



**2020**

**PRIVACY  
NOTICE**

**YOUR  
PRIVACY  
MATTERS  
TO US**

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## PRIVACY NOTICE

The Fédération Internationale des Associations de Footballeurs Professionnels (FIFPRO) (“we”, “us”, “our”) is committed to protecting and respecting your personal data (*i.e.*, information that directly or indirectly identifies an individual) in accordance with applicable data protection laws, including the General Data Protection Regulation of the European Union (“GDPR”). This privacy notice explains the manner in which we collect, use, share, protect and otherwise “process” personal data relating to football players (“Players”, “you”, “your”) and applies to all processing of Players’ personal data in our capacity as data controller, *i.e.*, the party responsible for deciding why and how your personal data is processed.

## 1. PERSONAL DATA WE PROCESS

### A. CATEGORIES OF PERSONAL DATA

In order to service you in the best possible manner, we occasionally process personal data about you, for example, for the categories mentioned below. For each category, we have included types of personal data that may be processed, by way of example.

- **IDENTITY AND CONTACT DETAILS** – name, nationality, date of birth, gender, your image, home address, business and personal email, business and personal phone number;
- **PROFESSIONAL INFORMATION** – contract information, position, professional affiliations including current and former clubs, professional qualifications, employment history, international career information, disciplinary matters;
- **MEMBERSHIP DETAILS** – membership date, correspondence, subscription payment history;
- **FINANCIAL INFORMATION** – compensation, social benefits, pension, retirement savings, social security contributions, bonus payments;
- **PERFORMANCE DATA** – game participation, records, performance statistics, awards;
- **HEALTH DATA** – injury, illness, disability.

### B. HOW WE COLLECT YOUR PERSONAL DATA

We collect the personal data described above directly from you when you become a member (*e.g.*, as you fill in membership forms on or offline, when you send us documentation to ask legal advice or where you otherwise interact with us directly) or through third parties including for instance clubs you have played for, national federations and associations, sporting event organizers, sponsors, technology service providers and from publically available sources such as the media and press (including online platforms).

### C. IF YOU CHOOSE NOT TO PROVIDE YOUR PERSONAL DATA

We may require your personal data for various purposes explained below in section 2 (Purposes For Processing Personal Data). If you do not provide certain personal data when requested, we may not be able to process your membership and provide our representation services to you.

## 2. PURPOSES FOR PROCESSING PERSONAL DATA

We may process your personal data for the purposes set out below. Several of the purposes outlined below may occasionally overlap and we may process the same categories of personal data for multiple purposes. We will not process your personal data for any purposes which are incompatible with the purposes set out below without first notifying you.

### A. REPRESENTATION AND MANAGEMENT OF PLAYERS

We will process your personal data for purposes related to our representation of you and in connection with the management of your membership including:

- Administration of your membership, including to register you as a new member, to renew or update your membership, or notify you of any changes in our membership terms or changes to this privacy notice;
- Provision of membership services, including legal help, representation in negotiations in CBA and other regulations;
- Decision making and allocation of funds in connection with the FIFA Fund for Football Players (more information is provided below);
- Representation or support of you in connection with disputes or disciplinary matters;
- Provision of career support, assistance, advice and representation of you in negotiations (whether on an individual or collective basis);
- Communication of information and updates about our organisation's activities, campaigns, benefits and services;
- Registration and participation in events and programs organised or sponsored by us or our partners;
- Publishing player rankings or determining award winners, for instance the selection and announcement of the yearly "World XI";
- Representation in connection with the exercise of your rights under applicable data protection laws, including the GDPR, or otherwise with respect to legal claims;
- Promotion of your professional interests and image vis-à-vis the public and third parties (including fans, charity organisations);
- Education and training;
- Management of your relationship with clubs or national, continental and international federations, associations and other football industry stakeholders.

### B. LEGAL REQUIREMENTS AND PROCEEDINGS

We may also process your personal data for purposes related to legal requirements and proceedings including:

- In connection with investigations, claims, grievances, and defending or pursuing legal claims;
- Responding to requests from foreign and domestic law enforcement, regulators and courts;
- Sharing your personal data with professional advisors for legal purposes, for example attorneys, accountants, experts;
- Complying with our legal and regulatory obligations.

