

# YMCA Geelong – Confidentiality Agreement

OFFICE USE ONLY



Policy Number	Date Approved	Date Last Amended	Status
YG 125- G	18/02/2014	18/02/2014 V1 07/03/2019 V2	APPROVED

## Confidentiality Agreement Policy

### 1. Interpretation

#### Definition

"**Information**" means information, documents and data stored by any means and any information made available to the Confidant in the course or his or her dealings with the YMCA Geelong Inc and includes, without limitation, information relating to :-

- (a) any intellectual property rights of the YMCA Geelong Inc
- (b) the financial position or reputation of the YMCA Geelong Inc
- (c) the internal management and structure of the YMCA Geelong Inc
- (d) the personnel, policies and strategies of the YMCA Geelong Inc
- (e) the YMCA Geelong Inc's clients or suppliers

and information of the YMCA Geelong Inc that has any actual or potential commercial value to the YMCA Geelong Inc or to the person or corporation which supplied that information.

### 2. Non Disclosure

- 2.1 The Confidant will treat as secret and confidential all Information to which he or she has access or which is disclosed to him or her without the prior written consent of the YMCA Geelong Inc.
- 2.2 If the YMCA Geelong Inc grants its consent, it may impose conditions on that consent. In particular, the YMCA Geelong Inc may require that the Confidant obtain the execution of a Deed in these terms by the person to whom the Confidant proposes to disclose the Confidential Information.
- 2.3 The obligations of the Confidant under this Deed shall not have been breached where the Confidential Information is legally required to be disclosed.

### 3. Restriction on use

- 3.1 The Confidant will use the Confidential Information only for the purpose of its dealings with the YMCA Geelong Inc (whether directly or indirectly).
- 3.2 The Confidant will not copy or reproduce the Information without the approval of the YMCA Geelong Inc, will not allow any other person outside the YMCA Geelong Inc

access to the Information and will take all necessary precautions to prevent unauthorised access to or copying of the Information in his or her control.

#### **4. Survival**

- 4.1 This Deed will survive the termination or expiry of any contract between the YMCA Geelong Inc and the Confidant providing for the performance of services or the provision of goods by the Confidant (whether directly or indirectly).

#### **5. Powers of the YMCA Geelong Inc**

##### **Production of Documents**

- 5.1 Immediately upon request by the YMCA Geelong Inc, the Confidant must deliver to the YMCA Geelong Inc all documents in the possession or control of the Confidant containing Confidential Information.
- 5.2 If at the time of such a request the Confidant is aware that documents containing Confidential Information are beyond his or her possession or control, then the Confidant must provide full details of where the documents containing the Confidential Information are, and the identity of the person who has control of them.

#### **6. Applicable Law**

- 6.1 This Deed shall be governed in accordance with the law of Victoria

**Executed as a Deed**

**Signed Sealed and Delivered**

By: ..... (Name of YMCA  
Geelong Inc Representative)

..... (Signature of YMCA Geelong Inc  
Representative)

in the capacity as ..... (Position Title)

in the presence of ..... (Name of Witness)

..... (Signature of Witness)

Date: .....

**Signed Sealed and Delivered**

By: ..... (Name of Confidant)

..... (Signature of Confidant)

in the presence of ..... (Name of Witness)

..... (Signature of Witness)

Date: .....

Approved by:

Meeting number and date:

Effective date: 18/02/2014

Review date: 24/06/2020

Policy Owner: CEO

Contact Details policy owner: Ph: 5221 8344 E: geelong@ymca.org.au

Amendment history

Version	Date	Author	Change Description
V2	07/03/2019	Brenda Bowell	Added; Approved by: Meeting number and date: Effective date: Review date: Policy Owner Contact details Amendment history table  Added CEO Signature Added review date to the footer

As adopted by the YMCA of Geelong Inc.



Chief Executive Officer YMCA Geelong Inc.