

PRIVACY POLICY - KADONATION

Last update: February 2023

This privacy policy ("**Privacy Policy**") is applicable to all processing activities of KADONATION (as defined below) as a data controller.

Please read this Privacy Policy together with our **Cookie Policy**. KADONATION may update this Privacy Policy in the future: the latest version can always be found on our Website.

1. ABOUT THIS PRIVACY POLICY

Due to, for example, your commercial relationship or recent contact with KADONATION or due to a visit to or action on our "Website" (i.e. <https://kadonation.com/>, including related sub-domains) we may collect, store and otherwise process personal data relating to you or, if you are a company, your employees/ representatives ("**your personal data**").

This Privacy Policy describes (i) how we collect, treat and store your personal data; (ii) the rights you can exercise in relation to your personal data; and (iii) the measures we take to protect it and to secure your personal data.

KADONATION respects your privacy and we always strive to act in accordance with the applicable privacy legislation, such as (non-exhaustive): (i) the General Data Protection Regulation 2016/679 of April 27, 2016 ("**GDPR**"); (ii) the Belgian Privacy Law of 30 July 2018; (iii) the Dutch General Data Protection Regulation Implementation Act of 16 May 2018; (iv) the ePrivacy Directive 2002/58/EC of 12 July 2002, including future amendments and revisions thereof; and/or (v) (future) national legislation regarding the implementation of the GDPR (together: "**Privacy Legislation**").

2. KADONATION IS THE DATA CONTROLLER

We are **KADONATION NV**, a limited liability company with registered office at Gordunakaai 61, 9000 Ghent, Belgium, registered with the Crossroads Database for Enterprises under number BE0666.820.362 ("**KADONATION**" or "**we / us**").

KADONATION is the developer and provider of the KADONATION solution as described and represented on the Website ("**Solution**"), the corresponding service of KADONATION ("**Service**") and is the owner of the Website.

In light of the Privacy Legislation, KADONATION will act as the DATA CONTROLLER of your personal data for the purposes described in this Privacy Policy. This means we are in control of (and thus, responsible for) your personal data.

3. KADONATION'S PROCESSING ACTIVITIES

Which personal data we collect, store and process and the purpose for which we process this data may differ depending on your relation with KADONATION.

In particular, we identify **six different scenarios**:

1. You are **browsing** on our Website;
2. You (wish to) receive **direct marketing** (such as updates and newsletters) relating to KADONATION's Solution and/or Service;
3. You are a **prospect** and/or seeking a commercial relationship with KADONATION;
4. You are a **private customer** purchasing, redeeming or starting a group gift voucher;
5. Your company is an **active KADONATION customer** and/or seeking a commercial relationship with KADONATION; or,
6. You are | your company is a **partner** or a **supplier** of KADONATION.

3.1 You are browsing our Website

Contacting KADONATION via the contact form

Purpose:	To answer any questions you may have and/or to initiate a conversation		
Personal data:	<input type="checkbox"/> Full name	<input type="checkbox"/> Voluntarily provided telephone number	
	<input type="checkbox"/> Country	<input type="checkbox"/> Voluntarily provided message	
	<input type="checkbox"/> (Work) email address		
Legal ground:	Consent		
Retention period:	Up until one (1) year after your last contact with KADONATION		

Cookies

When browsing on our Website, we may also collect your personal data through cookies stored on your device(s) in order to optimize the functioning of the Website. Please consult our [Cookie Policy](#) for more information.

3.2 You (wish to) receive direct marketing (such as updates and newsletters) relating to KADONATION's Solution and/or Services

Direct marketing

Purpose:	Providing more information on (new features of) KADONATION, our Solution or related products/Services		
Personal data:	<input type="checkbox"/> Full name	<input type="checkbox"/> Voluntarily provided information	
	<input type="checkbox"/> (Work) email address		
Legal ground:	Consent		
Retention period:	Until you have objected to the processing of your personal data for this purpose (cfr. Section 8 - "Right to object"). You will be automatically unsubscribed if we did not contact you for over five (5) years.		

3.3 You are a prospect and/or seeking a commercial relationship with KADONATION

General communication with KADONATION & prospecting by KADONATION

Purpose:	To have quality conversations (via mail, telephone or business social media channels) in which KADONATION provides more information on its Services		
Personal data:	<input type="checkbox"/> First name	<input type="checkbox"/> (Work) email address	
	<input type="checkbox"/> Last name	<input type="checkbox"/> Phone number	
	<input type="checkbox"/> Company name	<input type="checkbox"/> Country	
	<input type="checkbox"/> Type of industry	<input type="checkbox"/> Preferred Language	
	<input type="checkbox"/> Social media / business channel	<input type="checkbox"/> Voluntarily provided information	

Legal ground:	Legitimate interest
Retention period:	Until you have requested to no longer be contacted by KADONATION or until six (6) months following your latest contact with KADONATION, whichever comes first (+ verification period of six months)

