation.

Signed by (name): Martin Hastings

Signature:

A handwritten signature in black ink, appearing to be 'M. Hastings', written over a horizontal line.

Position:

Finance Director

Date:

22/9/15

SCHEDULE A

Contact person

Name of person: Christina Wohlson

Position: Administration Manager

Contact details:	phone:	0447 713 446
	fax:	n/a
	email:	accounts@ausdbf.com.au