

Australian Air Pilots MBF Privacy Policy

Austair Pilots Pty Ltd (Austair) as Trustee for the Australian Air Pilots Mutual Benefit Fund (MBF)

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Approved by: **The Board of Directors**

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In this document references to the Australian Air Pilots Mutual Benefit Licensee (MBF) will include Austair Pilots Pty Ltd (Austair), acting as trustee of MBF.

Australian Financial Services Licence (AFSL) No 344259, ABN 34 005 111 731

Who We Are

In this document, 'we', 'us', 'our', and 'MBF' refers to Australian Air Pilots Mutual Benefit Fund and its Trustee Austair Pilots Pty Ltd (ABN 34 005 111 731, AFS Licence No. 344259).

Purpose of this Policy

To set out the rights and obligations of MBF Members and stakeholders when collecting and managing personal and health information. Your privacy and maintaining confidentiality is important to the MBF. We aim to comply with Federal and State Government Privacy legislation including the *Privacy Act 1988* and the Australian Privacy Principles. This Privacy Policy applies to both personal and health information that is held, collected, distributed and used by the MBF.

Personal Information

Under Federal privacy law, personal information is information or an opinion (including information or an opinion forming part of a database) from which it is possible to determine your identity.

Health Information

Under the *Health Records Act 2001* (Vic), health information includes any information or opinion relating to an individual's physical, mental or psychological health, or disabilities.

Under the *Health Records Act 2001* (Vic), you have the right to access your health information, request corrections, and make a complaint to the Health Complaints Commissioner if you believe your health information has been mishandled.

Health information is treated as **sensitive information** and handled with extra care.

If you have concerns, contact the [Health Complaints Commissioner](#).

Information Collection – Members

We collect personal and health information with consent* or when required by law and/or by other lawful and fair means. We make every effort to ensure that the information provided to us is accurate, complete, up-to-date and will remain private and confidential.

Personal and Health Information is collected only when it is directly related to or reasonably necessary for our functions and activities. Personal and Health information is collected for the purpose of providing services to Members and administering our business functions, including but not limited to:

- processing your application
- administering your cover
- investigating, assessing and paying any claims
- processing payments

Sometimes we may collect health information about you from your medical practitioner or the Civil Aviation Safety Authority. We may provide access to part or all of your medical information to our medical advisers.

If you are an applicant or claimant, both your personal and health information will be considered by our Board of Directors to meet the requirements of the MBF Rules.



Should you become a claimant health information will be collected from you, your medical practitioners, MBF Medical Advisers, and/or CASA. The MBF will seek your authority to gain this information and de-identify the information where appropriate.

**Consent may be express or implied. Withdrawing your consent may affect eligibility or benefits.*

Information Collection – Other Stakeholders

We collect personal and health information with consent* or when required by law and/or by other lawful and fair means. We make every effort to ensure that the information provided to us is accurate, complete, up-to-date and will remain private and confidential.

Personal and Health Information is collected only when it is directly related to or reasonably necessary for our functions and activities. Personal and Health information is collected for the purpose of employing staff or engaging contractors or other service consultants.

Information such as prior experience, qualifications, contact details, capabilities, performance and other attributes is also collected by the MBF for the purpose of the recruitment of employees or engagement of contractors.

What happens if you don't provide information

If you choose not to provide requested personal or health information, we may not be able to:

- assess your Membership application
- manage your Membership or Benefits
- assess or pay a Claim
- assess your job application
- consider you for tender
- enter into a service agreement

For Members and prospective Members this could result in delays, refusal of Benefits, or suspension or cancellation of Membership or cover.

Disclosing Information to Third Parties

We only disclose the above types of information as required by law or if approved by you. We may also disclose your contact information to the Australian Federation of Air Pilots (AFAP) including to ensure that you are a current Member of AFAP to meet the requirements for acceptance and ongoing MBF Membership, however your personal health information will never be disclosed unless authorised by you.

Data Quality and Security

We take reasonable steps to ensure that our information on file is accurate, complete, current and relevant for the purposes for which it is held, and to protect the information from misuse and loss and from unauthorised access, modification and disclosure. If we do not seek but receive, personal or health information about individuals, we only retain it if it is necessary for our business functions

and if we can comply with Federal Privacy Law in relation to it.

MBF Staff, its Medical Advisors and Directors must comply with strict Privacy and Confidentiality requirements. Failure to meet these may lead to termination of employment.

Use of Artificial Intelligence (AI)

MBF does not use generative AI tools such as ChatGPT to process or analyse personal or medical information.

The MBF follows the guidance from the Office of the Australian Information Commissioner relating to [using commercially available AI products](#).

How we Store Personal Information

We take reasonable steps to protect your personal information against misuse, interference and loss, and from unauthorised access, modification or disclosure. These steps include:

- storing paper records securely
- only accessing personal information on a need-to-know basis and by authorised personnel
- monitoring Membership system access which can only be accessed by authenticated credentials
- ensuring our buildings are secure
- regularly updating and auditing our storage and data security systems.