3.4 You are a private customer

General communication and (technical) support via the support chat

Purpose:	To assist you with possible issues and/or answer any questions you may have and/or to initiate a conversation	
Personal data:	<input type="checkbox"/> Full name	<input type="checkbox"/> Voluntarily provided information
	<input type="checkbox"/> (Work) email address	<input type="checkbox"/> Information about the enquiry
Legal ground:	Necessary for the performance of the agreement	
Retention period:	Up until two (2) years after your last contact with KADONATION	

Creating of your account

Purpose:	To make use of KADONATION Services or its Solution	
Personal data:	<input type="checkbox"/> Full name	<input type="checkbox"/> (Work) email address
	<input type="checkbox"/> Country	<input type="checkbox"/> Password
	<input type="checkbox"/> Date of birth	<input type="checkbox"/> Telephone number (optional)
Legal ground:	Necessary for the performance of the agreement	
Retention period:	Until two (2) years following the termination of the commercial relationship between you and KADONATION (+ verification period of six months)	

Starting a group gift / giving a gift voucher

Purpose:	To make use of KADONATION Services or its Platform	
Personal data:	<input type="checkbox"/> Full name	<input type="checkbox"/> Other voluntarily provided information
	<input type="checkbox"/> Email address	<input type="checkbox"/> Photo of your choice (optional)
	<input type="checkbox"/> Name receiver (optional)	
Legal ground:	Necessary for the performance of the agreement	
Retention period:	Until two (2) years following the termination of the commercial relationship between you and KADONATION	

3.5 Your company/employer is an active KADONATION customer

If you read this Policy as an employee of a company relying on the KADONATION Solution, please note that your employer is to be considered your data controller (as your employer decided to rely on the Solution, choses if you get an account, etc.). Your employer might have provided us with some of your personal information (e.g. your name, your email-address, etc.). In this context, KADONATION has adopted a Data Processing Policy.

Nevertheless, in some exceptional cases, KADONATION will act as your data controller. More specific, KADONATION will act as your data controller for the following purposes:

General communication and (technical) support

Purpose:	To enable communication with & to provide support to customers	
Personal data:	<input type="checkbox"/> Full name	<input type="checkbox"/> (Work) e-mail address
	<input type="checkbox"/> Company information (name, VAT-number)	<input type="checkbox"/> Telephone Number
	<input type="checkbox"/> Billing address	
Legal ground:	In relation with the customer: necessary for the performance of the agreement	
	In relation with the end-users: legitimate interest	
Retention period:	Until one (1) year following the termination of the commercial relationship between your company and KADONATION	

Small business orders (<500 vouchers) placed via the Website

Purpose:	To make use of KADONATION Services or its Platform	
Personal data:	<input type="checkbox"/> Full name	<input type="checkbox"/> (Work) e-mail address
	<input type="checkbox"/> Company (name, VAT-number)	<input type="checkbox"/> Telephone Number (optional)
	<input type="checkbox"/> Billing address	<input type="checkbox"/> Delivery address (only in case of physical gift vouchers)
Legal ground:	Necessary for the performance of the agreement	
Retention period:	Until one (1) year following the termination of the commercial relationship between your company and KADONATION	

Billing

Purpose:	To prepare invoices for the Service use of the KADONATION Platform	
Personal data:	<input type="checkbox"/> First name	<input type="checkbox"/> Company
	<input type="checkbox"/> Last name	<input type="checkbox"/> (Work) e-mail address
	<input type="checkbox"/> Address	<input type="checkbox"/> VAT-number
	<input type="checkbox"/> Job function	
Legal ground:	Necessary for the performance of the agreement	
Retention period:	Until two (2) years following the termination of the commercial relationship between your company and KADONATION with an additional period of 7 years for bookkeeping reasons.	

Quotes | proposals

Purpose:	To draw up (additional) quotes proposals	
Personal data:	<input type="checkbox"/> First name	<input type="checkbox"/> Company
	<input type="checkbox"/> Last name	<input type="checkbox"/> (Work) e-mail address

☐ Address

☐ VAT-number

Legal ground: Legitimate interest

Retention period: Until one (1) year following the termination of the commercial relationship between your company and KADONATION

3.6 You are or your company/employer is a supplier or partner of KADONATION

General communication and provision of services

Purpose: To communicate with you in the scope of our commercial relationship

Personal data:

<input type="checkbox"/> Full name	<input type="checkbox"/> Email address
<input type="checkbox"/> Last name	<input type="checkbox"/> Phone number
<input type="checkbox"/> Company	<input type="checkbox"/> Preferred Language
<input type="checkbox"/> Job function	<input type="checkbox"/> Voluntarily provided information

Legal ground: Necessary for the performance of the agreement

Retention period: For the duration of your commercial relationship with KADONATION and in any event accordance with any (data processing) agreements concluded with KADONATION

Billing

Purpose: To pay your invoices for the services provided (incl. corresponding communication)

Personal data:

<input type="checkbox"/> First name	<input type="checkbox"/> Company
<input type="checkbox"/> Last name	<input type="checkbox"/> (Work) e-mail address
<input type="checkbox"/> Address	<input type="checkbox"/> Financial data (e.g. bank account number)
<input type="checkbox"/> Job title	<input type="checkbox"/> VAT-number

Legal ground: Necessary for the performance of the agreement

Retention period: For the duration of your commercial relationship with KADONATION and in any event accordance with any (data processing) agreements concluded with KADONATION

4. LEGAL GROUNDS

You can find more information on the applicable ground for each of the identified processing activities in **Section 3** above.

