

Privacy Policy

This document is the Internet Association of Australia Privacy Policy. In this Privacy Policy, “we”, “our” and “us” are all references to the Internet Association of Australia Inc ABN 71 817 988 968 of PO Box 8700, Perth Business Centre WA 6849 (“IAA”).

Our legal obligations

We are committed to complying with our privacy obligations in accordance with all applicable laws, including the Australian Privacy Principles contained in Schedule 1 to the *Privacy Act 1988* (Cth) and our obligations under Part 13 of the *Telecommunication Act 1997* (Cth).

Your consent to our collection, use and disclosure of your personal information

By providing any personal information to us (either directly or via your computer or other internet-enabled device), you consent to our collection, use and disclosure of your personal information in accordance with this Privacy Policy.

Why we collect personal information

As a provider of telecommunications products and services, we collect personal information from our members, and from other persons who contact us from time to time. We are required under law to retain certain types of data, we may be required by law to intercept the content of communications made using our products and services (if we receive a valid interception warrant) or we may need to access personal information in order to apply technical support to a particular member's service. The majority of personal information we collect relates to our members. We may need to collect, hold, access or disclose personal information in order to identify our members, deliver our products or services to members, manage the security of our telecommunications networks, products and services, transmit data to members, undertake industry consultation or in order to answer questions members have in relation to the products and services that we supply, or can supply, to them.

We may also collect personal information and sensitive information from members in order to assess their creditworthiness and whether to grant credit approval. When we carry out industry representation activities, including for the purposes of lobbying government, it may also be necessary to collect information about a member's political opinions and their membership of a professional or trade association in circumstances where such information is relevant to our representation of the internet industry. The collection of personal information helps us to deliver, support and maintain our products, networks and services, manage our association, represent the internet industry and improve the products, networks and services that we provide to our members.

We may collect personal information if it is provided to us via our website online enquiry forms or via email, telephone or any online technical support communications or ticketing services that we may operate (including when contacted by members or potential members about our products and services or to provide technical support for our products and services when members log tickets through any online helpdesk we may choose to make available). We may obtain personal information directly from third parties such as our sales

agents and any of their representatives. In addition, we may obtain personal information from public sources (such as peering databases), where available. However, where it is reasonable and practicable to do so, we will collect personal information about an individual only from that individual.

Personal information we collect

The personal information we may collect includes names (including personal, company and business and trading names), physical, postal and email addresses, telephone and mobile numbers, credit card and bank account details, login credentials, device identifiers, network particulars (including the 'AS number' a member may present at one our peering exchanges) and IP addresses.

We may also collect the following categories of personal information in circumstances where:

- a person voluntarily provides personal information to us (this information may include a person's name, their organisation's name, their date of birth, contact details, email addresses, credit history and details of our products and services the person chooses to enquire about);
- a person enquires (either for themselves or on behalf of their organisation) about or subscribes to one of our products or services and tells us their name, contact details, billing details (including credit card or bank account details), creditworthiness information, device identifier details, network details (including for example, the 'AS number' a member may present at one our peering exchanges) and IP addresses;
- a person or their organisation becomes a member, employee, partner, distributor or contractor of our association (in which case they provide their name, date of birth, contact details, billing information (including credit card and bank account details), email addresses, and details of their equipment and our products and services they subscribe to);
- a person completes our online enquiry forms or telephones or emails us (or otherwise contacts us) and provides contact details and other personal information relevant to their enquiry;
- a person provides IP address details to us through their computers and internet-enabled devices;
- IP addresses and internet device details that we collect for the purposes of maintaining, optimizing and analysing our websites, networks or security management activities on our telecommunications networks;
- a person tells us their name, and details of their subscription to our services so that we can identify them and provide technical support to the person in response to a technical support call or sales enquiry we receive from the person via telephone, email or otherwise (including through our online portal) about our products, networks or services.
- a person provides us with their name and contact details in an application made to us for employment, or when an application is made to us by a person or organisation to become one of our distributors, subcontractors, suppliers or partners;
- where we employ or engage any person to provide products or services pursuant to a written contract, and we retain the personal information set out in the contract;
- where we conduct employment interviews, telephone calls and meetings and keep notes from the telephone and in person interviews, and in resumes and recruitment related emails that we receive.
- market research information where we source information for market research or industry representation purposes;
- personal information supplied to us by any of our members, suppliers, subcontractors or other third parties for industry consultation or representation purposes;

- other personal information where a person specifically consents to our collection, holding or disclosure of the personal information.

