



5 June 2026

Office of the Australian Information Commissioner
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Sydney NSW 2001

By Email: copc@oaic.gov.au

Dear Australian Information Commissioner,

Submission of Football Australia in respect to the Draft Children's Online Privacy Code

Football Australia Limited (**Football Australia**) welcomes the opportunity to provide feedback on the exposure draft of the Children's Online Privacy Code (**Draft Code**).

Introduction

Football Australia is the national governing body for football in Australia. It governs all national teams, the A-Leagues (in its capacity as the sport's regulatory body), the Australia Cup, the Australian Championship, the National Premier Leagues, and leads the development and administration of state, community, and grassroots football across the country.

Football is Australia's largest participation sport, with approximately two million football participants in 2025 across clubs, schools, social formats, futsal and inclusion programs. Grassroots football, including junior formats such as the Coles MiniRoos, forms a substantial component of this participation base and plays a critical role in the early development of players, growth of the sport, and community connection and wellbeing.

Football Australia is a member association of Fédération Internationale de Football Association (**FIFA**), the international governing body for football, and the Asian Football Confederation (**AFC**). This membership provides Football Australia with access to global competitions, international pathways, and a worldwide regulatory framework. Domestically, Football Australia operates under a federated model, with state and territory member federations responsible for governing football within their respective regions, supported by a network of associations and approximately 2,200 clubs.

Football Australia operates within a mandatory international regulatory framework established by FIFA governing the registration and transfer of players between countries. This framework includes the FIFA Transfer Matching System (**TMS**) and the International Transfer Certificates (**ITCs**), which together form a globally standardised system for recording and facilitating international player movements. These requirements apply to all players movement, including the movement of minors, and are not discretionary.

A central component of Football Australia's administration of the game and compliance with FIFA regulations is its national digital registration platform, "PlayFootball". This platform provides a centralised mechanism for registering all football participants - including players, coaches, referees

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and volunteers - across community and elite levels. It enables community clubs to manage registrations, verify eligibility, and administer competitions at scale, while supporting national governance, international regulatory functions and pathway development across the football ecosystem.

Football Australia supports the objectives of the Draft Code, including enhancing transparency, promoting age-appropriate communication, and strengthening safeguards for children's personal information, and recognises the important policy work that has informed it. The purpose of this submission is to highlight relevant issues and the need for clarifications in certain areas in applying the Draft Code to football organisations, particularly in relation to international transfers, data sharing across a federated ecosystem, and long-term player wellbeing and development. These challenges may, if unaddressed, risk impeding children's access to and participation in football and football clubs.

Football Australia is a member of the Coalition of Major Professional and Participation Sports (**COMPPS**), which has separately provided a submission to the Office of the Australian Information Commissioner (**OAIC**). Football Australia supports the COMPPS submission. This submission outlines additional context and considerations specific to football.

PlayFootball ecosystem and disclosure framework

PlayFootball collects consents and necessary personal information from our participants (including players, coaches, referees and volunteers) to facilitate football competitions across Australia. As the administration of football relies on a network of member federations, associations, clubs and third-party competition management providers, personal information collected via PlayFootball needs to be shared within this ecosystem. This sharing of personal information is actioned through secure technical integrations to support registration, eligibility verification and competition administration.

(a) Designated internet service scope

Football Australia seeks guidance on whether registration platforms such as PlayFootball are intended to be captured as "designated internet services" under the Draft Code. Clarity on this point is important since: (1) children are not the principal or majority audience of the PlayFootball services; and (2) PlayFootball facilitates participation in organised sport rather than operating as open, consumer-facing digital services.

(b) Consent validity and data retention obligations:

Should PlayFootball be captured by the Draft Code, further clarification is required in relation to the interaction between consent validity and data retention obligations. These raise practical concerns for sporting organisations.

For example, sporting organisations should be able to lawfully decline destruction requests where records relate to disciplinary history, concussion information, playing and transfer history, eligibility status, and records related to sporting integrity, insurance and injury, which are recorded on platforms such as PlayFootball, regardless of whether consent is renewed on a 12 month basis. Mandatory deletion of such records would undermine the integrity, safety and governance of competitions.

These concerns are amplified by existing regulatory requirements. FIFA mandates that certain records relating to minors be retained for extended periods (including up to ten years). A requirement to delete this information would create a direct regulatory conflict and may compromise objectives through the ITC process to eliminate child exploitation in professional sport.

