

DRAFT

Privacy Policy Project for the "Kikup" Platform

*It is important to include an **informative notice** during the collection of personal data that at least explains who is collecting the data, for what purposes, and where detailed information can be found. Ideally, this notice includes essential information (first level of information) before referring to the **full privacy policy** (second level of information). If this is not possible or not desired, the first level of information can be more restricted.*

Informative Notice - First Level of Information

This informative notice should be included on the personal data collection form, allowing complete information at the time of collection without referring elsewhere.

Informative Notice Including Essential Information

The information collected on this form is stored in a computerized file by **Kikup SRL** (Rue Max Elskamp 1, 7190 Ecaussinnes, Belgium, BCE 0762.822.648, team@Kikup.eu) to **offer you its service of a recruitment platform for young football talents and to help you get noticed by the clubs of your dreams**. The legal basis for processing is **the execution of the contract that binds you to Kikup** (Art. 6 §1 b) GDPR) **OR your consent to processing**.

The collected data will be communicated only to the following recipients:

- Our "Club" Partners via the Club space
- Our "Sponsors" Partners
- Our subcontractors

The data is kept for 3 years.

You can access your data, correct it, request its deletion, or exercise your right to restrict the processing of your data. You can also exercise your right to data portability and object to the processing of your data for direct marketing purposes.

For more information about your rights, visit

<https://www.autoriteprotectiondonnees.be/citoyen/vie-privee/quels-sont-mes-droits->

To exercise these rights or for any questions about the processing of your data, you can contact Michael Jonckheere, Rue Max Elskamp 1 7190 ECAUSSINNES-ENGHIEN - +32(0)474875008

If you believe, after contacting us, that your rights are not respected, you can file a complaint with the Data Protection Authority

<https://www.autoriteprotectiondonnees.be/citoyen/agir/introduire-une-plainte>).

For more information on the management of your personal data and to exercise your rights, refer to the attached privacy policy <https://kikup.eu/cookiepolicy>

Alternative: Informative Notice Including Minimal Information with Reference

Kikup SRL, as the data controller, processes the collected data to **offer you its service of a recruitment platform for young football talents and to help you get noticed by the clubs of your dreams**. For more information on the management of your personal data and to exercise your rights, refer to the attached privacy policy <https://kikup.eu/cookiepolicy>

Privacy Policy for Personal Data

KIKUP SRL

Summary of Kikup's Personal Data Protection Policy

WHO IS THE DATA CONTROLLER?

KIKUP, a limited liability company with its registered office located at Rue Max Elskamp 1, 7190 Ecaussinnes, Belgium, registered with the BCE under the number 0762.822.648.

WHAT PERSONAL DATA IS PROCESSED?

- Data necessary for creating a profile: name, first name, email address, age, date of birth, gender
- **Data to complete your profile**: postal address, country of residence, current football club, current football academy, height, nationality, mother's nationality, father's nationality, Facebook account, Instagram account, TikTok account
- **Data** related to videos uploaded to the application
- Information related to **access or interaction with our websites and applications**

WHY DO WE PROCESS YOUR PERSONAL DATA?

- To **access the application**, create and manage your Kikup account
- To **personalize** your profile and **present** it to Kikup's partner football clubs
- To **respond** to your requests and **contact** you
- To **analyze** and **improve** our websites, applications, and **activities**, and for **other reasons** described below (see details in this Privacy Policy, article 2.3)

HOW IS YOUR PERSONAL DATA COLLECTED?

- **When you submit** personal data to us (when you create an account or contact us) and when **you use our websites and applications**
- **Indirectly** when collected from **our partners** (see details in this Privacy Policy, article 2.1)

WITH WHOM IS YOUR PERSONAL DATA SHARED?

Your personal data may be shared with **our subcontractors, partner football clubs and academies, and external technical recipients** (see details in this Privacy Policy, article 2.5).

WHAT ARE YOUR RIGHTS?

Depending on the processing and the legal basis, you have several options to maintain control over your personal data:

- Right to access your personal data
- Right to rectify your personal data
- Right to object to the processing of your personal data (in certain cases)
- Right to restrict the processing of your personal data
- Right to have your personal data erased

- Right to withdraw your consent to the processing of your personal data (in certain cases)
- Right to data portability (in certain cases)

You can also manage cookies and other tracking technologies through your browser settings. For more information on your rights and choices, please consult our full Privacy Policy (see details in this Privacy Policy, article 3.1).

