

Multiple Sclerosis Australia (ACN 008 515 508) and its Related Bodies Corporate (as defined by the provisions of the *Corporations Act 2001* (Cth)) (**MS Australia, we, us** and **our**) respect your privacy and are committed to protecting it.

We comply with the Australian Privacy Principles and the *Privacy Act 1988* (Cth) (**Privacy Act**), which govern the way private sector organisations collect, use, keep secure and disclose Personal Information.

The *Privacy Act* defines “Personal Information” to mean any 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 be reasonably ascertained, from the information or an opinion.

If you have any concerns or complaints about the manner your Personal Information has been collected, used or disclosed by us, please contact us via the information set out in Section. 10 and will resolve your concern or answer your question.

We recommend that you keep this information for future reference.

1. **The kinds of Personal Information collected, used and disclosed by MS Australia**

We will only use or disclose your Personal Information for the primary purposes for which it was collected or as consented to by you. At or around the time we collect Personal Information from you, we will endeavour to provide you with a notice that details how we will use and disclose that specific information. We set out some common collection, use and disclosure instances in the table below.

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Purpose	Type of Information	Uses	Disclosures
Online Enquiries	<ul style="list-style-type: none"> • Contact information: Such as your name, Company name, email address, and phone numbers. 	<p>The types of uses we will make of Personal Information collected for this type of purpose include:</p> <ul style="list-style-type: none"> • Identity verification: if required, the verification of your identity. • Services: the provision of our services to you including: <ul style="list-style-type: none"> - Use your Personal Information for you to use the services offered. - Payment processing, including charging, credit card authorisation, verification and debt collection. - To provide customer service functions, including handling customer enquiries and complaints. • Marketing: using your Personal Information for the purposes set out in the “Marketing Services” section below. • General administrative and security use: <ul style="list-style-type: none"> - To protect MS AUSTRALIA’s websites from security threats, fraud or other criminal activities. - The use for the administration and management of MS AUSTRALIA. - The maintenance and development of our services, business systems and infrastructure. - In connection with the sale of any part of MS AUSTRALIA’s business or a company owned by an MS AUSTRALIA entity. - To provide customer services to clients and for quality assurance purposes. 	<p>The types of disclosures we will make of Personal Information collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> • Third parties connected with the sales process including e-commerce, payment gateway providers and financial institutions. • Service providers (including IT service providers and consultants) who assist MS AUSTRALIA in providing our services. • Related bodies corporate of MS AUSTRALIA (including related entities). • Third parties in connection with the sale of any part of MS AUSTRALIA’s business or a company owned by an MS AUSTRALIA entity. • As required or authorised by law.