When no longer required, we destroy or archive personal information in a secure manner as per the MBF's Data Management and Retention Policy.

Overseas storage and disclosure

The MBF do not store or disclose personal or health information to recipients located outside Australia. All personal and health information collected by the MBF is held securely within Australia and is managed in accordance with applicable Australian privacy laws.

The only exception to this is our use of MailChimp for electronic communications and marketing distribution purposes. MailChimp may store or process personal information on servers located outside Australia. Further information about this arrangement, including the countries in which personal information may be stored and the safeguards in place, is set out in Schedule 1 to this Privacy Policy.

Where personal information is disclosed overseas in connection with our use of MailChimp, we take reasonable steps to ensure that appropriate data protection measures are in place and that the information is handled in a manner consistent with the Australian Privacy Principles.

Accessing Information

Subject to some exceptions provided by law, you may request access to the information that we hold about you at any time. Simply contact us (using the details listed below) in writing to make your request. The assessment of this request will be in less than 30 days.

We always endeavour to meet your request for access if it is reasonable to do so. In some circumstances, we may be unable to give you access to certain information. If this occurs, we will give you written reasons for this decision when we respond to your request.

If you have any concerns about the refusal, please see the Internal Dispute Resolution Policy below. We will not charge you for lodging a request, but we may charge a reasonable fee for access to some types of information. This charge will be limited to the cost of recouping our costs for providing you with the information, for example document retrieval, photocopy, labour and delivery to you.

If you are not satisfied with our response, you can contact the **Office of the Australian Information Commissioner (OAIC)** by phone: 1300 363 992.

Correcting Personal Information

You have the right to ask that we correct personal information we hold about you.

If you ask, we will take reasonable steps to correct it if we consider it is incorrect, unless there is a law that allows or requires us not to.

We will notify you in writing and explain our reasons if we refuse to amend your personal information.

You can access and correct most of your details online through MyPage.

It is a requirement of Membership that you advise MBF in a timely manner of changes in employment, notify matters that may become claims, AFAP Membership and other matters outlined in the MBF Rules.

Opting Out of Direct Marketing

When you become an MBF Member, you consent to us using your personal information for direct marketing purposes unless you have contacted us to withdraw your consent. If you do not wish to receive marketing material, you can contact us at any time to let us know. Our contact details are at the end of this policy.

If you request not to receive marketing material, please note that we will still contact you in relation to our on-going Membership relationship with you. For example, we will still send you renewals, invoices, statements and notices that are relevant to your Membership.

Making a Complaint

If you make a privacy complaint, we will acknowledge it within 14 business days and aim to resolve it within 30 days. If you are not satisfied with our response, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC).

If there is an issue relating to privacy that concerns you, you may download our Internal Dispute Resolution Policy on www.aapmbf.com.au and submit a complaint to the Privacy Officer using the contact details below.

Contacting Us

If you have any questions in relation to this Privacy Policy, or if you wish to request access to the information we hold on file for you, please contact our Privacy Officer:

Privacy Officer

Level 1, 132-136 Albert Road
SOUTH MELBOURNE VIC 3205
T (03) 9928 4500
E privacyofficer@aapmbf.com.au

Schedule 1 - MailChimp Privacy

The MBF uses MailChimp to provide electronic newsletters to subscribers.

In distributing newsletters, MailChimp will collect personal information from you, including email addresses you have provided to the MBF for the purpose of receiving electronic newsletters, and all information relating to those email addresses. MailChimp also uses cookies, web beacons and Flash player codes to collect information about

- when you access the MBF electronic newsletters;
- your browser type and version;
- your operating system and other similar information.

For more information on the information MailChimp will collect, please refer to the [MailChimp's Privacy Policy](#) and the [MailChimp Terms of Use](#).

MailChimp will use the information collected from you for the purpose of hosting the online platform to enable MBF to create, send and manage electronic newsletters. MailChimp will also use this information to measure the performance of the MBF's email campaigns.

MailChimp may transfer this information to its contractors or other third parties who process the information on MailChimp's behalf, or where otherwise required to do so by law.

MailChimp is based in the United States of America (USA) and is subject to the laws of the USA. Your information (including your IP address) will be transmitted to and stored by MailChimp on servers located outside Australia.

By signing up to electronic newsletters about MBF events, products and programs you:

- consent to your personal information being collected, used and disclosed as set out in these terms and conditions, and in [MailChimp's Privacy Policy](#) and [Terms of Use](#);
- consent to your personal information being sent and stored overseas, and acknowledge that Australian Privacy Principle 8.1 contained in Schedule 1 to the *Privacy Act 1988* (Cth) will not apply to the use of the information;
- acknowledge that MailChimp is not subject to the *Privacy Act 1988* (Cth) and you will not



be able to seek redress under the *Privacy Act 1988* (Cth) for any privacy breaches by MailChimp but will need to seek redress under the laws of the USA.

You can unsubscribe from the MBF electronic newsletter at any time by selecting the “unsubscribe” option in every email sent to you by MailChimp.

If you have any questions or concerns relating to the use of your personal data please contact privacyofficer@aapmbf.com.au