



ELECTRONIC COMMUNICATIONS POLICY

Effective from

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Australian Government

Australian Sports Commission

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1 Purpose

- 1.1 The purpose of this Electronic Communications Policy (the Policy) is to maximise the effectiveness and minimise the risks associated with electronic communications.
- 1.2 It ensures employees of the Australian Calisthenic Federation Inc(ACF)and Affiliate Organisations:
- do not breach spam, privacy and copyright legislation
 - do not send inappropriate and unwanted electronic communications to members and non-members
 - comply with best practice in regard to all electronic communications
 - get the best possible results from their electronic communications
 - use up-to-date member contact information when distributing electronic communications in order to minimise bounce-backs (non-delivery)
 - do not send multiple electronic communications to the same member on the same day
 - do not send electronic communications that might cause technical difficulties for recipients
 - do not put their technology systems at risk from viruses.
- 1.3 It ensures Members:
- gain positive outcomes from electronic communication without bullying or public humiliation
 - adopt protocols that engender respect to others
 - communicate in a safe manner without putting themselves unnecessarily at risk
 - communicate with others via electronic media in a lawful manner.

2 Scope

- 2.1 This Policy applies to:
- all senders of electronic communication, including members, employees, contractors and affiliates of ACF when planning for and sending electronic communications to ACF members and non-members
 - all emails and images, whether they are sent from within or outside ACF
 - all electronic communication technologies providing for the electronic transmission of text, images, files and other data.

3 Definitions

3.1 In this Policy defined terms will be in accordance with the ACF Constitution unless otherwise defined.

Affiliated Organisations: Member States and their Affiliated Organisations (ASCA, Coaches Association), ACFCC, AAB and EAB

Bulk Electronic Communications: Bulk electronic communications are defined as those that are sent to multiple recipients. Examples of bulk electronic communications include but are not limited to:

- Electronic newsletters sent to a subscriber list of members and non-members
- emails, SMS, MMS or iM

In the case of bulk electronic communications to members the mailing list must be compiled from ACF's database for each communication to

- comply with this Policy
- to ensure recipient data is up-to-date
- to ensure the exceptions (opt-outs) are managed correctly

Electronic communications to and between small groups such as committees are not considered bulk electronic communications for the purpose of this policy.

Business Electronic Communications: Electronic communications sent by ACF or by an individual as an employee or representative of ACF. They include one-to-one, one-to-a few and one-to-many electronic communications.

De-duplication of data: This process involves deleting duplicate data from a mailing list to ensure a recipient is listed only once on a mailing list and does not receive a communication multiple times.

Electronic communications: Transmission of text, images, files and other data facilitated through technologies including (but not limited to):

- email
- fax
- mobile phone text messaging (SMS)
- multimedia messaging (MMS)
- instant messaging (iM)

Members:

- a person who is registered with a club or Affiliated Organisation
- a Member State as defined in the ACF Constitution
- Life Members of the ACF
- such new categories of Members, created in accordance with Rule 8(2) of the ACF Constitution.

Personal Electronic Communications: Electronic communications sent by an individual for personal (non-business) purposes.

Spam: A generic term used to describe electronic 'junk mail'.

Unsubscribe: To cause an address to be removed from a mailing or distribution list. It is a requirement of all commercial electronic communications that an unsubscribe facility be provided.

4 Use of electronic communications

4.1 ACF distributes electronic communications to members and non-members for a variety of business purposes.

4.2 ACF will use its best endeavours to use electronic communications effectively by ensuring:

- all electronic communications are targeted and relevant to specific member and non-member segments
- the number of electronic communications sent to a recipient is limited in a week to ensure its communications are not reasonably perceived as intrusive, annoying or as spam
- bulk electronic communication will be distributed using the BCC function to ensure all electronic addresses remain private.

4.3 Prohibited use includes:

- messages containing inappropriate material, which may be illegal or breach other ACF policies, and ACF's values and codes of conduct
- knowingly receiving or distributing pirated software or data
- knowingly propagating a virus, worm or other harmful programs
- knowingly disabling, interfering with or overloading any computer system, network or computer virus protection mechanism
- distributing electronic chain letters
- divulging any personal information ACF holds about an individual to third parties without the consent of the individual concerned
- sending unauthorised messages from another user's messaging address except in the case of proxy group email addresses where multiple people have the authority to respond
- impersonating another user
- misrepresenting, obscuring, suppressing or replacing a user's identity on an electronic communication system. The user name, electronic mail address, organisational affiliation, and related information included with the electronic messages or postings must reflect the actual user unless the user is an authorised delegate
- excessive personal use. Limited personal use is acceptable, provided it complies with this Policy and best practice, and does not compromise productivity.