We log access to our websites and telecommunications products, networks and services, and in those circumstances track the IP address used, the data or time of the visit, the pages of our website viewed and the type of browser used so that we can establish a broad understanding of site traffic patterns, assist in diagnosing server and network problems, secure our sites, networks and services and perform site, network and service administration and maintenance.

We may use “cookies” to gather information as users navigate through our websites. Cookies are pieces of information that a website transfers to a computer’s or device’s hard disk. This helps us tailor and improve the information we present to you when you visit our websites.

As an internet service provider, we are required to retain data about communications under Part 5-1A of the *Telecommunications (Interception and Access) Act 1979 (TIA Act)*. This information is retained for 2 years from the date that we create it. We are also required under the TIA Act to retain subscriber information for 2 years from the date the relevant account is closed. The data that we retain in accordance with our obligations under the TIA Act may be disclosed to law enforcement agencies. The specific types of personal information that may be required to collect and retain under the TIA Act can include:

Kinds of information to be kept		
Item	Topic Column 1	Description of information Column 2
1	The subscriber of, and accounts, services, telecommunications devices and other relevant services relating to, the relevant service	<p>The following:</p> <p>(a) any information that is one or both of the following:</p> <p>(i) any name or address information;</p> <p>(ii) any other information for identification purposes;</p> <p>relating to the relevant service, being information used by the service provider for the purposes of identifying the subscriber of the relevant service;</p> <p>(b) any information relating to any contract, agreement or arrangement relating to the relevant service, or to any related account, service or device;</p> <p>(c) any information that is one or both of the following:</p> <p>(i) billing or payment information;</p> <p>(ii) contact information;</p> <p>relating to the relevant service, being</p>

Kinds of information to be kept		
Item	Topic Column 1	Description of information Column 2
		<p>information used by the service provider in relation to the relevant service;</p> <p>(d) any identifiers relating to the relevant service or any related account, service or device, being information used by the service provider in relation to the relevant service or any related account, service or device;</p> <p>(e) the status of the relevant service, or any related account, service or device.</p>
2	The source of a communication	Identifiers of a related account, service or device from which the communication has been sent by means of the relevant service.
3	The destination of a communication	<p>Identifiers of the account, telecommunications device or relevant service to which the communication:</p> <p>(a) has been sent; or</p> <p>(b) has been forwarded, routed or transferred, or attempted to be forwarded, routed or transferred.</p>
4	The date, time and duration of a communication, or of its connection to a relevant service	<p>The date and time (including the time zone) of the following relating to the communication (with sufficient accuracy to identify the communication):</p> <p>(a) the start of the communication;</p> <p>(b) the end of the communication;</p> <p>(c) the connection to the relevant service;</p> <p>(d) the disconnection from the relevant service.</p>
5	The type of a communication or of a relevant service used in connection with a communication	<p>The following:</p> <p>(a) the type of communication;</p> <p>Examples: Voice, SMS, email, chat, forum, social media.</p> <p>(b) the type of the relevant service;</p> <p>Examples: ADSL, WiFi, VoIP, cable, GPRS, VoLTE, LTE.</p> <p>(c) the features of the relevant service that</p>

Kinds of information to be kept		
Item	Topic Column 1	Description of information Column 2
		<p>were, or would have been, used by or enabled for the communication.</p> <p>Examples: Call waiting, call forwarding, data volume usage.</p> <p>Note: This item will only apply to the service provider operating the relevant service: see paragraph 187A(4)(c).</p>
6	The location of equipment, or a line, used in connection with a communication	<p>The following in relation to the equipment or line used to send or receive the communication:</p> <p>(a) the location of the equipment or line at the start of the communication;</p> <p>(b) the location of the equipment or line at the end of the communication.</p> <p>Examples: Cell towers, Wi?Fi hotspots.</p>

We may also be required by law to intercept the content of communications made on our telecommunications networks and provide that content to law enforcement agencies. The types of data that may be intercepted may include websites visited, packets downloaded, connection duration, IP addresses, serial numbers of customer premises, equipment used, and any other data transmitted via our networks that can be captured by our servers and devices.

What we do with personal information

Personal information that we hold is stored in physical or electronic form. Some personal information we collect is stored with third party data hosting providers and online software platform operators. We take reasonable e-security and physical security steps to protect personal information we hold from misuse and loss, and from unauthorised access, modification or disclosure.