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<p>Donations and fundraising</p>	<ul style="list-style-type: none"> • Contact and identifying information: <ul style="list-style-type: none"> - Such as your name, address, billing address (if different to address), email address, and phone numbers. - Alternative Contact (name, address and phone number). - Bank account (including bank statements), credit or debit card details. - Any other information you elect to provide as a part of your donation. 	<p>The types of uses we will make of Personal Information collected for this type of purpose include:</p> <ul style="list-style-type: none"> • Supply MS AUSTRALIA's donation and fundraising services: Payment processing, including charging, refunds (if applicable), credit card authorisation and verification. • Administering MS AUSTRALIA's various donation and fundraising programs. • General administrative and security use as detailed in the Uses column for "<i>Online enquiries</i>", and for administering programs for MS AUSTRALIA initiatives, maintaining donor databases and donor correspondence. • Marketing: using your Personal Information for the purposes set out in the "<i>Marketing Services</i>" section below. 	<p>In summary, we may disclose this type of Personal Information to:</p> <ul style="list-style-type: none"> • Related bodies corporate of MS AUSTRALIA (including related entities). • Our contractors, agents and third-party providers who undertake billing and credit services on our behalf. • Third-party providers who assist us in providing our services to you. • Third parties, such as external debt recovery agents, court or other entities to which we are required by law to disclose Personal Information. • The parties listed in the Disclosure column for "<i>Online enquiries</i>".
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Marketing Services	<ul style="list-style-type: none"> • Contact information: Such as your name, email address, current postal and residential addresses, phone numbers, country of residence (and, if applicable, age); credit or debit card details. • Online blogs/MS AUSTRALIA website forums: Information such as: <ul style="list-style-type: none"> - User account information such as username and password and other contact information. - Any other information provided to MS AUSTRALIA or posted on the MS AUSTRALIA website forum and blogs. • Social media activity: Including "likes", comments posted, any of your oppositions or feedback, photos posted or uploaded and other information about your social media activities which concern, or relate, to MS AUSTRALIA. 	<ul style="list-style-type: none"> • General marketing and consumer analytics: Using your Personal Information: <ul style="list-style-type: none"> - To aggregate with other information and then use it for marketing and consumer analytics. - To offer you updates on events or information that may be of interest to you. - For marketing and promotional activities by us (including by direct mail, telemarketing and email) such as our email alerts, awareness information and newsletters. - For the Uses detailed above in "Online enquiries". • Events and symposiums: Using your Personal Information to provide you with information regarding conferences, fundraising and donation opportunities which MS AUSTRALIA organises. • Raffles and competitions: For donations and fundraising, and provision of prizes to winners. • Surveys: Fundraising analysis to improve donor experience • Online accounts or social media: If you create an account with MS AUSTRALIA or participate in our social media platforms (such as Facebook, Twitter and LinkedIn) and you provide us with your Personal Information, we will use it for: <ul style="list-style-type: none"> - Adding account holders to the marketing database. - Customer service-related contact. - Responding to social media messages. - Fulfilling social media platform rules. 	<p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> • Third parties connected with the marketing process who assist us in providing our services to you. • The parties listed in the Disclosure column for "Online enquiries".
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<p>Employment</p>	<ul style="list-style-type: none"> • Contact information: Such name, e-mail address, current postal and residential address, phone numbers, country of residence, and next of kin contact details. • Employee record information • Identifying information: Such as your photo, passport and residency details, and date of birth. • CV, resume or application-related information: Such as the details provided in your resume or CV, your eligibility to work in Australia, your education, previous employment details, professional memberships or trade qualifications. • Tax, superannuation and payroll information: Such as your Tax File Number and ATO Declaration, Superannuation details and financial institution details. • Background check information: Information obtained from you or third parties to perform background checks. • Medical or health information which you voluntarily provide to us as part of pre-employment medicals, random drug and alcohol testing or such other information which may be 	<ul style="list-style-type: none"> • Background checks: Utilising the information collected to assess candidate suitability for a role, including by obtaining: <ul style="list-style-type: none"> - Verification of your identity and age. - Criminal history background checks including publicly available information including Facebook, Twitter, Instagram, and YouTube. - Confirmation of eligibility to work in Australia. - Confirmation of education and qualifications. - Confirmation of previous employment. - Medical history and general fitness assessment to ensure you can perform your job safely and effectively. - Consideration regarding medical leave. • Administration and performance monitoring use: Utilising the information collected for: <ul style="list-style-type: none"> - Dealings related to the employer/employee relationship or the contractor/principal relationship (as the case may be). - Use of such information whether the employment or contractor relationship is prospective, current or past. - Use of such information to monitor systems, performance time usage and internet usage. - The use of your Personal Information collected in the administration and management of MS AUSTRALIA. 	<p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> • Relevant superannuation company. • Government agencies, including but not limited to The Australian Taxation Office, Centrelink and Child Support Agency. • Relevant Worker's Compensation organisation (e.g. WorkCover etc). • Third-party referees provided by you in connection with an application made to MS AUSTRALIA. • Service providers (including IT service providers and payroll providers), if any. • Recruitment agents used in connection with your application with us. • Third parties in connection with the sale of any part of MS AUSTRALIA's business or a company owned by MS AUSTRALIA's entity. • Third-party parties in connection with obtaining any background checks, and pre-employment screening. • Financial institutions for payroll purposes. • As required or authorised by law.
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	<p>related to an incident which has occurred during your employment.</p> <ul style="list-style-type: none"> • Performance-related information: Pre-employment testing and other information collected by MS AUSTRALIA's systems during the employee or contractor's engagement with MS AUSTRALIA. • Information collected from referees • Security information: Such as CCTV footage and photographs taken on our premises. 		
Grants	<ul style="list-style-type: none"> • Contact information: Such as your name, email address, current postal and residential addresses, phone and mobile number (and, if applicable, age). 	<ul style="list-style-type: none"> • Distribution of funds: using your Personal Information: <ul style="list-style-type: none"> - To distribute funds to research projects you are involved in and reporting, and to communicate with granting bodies. • Monitoring research and providing updates on progress. 	<p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> • The parties listed in the Disclosure column for "Marketing services" and "Online enquiries".