(c) 'Strictly necessary' threshold

Football Australia's position is that data collected through platforms such as PlayFootball for registration, competition management, health and safety, welfare, integrity and safeguarding purposes satisfies the "strictly necessary" standard, on the basis that such data is essential to the proper delivery of organised sport. We submit that OAIC consider issuing guidance confirming that such data falls within the scope of section 9 of the Code.

(d) 'Best interests of the child' requirement

Football Australia is concerned that the Draft Code's "best interests of the child" requirement introduces uncertainty as to whether necessary and consent-based disclosures within the sporting ecosystem can continue (e.g. where community sport registration may be used for selection and national team eligibility purposes). Football Australia requests that OAIC provide further clarity as to how this test is to be applied in circumstances where disclosures are operationally necessary to deliver organised sport.

International transfers and regulatory obligations

As a member of FIFA, Football Australia is required to comply with the FIFA Regulations on the Status and Transfer of Players (the **RSTP**). The RSTP's require all players over the age of ten years to obtain an ITC where the immediately preceding registration was with a national association other than the national association in which the player is registering.

The ITC process requires the collection, use and disclosure of personal information relating to players, including minors. This information is provided to Football Australia, relevant member federations, and in certain circumstances uploaded to FIFA's TMS. It is also exchanged with the player's former national association. Football Australia is required to retain certain records related to the ITC process for ten years to comply with FIFA audit and disciplinary requirements. Failure to comply with these obligations may expose Football Australia to regulatory sanctions from FIFA.

Without the ability to collect, use and disclose personal information as part of this process, the international movement of football players cannot occur and children who relocate to Australia may be unable to participate in organised football. Further, the ITC framework serves an important safeguarding function by mitigating risks of exploitation and improper recruitment of minors.

(e) 'Strictly necessary' threshold

Football Australia's position is that these activities and requirements are "strictly necessary" for the purpose of the Draft Code, noting that they are essential to the provision of football services by Football Australia and otherwise integral to the integrity and safety of the global football system.

Training compensation and pathway integrity

Personal information collected through Football Australia systems is also used to facilitate training compensation payments between clubs, in accordance with FIFA regulations. These payments recognise the investment made by grassroots clubs in developing young players and are an important mechanism to support the sustainability of community football and professional pathway programs.

This system depends on accurate and continuous player registration records and the ability to share relevant information internationally via TMS and with subsequent contracting clubs. Football Australia is concerned that restrictions on data collection, retention or disclosure may impede the operation of this system.

(f) 'Best interests of the child' requirement

Football Australia's position is that organisations that are acting in accordance with established sports regulatory obligations and facilitating children's rights to play and access

to player pathways presumptively satisfy the “best interests of the child” requirement. The use of certain data to facilitate training compensation to clubs is operationally necessary to deliver organised football within FIFA’s established international frameworks.

Research and longitudinal data use

Football Australia collaborates with academic institutions (including the University of Technology Sydney) on long-term research relating to fatigue, recovery and performance in sport.

This research involves the collection of personal and sensitive information with parental consent (e.g. via PlayFootball and other coaching/sport science platforms), followed by de-identification and analysis in accordance with the Australian Privacy Principles, and contributes materially to player welfare and injury prevention.

Football Australia’s position is that data used to inform participation-focused research is both:

- strictly necessary to provide football services with reference to *inter alia* player welfare and evidence-based policy; and
- consistent with the best interests standard where it is used to grow access to or participation in a sport

Consent settings and data retention

Football Australia broadly supports an age of consent of 15 years. However, concerns remain regarding:

- the proposed 12-month limitation on consent validity;
- the scope of withdrawal rights; and
- the requirement to destroy data.

Football participation, registration history and international movement rely on long-term data continuity. Interruptions to data records may impact eligibility, transfers, safeguarding and compliance with international regulatory requirements.

Football Australia considers that the Draft Code should accommodate circumstances where retention is necessary for regulatory, safeguarding or integrity purposes.

Conclusion

For the reasons outlined above and as otherwise described in the COMPPS submission, Football Australia is concerned that aspects of the Draft Code may have unintended consequences for the administration of football, particularly in relation to compliance with international regulations, youth participation, international player movement, and player welfare.

Football Australia would welcome the opportunity to engage further with the OAIC to discuss these issues in greater detail and to assist in ensuring that the final Code does not create unreasonable restrictions on and consequences to Australians participating in football.

Yours sincerely