## C. FIFA FUND FOR FOOTBALL PLAYERS

We may process your personal data as part of the FIFA Fund for Football Players, a joint project between FIFA and FIFPRO established to consider applications for financial support from Players who have not been appropriately paid by their clubs as a result of the bankruptcy or disaffiliation of clubs.

In this context, we may act as a “joint controller” of the processing of your personal data, alongside FIFA. This means that with respect to certain processing activities (such as the collection of personal data from you, our sharing of that personal data with FIFA, and FIFPRO and FIFA’s joint determination of the merits of your application) in connection with the administration of the FIFA Fund for Football Players, FIFA and FIFPRO have, or in the future will, jointly decide what data is processed and for what purpose.

We have entered into an arrangement with FIFA to ensure that your personal data is protected in connection with these processing activities and to set out the responsibilities that FIFA and FIFPRO have vis-à-vis the protection of your rights. FIFA and FIFPRO have therefore agreed to data security standards and have determined that FIFPRO shall take primary responsibility for administering your rights, providing information to you about the processing of your personal data, and acting as the primary point of contact for you should you wish to make a complaint or exercise any of your rights.

Please contact us using the contact details set out in section 9 (How to Contact us) below if you need more details about the processing of your personal data in connection with the FIFA Fund for Football Players or wish to exercise your rights.

## 3. LEGAL BASES FOR PROCESSING PERSONAL DATA

The legal bases for processing your personal data include:

- **CONTRACT** – the processing is necessary for the performance of your membership contract with us;
- **LEGAL OBLIGATIONS** – the processing is necessary for our compliance with our legal obligations;
- **LEGITIMATE INTERESTS** – the processing is necessary for our legitimate interests, where our legitimate interests are not overridden by your interests or fundamental rights and freedoms. Examples of our legitimate interests include (i) the fulfilment of our mission as a professional union, (ii) representing your interests and the interests of the union generally, (iii) to keep our records up to date and accurate and (iv) to effectively comply with any legal, regulatory or contractual obligations to which we are subject and to defend ourselves against any legal or regulatory complaint or proceedings;
- **CONSENT** – in some cases, we will seek your consent for specific processing activities. At such time, we will provide you with additional information about the purpose of such processing.

When we process your personal data more than one legal basis may apply. Please contact us using the contact details set out in section 9 (How to Contact us) below if you need more details about the specific legal basis we are relying on to process your personal data.

#### **4. SPECIAL CATEGORIES OF DATA**

Special categories of personal data include personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

If you provide us with special categories of data or we obtain such data from a third party, we will process it only as permitted under applicable laws and regulations and where we have established a lawful ground for such processing (and can comply with any additional conditions for processing under applicable data protection law). For instance, it may be possible for us to process special categories of data when you have given your explicit consent, when it is necessary for the establishment, exercise or defence of legal claims or for reasons of substantial public interest, or when the processing of special categories of data is otherwise authorized by applicable laws or regulations.

#### **5. SHARING YOUR PERSONAL DATA**

We may share your personal data with third parties to the extent necessary for a relevant purpose. Where we do share your personal data, we will ensure that appropriate measures are in place to safeguard your personal data. We require all third parties to respect the security of your personal data and to treat it in accordance with applicable law.

We may share certain of your personal data with the following categories of third parties:

- **FOOTBALL STAKEHOLDERS** – for example federations, clubs and leagues, FIFA, sponsors, philanthropic organisations;
- **SERVICE PROVIDERS** – for example insurers, banks, notaries, accountants, law firms assisting players and/or unions, IT service providers, business consultants;
- **COMMUNICATION PARTNERS** – for example, broadcasters, media and press organisations;
- **COMMERCIAL THIRD PARTIES** – for example, videogame and merchandising companies.

The sharing of your personal data shall only occur in connection with the purposes described above. We do not sell your personal data to third parties and we will contact you in the event that an interested third party wishes to commercialise your personal data.