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Volunteering	<ul style="list-style-type: none"> • Contact information: Such as your name, email address, current postal and residential addresses, phone and mobile number (and, if applicable, age). • CV, resume or application-related information: Such as the details provided in your resume or CV, your eligibility to work in Australia, your education, previous employment details, professional memberships or trade qualifications. • Security information: Such as CCTV footage and photographs taken on our premises. 	<ul style="list-style-type: none"> • Management and administration: utilising your Personal Information to manage the MS AUSTRALIA volunteer roster. • Background checks: Utilising the information collected to assess candidate suitability for the role, including by obtaining: <ul style="list-style-type: none"> - Verification of your identity and age. - Criminal history background checks which may include publicly available information including Facebook, Twitter, Instagram, and YouTube. - Confirmation of eligibility to work in Australia. • Confirmation of education and qualifications. 	<p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> • Related bodies corporate of MS AUSTRALIA (including related entities). • Service providers (including IT service providers and consultants) who assist MS AUSTRALIA in providing our services. <p>Relevant parties are listed in the Disclosure column for “<i>Employment</i>”.</p>
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2. How MS Australia collects and holds Personal Information

2.1 Collection generally

As much as possible or unless provided otherwise in this Privacy Policy or a notification, we will collect your Personal Information directly from you. When you engage in certain activities, such as filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.

Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory information or any other information, we require for us to provide our services to you, we may be unable to provide our services to you in an effective manner, or at all.

2.2 Other collection types

We may also collect Personal Information about you from other sources and third parties. Some examples of these alternative collection events are:

- (a) When we collect Personal Information about you from third parties; or
- (b) When we collect Personal Information about you from publicly available sources including but not limited to, court judgments, directorship and bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as Facebook, Twitter, Google, Instagram etc).

2.3 Notification of collection

If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why, unless special circumstances apply, including as described in this clause. 2.3(a) to 2.3(c) below. Generally, we will not tell you when we collect Personal Information about you in the following circumstances:

- (a) Where information is collected from any personal referee you have listed on any application form (including any employment application) with MS Australia
- (b) Where information is collected from publicly available sources including but not limited to court judgments, directorship and bankruptcy searches, social media platforms (such as Facebook, Twitter, Google, Instagram etc); or

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(c) As otherwise required or authorised by law.

2.4 Unsolicited Personal Information

In the event we collect Personal Information from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by MS Australia (in its absolute discretion) that the Personal Information is not required, we will destroy the information or ensure that the information is de-identified.

If the unsolicited Personal Information collected is about potential future employment with MS Australia, such as your CV, resume or candidacy-related information, and it is determined by MS Australia (in its absolute discretion) that it may consider you for potential future employment, MS Australia may keep the Personal Information on its human resource records.

2.5 How we hold your Personal Information

Once we collect your Personal Information, we will either hold it securely and store it on infrastructure owned or controlled by us or with a third-party service provider who has taken reasonable steps to ensure they comply with the Privacy Act. We provide some more general information on our security measures in *Section. 8 (Data security and quality)*.

2.6 Cookies and IP addresses

If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns, and trends and to serve you more efficiently if you revisit our website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.

We may gather your IP address as part of our business activities and assist with any operational difficulties or support issues with our services. This information does not identify you personally.

However, in some cases, cookies may enable us to aggregate certain information with other Personal Information we collect and hold about you. MS AUSTRALIA extends the same privacy protection to your Personal Information, whether gathered via cookies or from other sources, as detailed in this Privacy Policy.