HOW LONG DO WE KEEP YOUR PERSONAL DATA?

Depending on the processing, we apply specific retention periods (e.g., 12 months). For more information on retention periods, please consult our full Privacy Policy (see details in this Privacy Policy, article 2.4).

HOW TO CONTACT US?

For more information on our personal data protection practices, refer to the full text of our Privacy Policy or contact our **Data Privacy Officer** (DPO) by email at michael@kikup.eu or by postal mail at KIKUP, Rue Max Elskamp 1, 7190 Ecaussinnes, Belgium.

WHAT TO DO IN CASE OF A DISPUTE?

Contact our DPO at the above address. You can also contact the Data Protection Authority (see details in this Privacy Policy, article 3.3).

Kikup Personal Data Protection Policy (Full Version)

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1. Introduction

1.1 Presentation of Kikup

Kikup ("Kikup", "we") is a platform that facilitates connections between young football players and football clubs interested in recruiting them. It is a space where talents can present themselves and be discovered by clubs looking for new talents. As part of its activities, Kikup has developed several websites and applications.

1.2 Purpose of the Privacy Policy

The purpose of the Personal Data Protection Policy is to inform you about how Kikup "processes" (i.e., collects, records, organizes, retains, adapts, modifies, extracts, consults, uses, communicates by transmission or dissemination, or any other form of making available) personal data concerning you, with personal data being any information relating to an identified or identifiable individual ("Personal Data"). The Kikup Personal Data Protection Policy also informs you about the rights you have over your Personal Data and how you can exercise them with us.

1.3 Scope According to Kikup's Role

The Privacy Policy applies only when Kikup processes your Personal Data as a data controller within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ("GDPR"). Kikup is considered a data controller when it determines, alone or jointly with others, the purposes ("why") and means ("how") of the processing of Personal Data (Article 4, paragraph 7 of the GDPR). The determination of the data controller's role when processing Personal Data depends on the context in which this transfer occurs.

Kikup acts as a data controller within the meaning of the GDPR, and this Privacy Policy applies notably when:

- Kikup collects your Personal Data to create a personalized Kikup account;
- Kikup processes your Personal Data to offer its football talent recruitment service and shares your Personal Data with Kikup's partner football clubs;
- Kikup responds to a request you have made or if Kikup needs to contact you personally;
- Kikup analyzes your Personal Data to improve its websites, applications, and activities.

2. Personal Data Processing

2.1 When and How is Personal Data Collected?

Kikup processes your Personal Data in different ways:

When you directly submit Personal Data to us (direct collection):

- When you create an account on the Kikup application, subscribe to a contract with Kikup, contact us via a form, participate in a contest or survey, or communicate or interact with us in any other way.

When we receive your Personal Data from our partners (indirect collection):

- Your Personal Data can also be collected from our partners, such as football clubs.

When you use our website and applications (automatic collection):

- Kikup automatically collects some of your Personal Data when you use our websites and applications, notably through cookies or your navigation on our website or applications and your interactions with their content.

2.2 What Personal Data Does Kikup Process About You?

Personal data necessary for creating your account:

- When you create an account on the Kikup application and/or contact us via a contact form, Kikup necessarily processes the following Personal Data:
 - Name
 - First name
 - Email address
 - Age
 - Date of birth
 - Gender

Personal data voluntarily provided to personalize your profile and improve your visibility:

- You can also voluntarily complete your profile to improve your chances of being spotted by a partner football club. In this case, Kikup may process the following Personal Data:
 - Postal address
 - Country of residence
 - Current football club
 - Current football academy
 - Height
 - Nationality
 - Mother's nationality
 - Father's nationality
 - Facebook account
 - Instagram account
 - TikTok account
 - Video

IT data automatically collected:

- When you use our websites and applications or communicate with us through a computer or mobile device, Kikup automatically collects Personal Data regarding how you access and use our websites and applications and the device you use to access them through various tracking technologies, including:
 - Cookies
 - Flash elements
 - Pixels
 - Web beacons
 - Embedded script elements
 - Location identification technologies and similar technologies

2.3 Why Do We Use Your Personal Data (Purpose)? What Is the Legal Basis for Each Purpose?

Kikup processes your Personal Data for the following purposes:

To access the application, create and manage your Kikup account:

- Kikup uses your Personal Data (name, first name, email address, age, date of birth, gender) to legally allow you to access the application and create your account on it, to authorize you to manage the account, and if necessary, to communicate with you.
- This Personal Data is essential to allow us to execute the contract that binds us (legal basis: contract).