## 6. INTERNATIONAL TRANSFERS OF PERSONAL DATA

Your personal data may be shared with a third party, or stored, outside of the European Economic Area (meaning the European Union, Iceland, Lichtenstein and Norway) in which case we will ensure there is an appropriate legal basis for such transfer and appropriate safeguards are in place to protect your personal data. When we transfer your personal data outside of the EEA to a country with a data protection regime that is not deemed “adequate” under the GDPR, we will take appropriate steps such as entering into appropriate data transfer agreements that incorporate standard clauses approved by the European Commission. Please contact us *via* the contact details set out in section 9 (How to Contact us) below if you would like more information on international transfers and the safeguards we rely on.

## 7. RETENTION OF YOUR PERSONAL DATA

We will keep your personal data for no longer than is necessary to fulfil the purposes of processing set out in section 2 (Purposes For Processing Personal Data) of this privacy notice. We will generally retain your personal data throughout the duration of your membership and representation and for no longer than five (5) years thereafter, unless Dutch law prescribes longer terms. We may retain your personal data for longer if necessary, for example if required by laws or regulations or where necessary in connection with actual or potential legal actions at the time of the scheduled erasure of your personal data.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and any applicable legal requirements.

We take technical and organizational security measures against accidental or intentional manipulation, partial or complete loss, destruction or unauthorised access of personal data by third parties. Our security measures are continuously improved in line with technological developments.

## 8. YOUR RIGHTS

You have the following rights in relation to the personal data we collect, use and hold about you:

- **ACCESS** – to request confirmation of whether we process personal data relating to you and, if so, to request a copy of that personal data;
- **CORRECTION** – to request that we rectify or update your personal data in the event that the personal data we hold is inaccurate, incomplete or outdated;
- **ERASURE** – to request that we erase your personal data in certain circumstances, such as where we collected personal data on the basis of your consent and you withdraw your consent;
- **RESTRICTION OF PROCESSING** – to request that we restrict the use of your personal data in certain circumstances, such as while we consider another request that you have submitted, for example a request that we update your personal data;

- **WITHDRAWAL OF CONSENT** – where our processing of your personal data is based on your consent, to withdraw your consent, although withdrawal of consent (i) does not invalidate the consent-based processing that occurred prior to such withdrawal or processing that is not based on consent, (ii) means that we will no longer be able to perform such consent-based processing activities, and may result in us being unable to provide certain services to you and (iii) does not prevent us from processing your personal data if we have another lawful basis (other than consent) for doing so;
- **DATA PORTABILITY** –in certain circumstances (such as where our processing of your personal data was based on your consent or your contract with us) to request that we provide a copy of your personal data to you or to a third party in a structured, commonly used and machine readable format;
- **OBJECT TO PROCESSING** – to object to certain of our data processing, such as for direct marketing purposes or where we are relying on legitimate interests (or those of a third party) to which you object based on your particular circumstances;
- **LODGE A COMPLAINT** – to lodge a complaint with a data protection supervisory authority if you consider that we have infringed any of your rights with respect to your personal data and failed to remedy such infringement (Dutch Data Protection Authority (Dutch DPA) if you are of the opinion that FIFPRO is acting contrary to the applicable privacy rules: <https://autoriteitspersoonsgegevens.nl/en> or Autoriteit Persoonsgegevens, Postbus 93374, 2509 AJ Den Haag, +31 70 8888500).

If you wish to exercise any of these rights, please contact us with the contact information set out below.

## 9. HOW TO CONTACT US

If you would like additional information on our data protection practices or would like to exercise any of your rights, please address your questions and requests using the contact detail below:

**FIFPRO Holding B.V.**

Scorpius 161  
2132 LR Hoofddorp  
The Netherlands

[info@fifpro.org](mailto:info@fifpro.org)

DPO: [I.Ouwehand@fifpro.org](mailto:I.Ouwehand@fifpro.org)

## 10. AMENDMENTS TO THE PRIVACY NOTICE

We may amend this privacy notice at any time. We may also notify you in other ways from time to time about the processing of your personal data.

Current version dated: 10 January 2021.