You can set your browser to notify you when you receive a cookie, and this will provide you with an opportunity to either accept or reject it in each instance. However, if you disable cookies, you may not be able to access certain areas of our websites or take advantage of the improved website experience that cookies offer.

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3. Uses and Disclosures of Personal Information

3.1 Use and disclose details

We provide a detailed list in *Section. 1* of some common uses and disclosures we make regarding the Personal Information we collect.

3.2 Other uses and disclosures

We may also use or disclose your Personal Information and in doing so we are not required to seek your additional consent:

- (a) when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your Personal Information to be used or disclosed for such a purpose
- (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety
- (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in or
- (d) if it is required or authorised by law.

3.3 Use and disclosure procedures

In the event, we propose to use or disclose such Personal Information other than for reasons set out in the table in *Section. 1* or as otherwise outlined in this Privacy Policy, we will first notify you or seek your consent before such disclosure or use.

Your Personal Information is disclosed to these organisations or parties only concerning the services we provide to you or for a purpose permitted by this Privacy Policy.

We take such steps as are reasonable to ensure that these organisations or parties are aware of the provisions of this Privacy Policy concerning your Personal Information.

3.4 Communications opt-out

If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the top of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your Personal Information will only be as required or authorised by law or as permitted by this Privacy Policy or otherwise with your consent.

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4. Sensitive information

4.1 Sensitive information generally

Sensitive information is a subset of Personal Information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for automated biometric verification or biometric identification or biometric templates.

4.2 Collection and use of sensitive information

In general, we attempt to limit the collection of sensitive information we may collect from you, but this may not always be possible, and we may collect sensitive information from you to carry out the services provided to you. However, we do not collect sensitive information from you without your consent.

The type of sensitive information we may collect about you is dependent on the services provided to you by MS Australia and will be limited to the purpose(s) for which it is collected. We set out some types of sensitive information we may collect about you in the "Employment" and "Donations and fundraising" sections of the table in *Section. 1* above.

We do not use sensitive information to send you Direct Marketing Communications (as set out in *Section. 5* below) without your express consent.

4.3 Consent

We may collect other types of sensitive information where you have consented and agree to the collection of such information. We will obtain this type of consent from you at (or around) the point in time at which we collect the information.

5. Direct Marketing

5.1 Express informed consent

You give your express and informed consent to us using your Personal Information set out in the table in *Section 1* of this document above, to provide you with information and to tell you about our services or events or any other direct marketing activity (including third-party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS,

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messaging applications and telephone (**Direct Marketing Communications**).

5.2 **Inferred Consent and reasonable expectations of direct marketing**

Without limitation to paragraph 5.1, if you have provided inferred or implied consent (e.g. not opting out where an opt-out opportunity has been provided to you) or if it is within your reasonable expectation that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your Personal Information the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

5.3 **Opt-out**

If at any time you do not wish to receive any further Direct Marketing Communications from us or others under this Section 6, you may ask us not to send you any further information about services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the Direct Marketing Communication or by contacting us via the details set out at the top of this document.

6. **Anonymity and pseudo-anonymity**

To the extent practicable and reasonable, we will endeavour to provide you with the option of dealing with MS Australia on an anonymous basis or through the use of a pseudonym. This is available on request from MS Australia at info@msaustralia.org.au. However, there may be circumstances in which it is no longer practicable for MS Australia to correspond with you in this manner and your Personal Information may be required to provide you with our services or to resolve any issue you may have.

7. **Cross-Border Disclosure**

7.1 **Cross-border disclosures**

Any Personal Information collected and held by MS Australia may be disclosed to, and held at, a destination outside Australia, including but not limited to the United States of America, where we utilise third-party service providers to assist MS Australia with providing our goods and services to you. Personal Information may also be processed by staff or by other third parties operating outside Australia who work for us or one of our suppliers, agents, partners or related companies.

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As we use service providers and platforms which can be accessed from various countries via an Internet connection, it is not always practicable to know where your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed above.