To personalize your profile and present it to Kikup's partner football clubs:

- Kikup uses your Personal Data (name, first name, email address, age, date of birth, gender, postal address, country of residence, current football club, current football academy, height, nationality, mother's nationality, father's nationality, Facebook account, Instagram account, TikTok account, video) to personalize your Kikup profile to improve your visibility to Kikup's partner football clubs.
- This Personal Data is communicated to Kikup's partner football clubs.
- Additionally, if your profile is public, some Personal Data will be visible to other users of the Kikup application. On Kikup, you can configure the audience of what you share by choosing between a private or public account. With a private account, only Kikup's partner football clubs can see what you share. With a public account, your posts and other content on Kikup can be seen by everyone on our Kikup application or outside, even by people who do not have an account. You can restrict the audience of your content by blocking individual accounts that cannot see it. You can also create a list of close friends for certain types of content that only the people on this list can see.
- You expressly consent to communicate this information to Kikup and authorize their sharing (legal basis: consent).

To respond to your questions and requests regarding Kikup:

- Kikup uses your Personal Data (name, first name, email address) provided in the form to respond to your questions and requests regarding the website and our Kikup application and their use, whether you address them through the form on our website or application or through other communication channels.
- The legal basis for this processing is our legitimate interest in handling questions, requests, complaints, and suggestions regarding our website and application.

To analyze data to identify trends and improve our websites and applications:

- Kikup uses your Personal Data (cookies, Flash elements, pixels, web beacons, embedded script elements, location identification technologies, and similar technologies) to measure your interactions with its website and application (e.g., to know how and when you use the website and application, with what device), analyze user behavior, identify trends and usage patterns. This helps Kikup better understand users of its website and application, group them, and better adapt our content to user preferences that Kikup has identified.
- You expressly consent to communicate this information to Kikup (legal basis: consent).

To analyze data for reporting and analysis purposes:

- Kikup uses your Personal Data (cookies, Flash elements, pixels, web beacons, embedded script elements, location identification technologies, and similar technologies) to create aggregated and anonymized reports and measure the performance of our products, digital properties, and marketing campaigns. From these analyses, Kikup derives market trends concerning its digital activities and uses them to improve and adapt its products and services.
- The legal basis for this processing is Kikup's legitimate interest in improving our products and services.

To ensure the technical operation of our website and application:

- Kikup uses your Personal Data (cookies, Flash elements, pixels, web beacons, embedded script elements, location identification technologies, and similar technologies) to technically manage its website and application and ensure their proper functioning. In particular, Kikup collects information about the hardware status (e.g., computer or smartphone) when an application does not respond (such as unique hardware identifiers, the physical location of the hardware at the time of the crash) to identify the cause of the crash and take the necessary steps to prevent it from happening again.
- The legal basis for this processing is Kikup's legitimate interest in ensuring the proper technical/IT functioning of its website and application.

To comply with Kikup's legal obligations:

- Kikup may use your Personal Data to comply with its legal obligations, legal procedures, or requests from authorities, which may include requests from authorities in countries other than your country of residence when Kikup is legally obliged to do so and when the disclosure of your Personal Data is necessary to comply with such legal obligations, procedures, or requests from authorities.
- The legal basis for this processing is Kikup's compliance with legal obligations.

To protect Kikup's interests against fraud:

- Kikup may use your Personal Data to ensure the application of its policies, terms, conditions of use, to protect its activities, rights, information, security, or property, and to enable it to take any legal action or limit any damage it may suffer. Kikup may also use your profile information, information about your use of its website and application, and information about the device(s) you use to access its website and application and interact with it to determine if fraudulent uses of our websites and applications are occurring.
- The legal basis for this processing is Kikup's legitimate interest in protecting its organization against fraud.

2.4 How Long Do We Retain Your Personal Data?

Kikup ensures the accuracy and updating of your Personal Data. We will delete the Personal Data we hold about you when we no longer need it.

We retain your Personal Data used for the purposes described in this Privacy Policy for a maximum period of:

- For profile data created on the Kikup application: retention until the account is closed by the user or Kikup;

- For consent-based cookies and similar technologies: a maximum of 13 months on your terminal equipment (except for session cookies and similar technologies which are retained during your browsing session).

Accounts on our websites and applications that are not used for 12 months from their creation will be deleted.