5 Copyright

- 5.1 Under the *Copyright Act 1968*, information protected by copyright can only be reproduced or distributed by the owner of the information or with the owner's permission. Copyright arises where original text or graphics are included in a message.
- 5.2 Copyright does not need to be claimed expressly. You cannot assume that a message is not protected by copyright just because it does not display the © symbol or a copyright message.
- 5.3 There is an implied permission (a licence) to reproduce or distribute emails and other electronic messages. However, there are circumstances where you should not assume there is implied permission, in particular if you:
- receive a message that contains a statement expressly prohibiting the further distribution of the message then the express permission of the original sender of the message must be obtained prior to forwarding the message
 - receive a message that you suspect may contain information that is in breach of copyright you should consult your manager before it is further distributed

6 Spam

- 6.1 Spam is *unsolicited commercial electronic messages*. A Spam message is not necessarily sent out in 'bulk' to numerous addresses. Under Australian law, a single electronic message can be considered as Spam. In some instances Spam might contain material that is considered offensive or fraudulent.
- 6.2 The *Spam Act 2003 (Cth)*, the *Spam (Consequential Amendments) Act 2003 (Cth)* and the Spam Regulations (2004) prohibit spamming and impose severe penalties for repeat corporate offenders.
- 6.3 To minimise the risk of *spamming* all communications by ACF must comply with this Policy

7 Consent

- 7.1 All recipients must give their consent to receive any bulk electronic communications. There are two forms of consent that apply to bulk electronic communications:
- **Express consent:** A direct indication from the addressee that it is acceptable to send a specific electronic communication or communications of that nature. Direct indication might include making a specific request for information, opting-in by subscribing to an electronic mailing list or ticking a box consenting to receive electronic communications from ACF. Non-members can express consent by subscribing (opting-in) to an electronic communication.
 - **Inferred consent:** Consent based on a business or other relevant relationship between the sender and addressee, where contact details have been provided and there is a reasonable expectation that further

contact will be made. When someone becomes a member, a relevant relationship is established and members have a reasonable expectation that we will communicate with them on issues and about events, products and services that are relevant to them.

- 7.2 Consent is not always inferred where a relationship is established. Transactions such as the purchase of a publication or service, or attendance at a function or event alone are unlikely to be a sound basis for assuming a relevant relationship has been established.
- 7.3 In all cases where there is inferred or expressed consent, members must be given the option to unsubscribe (withdraw their consent).
- 7.4 If a member does not renew their membership they are withdrawing their inferred consent. They must give express consent before being included on any subsequent electronic communications.
- 7.5 In the case of non-members, the following applies:
- if the non-member is a past-participant, subscriber or purchaser of an ACF product or service, then they may be included in the initial communication about future occurrences of that specific product or service. However, they must be given the option to unsubscribe from any future or additional communication about that product or service.
 - if a non-member is not a past participant, then they must give their express consent to receive any electronic communication.

8 Affiliated Organisations

- 8.1 Membership *infers* consent for ACF to disclose the personal information of members to specific, nominated Affiliated Organisations. Members do not consent to receive electronic communications from any third parties other than those listed.

9 Unsubscribe facility

- 9.1 All bulk electronic communications must include an unsubscribe facility. In the case of emails this facility is in the mandatory footer included in all ACF and affiliate emails.

[Unsubscribe](#) | [Privacy Policy](#) | [Copyright](#) |

- 9.2 Under ACF policy, unsubscribe requests via the unsubscribe facility in the mandatory footer are actioned automatically. Requests received by phone, mail, email or in person must be actioned within three working days.

- 9.3 Members can also unsubscribe from all or specific ACF mailing lists via the ACF website.

10 Author identification

- 10.1 Recipients of ACF electronic communications must be able to clearly identify their source and the contact details of the author

- 10.2 All business emails, whether bulk emails, one-to-one, one-to-a few or one-to-many, must include a sign-off in the form of a personal signature supported by the identification and logo of ACF.

11 Monitoring

- 11.1 The infrastructure that supports electronic communications by ACF is ACF property and ACF has a right to review and monitor all aspects of usage.
- 11.2 ACF monitors and filters emails and downloads to protect our IT systems from viruses and worms and to block SPAM and other unsuitable material, including material that could be construed as harassment. Large email attachments may also be blocked. ACF accepts external emails with files up to 5MB. Access to some internet sites is also blocked.
- 11.3 ACF may also monitor and audit email and internet use for the purpose of identifying inappropriate email content and use (including personal use).

12 Social Media

- 12.1 ACF discourages participation on any unofficial social media sites (those not controlled by ACF or any of its Affiliated Organisations).

13 Unacceptable Use

- 13.1 The ACF's Member Protection Policy applies to all communication technologies. Particular attention is drawn to section 6.3 Anti-Discrimination and Harassment.

14 Breaches

- 14.1 Any breach of this Policy will be raised with the offending individual and the matter will be dealt with in accordance with ACF Disciplinary Procedures.