In addition, we may utilise overseas IT services (including software, platforms, and infrastructure), such as data storage facilities or other IT infrastructure. In such cases, we may own or control such overseas infrastructure, or we may have entered into contractual arrangements with third-party service providers to assist MS Australia with providing our services to you.

7.2 **Provision of informed consent**

By submitting your Personal Information to MS Australia, you expressly agree and consent to the disclosure, transfer, storage or processing of your Personal Information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia regarding Personal Information. However, we will take steps to ensure that your information is used by third parties securely and under the terms of this Privacy Policy.

The Privacy Act requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your Personal Information outside of Australia do not breach the privacy principles contained within the Privacy Act. By providing your consent, under the Privacy Act, we are not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting Personal Information and have taken reasonable steps to ensure that your information is used by third parties securely and under the terms of this Privacy Policy.

7.3 **If you do not consent**

If you do not agree to the disclosure of your Personal Information outside Australia by MS Australia, you should (after being informed of the cross-border disclosure) tell MS Australia that you do not consent. To do this, either elect not to submit the Personal Information to MS Australia after being reasonably informed in a collection notification or please contact us via the details set out at the top of this document.

8. **Data security and quality**

8.1 **MS Australia's security generally**

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We have taken steps to help secure and protect your Personal Information from unauthorised access, use, disclosure, alteration, or destruction. You will appreciate, however, that we cannot guarantee the security of all transmissions or Personal Information, especially where human error is involved or malicious activity by a third party.

Notwithstanding the above, we will take reasonable steps to:

- (a) make sure that the Personal Information we collect, use or disclose is accurate, complete and up-to-date
- (b) protect your Personal Information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods and
- (c) destroy or permanently de-identify Personal Information if it is no longer needed for its purpose of collection.

8.2 Accuracy

The accuracy of Personal Information depends largely on the information you provide to us, so we recommend that you:

- (a) let us know if there are any errors in your Personal Information and
- (b) keep us up-to-date with changes to your Personal Information (such as your name or address).

We provide information about how you can access and correct your information in the *Section. 9*.

9. Access to and correction of your Personal Information

You are entitled to have access to any Personal Information relating to you that we hold, except in some exceptional circumstances provided by law (including the Privacy Act). You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant, or misleading.

If you would like to access or correct any records of Personal Information we have about you, you can access and update that information (subject to the above) by contacting us via the details set out in *Section. 10*.

10. Resolving Privacy Complaints

10.1 Complaints generally

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We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.

10.2 **Contacting MS Australia**

If you have any concerns or complaints about how we have collected, used disclosed and stored your Personal Information, please contact us:

Telephone: 1300 010 158

Email: info@msaustralia.org.au

Address: Suite 3.01, 18 Flour Mill Way, Summer Hill NSW 2130

Please mark your correspondence to the attention of the Privacy Officer.

10.3 **Steps we take to resolve a complaint**

To resolve a complaint, we:

- (a) will liaise with you to identify and define the nature and cause of the complaint
- (b) may request that you provide the details of the complaint in writing
- (c) will keep you informed of the likely time within which we will respond to your complaint and
- (d) will inform you of the legislative basis (if any) of our decision in resolving such a complaint.

10.4 **Register of Complaints**

We will keep a record of the complaint and any action taken in a Register of Complaints.

11. **Consent, modifications and updates**

11.1 **Interaction of this Policy with Contracts**

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this Privacy Policy

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into the terms of that contract. In such instances, MS Australia may incorporate the terms of this policy such that:

- (a) Certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto MS Australia, but do create contractual obligations on the other party to the contract and
- (b) The consents provided in this policy become contractual terms provided by the other party to the contract.

11.2 **Acknowledgement**

By using our website or service from MS Australia, where you have been provided with a copy of our Privacy Policy or had a copy of our Privacy Policy reasonably available to you, you are acknowledging and agreeing:

- (a) To provide the consent given by you in this Privacy Policy and
- (b) That you have been informed of all the matters in this Privacy Policy.

11.3 **Modifications and updates**

We reserve the right to modify our Privacy Policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please cease providing us with your Personal Information and contact us via the details set out at the top of this document.

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