2.5 To Whom Is Your Personal Data Transferred?

Kikup treats Personal Data as confidential information. Kikup limits the communication of Personal Data to third parties only if it is necessary to achieve the above purposes or under the conditions in which the law requires it.

Your Personal Data may be communicated to:

- **Kikup's subcontractors**, i.e., entities acting on its behalf, whose list can be consulted here:

Mamoot SRL - BE 0665.529.371 - Chaussée de Tubize(W-B) 210/reau 4,
1440 Braine-le-Château.

8Trust - BE0537.939.729 – Chaussée de Boondael 365 1050 Bruxelles

- **Partner football clubs and academies**: the list of partner football clubs receiving your Personal Data is available here: <https://kikup.eu/partenaires/>
- **Categories of external technical recipients**: technical service providers, messaging services, IT hosting providers, IT companies, legal advisors, marketing services;

Some of these partners will become controllers of your Personal Data for processing described to you by these partners (notably through their privacy policy).

2.6 Are Personal Data Transferred Outside the European Economic Area?

Kikup strives to prioritize the transfer of Personal Data within the countries of the European Economic Area (EEA) or to countries ensuring a substantially equivalent level of protection to that of the European Union, such as the United Kingdom.

To carry out certain Personal Data processing, Kikup may also transfer your Personal Data to countries outside the EEA or to countries that do not ensure a substantially equivalent level of protection to that of the European Union.

In this case, Kikup ensures that the Personal Data is sufficiently protected by:

- The use of standard contractual clauses (SCC) used in the contract with the recipients of the Personal Data and validated by the European Commission under Article 46 paragraph 2 of the GDPR;
- The transfer of Personal Data to certified organizations in the United States;
- The application, if necessary, of additional measures and mechanisms to secure transfers to countries that do not offer an adequate level of protection.

To obtain information regarding the transfers of your Personal Data to third countries (including the corresponding transfer mechanisms), please contact our DPO at this address: (INSERT ADDRESS).

3. What Are Your Rights Regarding the Processing of Your Personal Data? How Can You Exercise Them? How Can You Contact Us?

3.1. Your Rights Regarding the Processing of Your Personal Data

Regarding the processing of your Personal Data described in this Privacy Policy, you have the right, in certain circumstances, to exercise the following rights:

3.1.1. Right of Access

You have the right to request confirmation as to whether or not Personal Data concerning you is being processed and, if so, request access to such data as well as obtain information relating to the processing.

3.1.2. Right of Rectification

You have the right to obtain the rectification of Personal Data concerning you that is inaccurate or incomplete. Kikup will ask you to identify yourself in the same manner as used to initially identify you.

3.1.3. Right to Object

When processing is based on the legitimate interest, you have the right to object at any time, for reasons related to your particular situation, to the processing of Personal Data concerning you, including profiling. Kikup informs any recipient to whom it has transmitted the data in question of the opposition expressed.

3.1.4. Right to Erasure

You have the right to obtain the erasure of Personal Data concerning you upon presentation of identification when:

- It is no longer necessary for the purposes for which it was collected or otherwise processed;
- You withdraw your consent on which the processing is based and there is no other legal basis for the processing;
- You object to the processing;
- It has been unlawfully processed;
- It must be erased for legal reasons;

This right does not apply to the extent that the processing is necessary:

- For exercising the right to freedom of expression and information;
- To comply with a legal obligation;
- For archival purposes, scientific or historical research, or statistical purposes;
- For the establishment, exercise, or defense of legal claims.

3.1.5. Right to Withdraw Your Consent

When processing is based on consent, you can withdraw your consent at any time without having to justify your choice.

3.1.6. Right to Restriction of Processing

You can request the restriction of the processing of your Personal Data so that it is not used beyond the intended processing or not disclosed to third parties. This restriction may be obtained notably in case of contesting the accuracy of the data, formulating an objection to unlawful processing, or for defending legal claims.

3.1.7. Right to Data Portability

When processing is based on the contract or consent, or when processing is carried out using automated means, you have the right to receive the Personal Data concerning you that you have provided to Kikup upon presentation of identification. The Personal Data is transferred in a structured, commonly used, and machine-readable format. You have the right to transmit this data or request its transmission to another controller.

3.2 Contact Us to Exercise Your Rights

If you wish to exercise any of your rights above, you can contact Kikup using one of the options below:

- You can contact our Data Protection Officer (DPO) at the following address: (INSERT ADDRESS).
- You can write to us at the following postal address: (INSERT ADDRESS).