We may disclose personal information to our offshore hosting and online software platform operators.

In addition to the purposes set out above in this Privacy Policy, we may use or disclose personal information that we collect for all or any of the following purposes:

- To assist our staff in the course of supplying products or services to members;
- Conducting market research and industry representation;
- Handling complaints or concerns about our products or services with a member;
- Managing employee, distributors or subcontractors records;
- Operating, improving and maintaining our products, networks and services;
- Running our websites and online services;

- Processing an application or enquiry made to us by any person;
- Identifying a member or their authorized representatives when we are contacted with questions or concerns regarding our products or services;
- To allow our third party suppliers (including some international third party suppliers) and contractors to conduct research, or help us to provide consultation about certain products and services.
- When publishing member information in public Peering Directories (Peering DB etc).
- When another member requests a copy of our register of members in accordance with the *Associations Incorporation Act 2015 (WA)*;
- When providing information to our legal, accounting or financial advisors/representatives to debt collectors for debt collection or other purposes;
- Where authorized or required by law.

In addition to the above situations, we may also need to disclose personal information to enforcement bodies for or in connection with:

- The prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of law imposing a penalty or sanction or breaches of a prescribed law;
- The enforcement of laws relating to the confiscation of the proceeds of crime;
- The protection of public revenue;
- The prevention, detection, investigation or remedying of seriously improper conduct or proscribed conduct;
- The preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of the court or tribunal.

We do not send “junk” or unsolicited e-mail in contravention of the *Spam Act 2003 (Cth)*. We will, however, use email to respond to inquiries, confirm purchases, subscriptions, terminations and cancellations of services, or contact users of our products, networks or services. If a member or other person receives a marketing e-mail it does not want from us they can request that we not send further marketing e-mails by contacting us via email at: privacy@internet.asn.au or opting out by clicking the relevant link in the e-mail.

We will not sell, trade, or rent your personal information to anyone outside of our association unless authorised by you or this Privacy Policy or such information is disclosed in connection with our sale, merger, or reorganization, or the consolidation of our assets or capital stock or such disclosure is required to protect the safety of employees, members or property.

We value the opinions and comments from our members, so from time to time we may conduct online surveys. Typically, the information is aggregated and used to make improvements to our products, networks and services. Survey participants are anonymous unless otherwise stated in the survey.

Contractors and offshore providers

We may transfer your personal information to our third party suppliers and service providers who assist us with providing our products and services to you, where we consider it necessary for them to provide that assistance.

If you do not provide your personal information to us

You have no obligation to provide any information requested by us. However, if you refuse to provide us with your personal information that we reasonably require, or if you provide

us with erroneous personal information, you cannot use our products, networks or services because it will not be practical for us to identify you for the purposes of providing our products, networks or services to you.

Destruction and de-identification of personal information

We will destroy and/or de-identify personal information that we collect where required by applicable law.

How to access and correct personal information

To ensure that we only obtain, collect, use and disclose accurate, complete and up to date personal information, we invite you to contact us and inform us if any of your personal details that we have collected and hold change or if any of the personal information collected and held by us is otherwise incorrect or erroneous. In addition, if you are a member, we invite you to change the personal information that we hold about you through our online platform, where we provide the relevant functionality that allows you to do so.

You may request access to your personal information that we have collected and hold by writing to us and by paying a small administrative fee of \$25 plus GST. Our address is as follows:

The Privacy Officer
Internet Association of Australia
PO Box 8700, Perth Business Centre WA 6849
privacy@internet.asn.au

We will handle your request for access to your personal information in accordance with our statutory obligations.

Complaints:

If you wish to make a complaint regarding our privacy practices, please contact us at the following address:

The Privacy Officer
Internet Association of Australia
PO Box 8700, Perth Business Centre WA 6849
privacy@internet.asn.au

We will use our best endeavours to resolve the complaint within 10 business days following the receipt of your complaint. This may include working with you on a collaborative basis to resolve the complaint or us proposing options for resolution.

If you are not satisfied with the outcome of a complaint you may refer the complaint to the Office of the Australian Information Commissioner (OAIC) who can be contacted using the following details:

Call: 1300 363 992
Email: enquiries@oaic.gov.au
Address: GPO Box 5218, Sydney NSW 2001