Please clearly specify what information you wish us to provide, review, modify, or delete, or for which you wish us to cease processing. Unless otherwise stated (see above), each request must be accompanied by valid proof of identity.

You can also contact us if you have any questions or concerns about the processing of your Personal Data using the contact options above.

3.3 Right to Lodge a Complaint with the Competent Data Protection Authority

You have the right to lodge a complaint with the relevant supervisory authority (particularly in the Member State where your habitual residence, place of work, or the place where the alleged infringement occurred – the Data Protection Authority (DPA) for Belgium) if you believe that the processing of any of your Personal Data constitutes a violation of the GDPR.

Data Protection Authority Rue de la Presse 35, 1000 Brussels +32 (0)2 274 48 00 +32 (0)2 274 48 35 contact@apd-gba.be
<https://www.autoriteprotectiondonnees.be/citoyen/agir/introduire-une-plainte>

4. How Do We Secure Your Personal Data?

Kikup takes appropriate organizational and technical measures to ensure a level of security appropriate to the risk and to ensure that the servers hosting the Personal Data processed prevent, as much as possible:

- Unauthorized access or modifications to your Personal Data;
- Inadequate use or disclosure of your Personal Data;
- Illegal destruction or accidental loss of your Personal Data.

4.1 Physical Security of Personal Data

The physical security of Personal Data is ensured by:

- Limiting existing data in physical form: Kikup maximizes a paperless approach by avoiding printing and physical storage of data
- Through the security of Kikup premises and restricting access to specific categories of employees whose missions require access. Kikup secures Personal Data existing in physical form and limits the risks of destruction of Personal Data due to fire, theft, damage, etc.

4.2 IT Security of Personal Data

The IT security of Personal Data is ensured by:

- Implementing a secure information and telecommunication system
- Encrypting Personal Data
- Managing logical access based on user groups and the principle of least privilege
- Enforcing a robust password policy with 12 alphanumeric characters, 1 special character, and a change every 180 days
- Implementing traceability and logging actions involving Personal Data
- Regularly purging Personal Data past the specified retention period.

4.3 Kikup Employees and Subcontractors

Access to personal information is strictly reserved for employees and subcontractor employees who need access to process it. Anyone with this access is subject to strict confidentiality obligations. They may also be subject to disciplinary action up to and including termination in case of breach of these obligations.

In this regard, Kikup employees who have access to this data are subject to strict confidentiality obligations. In addition to the confidentiality obligation, Kikup employees complete an annual e-learning training on security and data protection to verify their knowledge on these topics. A minimum score of 90% correct answers is required to obtain certification in Personal Data protection, and the same applies to the security part.

Finally, the Kikup Information System Security Policy, defining the rules of use and operation of Kikup's Information System, is provided to all employees and signed by them.

4.4 Personal Data Breach

A Personal Data breach is a security breach resulting in accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to Personal Data transmitted, stored, or otherwise processed.

Disclosure means internal communication of Personal Data reserved only for authorized persons.

Unauthorized access means communication of Personal Data outside the company to unauthorized third parties.

In case of a Personal Data breach, Kikup will inform the DPA as soon as possible and no later than 72 hours after becoming aware of it. To this end, Kikup has a specific procedure available to all its employees to ensure proper management of a potential breach. When a Personal Data breach is likely to result in a high risk to the rights and freedoms of individuals, Kikup will inform the affected individual.

5. Updates and Modifications of the Privacy Policy

Kikup may modify and adapt this Privacy Policy, particularly to comply with any new legislation and/or applicable regulations, recommendations from the DPA, guidelines, recommendations, and best practices from the European Data Protection Board (EDPB), and court and tribunal decisions on the matter. Kikup communicates any changes to the Privacy Policy to the affected individuals.

We will notify you before making any substantial changes to this Policy. You will have the opportunity to review the revised Policy before choosing whether to continue using our application and website.

6. Applicable Law and Jurisdiction

The validity, interpretation, and/or execution of the Privacy Policy are subject to Belgian law to the extent permitted by applicable private international law rules.

In case of a dispute concerning the validity, interpretation, or execution of the Policy, the French-speaking Brussels courts have exclusive jurisdiction to the extent permitted by applicable private international law rules.

Before taking any judicial steps to resolve a dispute, Kikup will always try to resolve it amicably. To this end, Kikup will first contact the concerned individual and systematically propose the use of an amicable resolution method (mediation, conciliation, or any other alternative dispute resolution method).