In case the legal ground for processing happens to be **legitimate interest**, KADONATION shall always (i) assess whether this is in proportion with the purpose for which your personal data was collected and used; and, (ii) take your reasonable expectations into account and ensure a balance with your fundamental rights and freedoms. If we cannot guarantee this, we will stop storing / using your personal data or we will determine a new legal ground.

5. RETENTION PERIODS

Unless a longer storage period is required or justified (i) by law or (ii) through compliance with another legal obligation, KADONATION shall only store your personal data for the period necessary to achieve and fulfil the purpose in question.

6. DISCLOSURE OF PERSONAL DATA TO THIRD PARTIES

KADONATION shall never sell your personal data to third parties. In addition, KADONATION shall never disclose your personal data to other third parties, unless it is necessary to achieve the purposes described in this Privacy Policy. In this respect, (some of) your personal data may be disclosed to:

- ☐ **Software and cloud providers**
- ☐ **Printing Services**

Of course we have made sure that the necessary contracts or similar legal binding acts are in place to ensure that these third parties treat your personal data in accordance with the Privacy Legislation (e.g. **Article 28 GDPR**).

In addition, we might transfer your personal data:

- ☐ **To competent authorities:** for instance, because (i) we are obliged to provide your personal data under law or in the scope of (future) legal proceedings, or (ii) this is necessary to safeguard our rights; or,
- ☐ **In M&A context:** meaning, if KADONATION or the majority of its assets, is taken over by a third party, in which case your personal data – which KADONATION has collected – may be one of the transferred assets.

7. CROSS-BORDER PROCESSING OF PERSONAL DATA

In case any of the above mentioned third parties or other recipients are located in a country **outside the European Economic Area**, KADONATION will ensure that one or more of the listed EU-approved safeguards are in place:

- ☐ **European Commission adequacy decision;**
- ☐ **Data transfer agreement** (cfr. the Standard Contractual Clauses as provided in the European Commission Implementing Decision (EU) 2021/914 of 4 June 2021, including the performance of a transfer impact assessment);
- ☐ **Binding corporate rules;** or,
- ☐ **Certification mechanisms.**

8. YOUR PRIVACY RIGHTS

The Privacy Legislation (e.g. GDPR) gives you certain rights over your personal data vis-à-vis KADONATION. You can exercise these rights by contacting us, as specified in **Section 11**, through compliance@kadonation.com.

Access:	you can ask for confirmation of whether or not personal data that relates to you is being processed. If so, you can ask us to give you copies of your personal data. We may charge you a small fee for this service;
Rectification:	you can ask us to correct complete any information you believe is inaccurate incomplete;
Erasure:	you can ask us to erase your personal data, under certain conditions. Please be aware that in this context certain services will no longer be accessible and/or can no longer be provided.
Objection:	you can object to us processing your personal data, under certain conditions.
Restriction of processing:	you can ask us to restrict the processing of your personal data, unless we have legitimate interests for the processing of your personal data that prevail over your interests
Data portability:	you can ask us to transfer your personal data to another organization, or directly to you in a commonly used structured format readable by automatic device, under certain conditions.

9. SECURITY

KADONATION undertakes to take reasonable, physical, technological and organizational precautions in order to avoid (i) unauthorised access to your personal information, and (ii) loss, abuse or alteration of your personal data.

10. UPDATES

We are entitled to update this Privacy Policy by posting a new version on the Website whereby we will indicate the revision date at the top of this Privacy Policy. As such, it is strongly recommended to regularly consult the Website and the page displaying the Privacy Policy, to make sure that you are aware of any changes.

11. NOTIFICATIONS AND QUESTIONS

Notifications under this Privacy Policy (such as, exercising your rights as a data subject) and/or any questions or concerns with regard to the provisions of this Privacy Policy must be directed at our DPO, via compliance@kadonation.com.

12. COMPLAINTS?

You are not satisfied with the manner in which we collect, store or otherwise treat or secure your personal data? We are sorry to hear that and are prepared to take all measures to remedy this situation. Please do contact us!

You also have the right to lodge a complaint with the following supervisory authorities:

The Belgian Data Protection Authority

Email: contact@apd-gba.be

Telephone number: +32 (0)2 274 48 00

Address: Rue de la Presse 35, 1000 Brussels, Belgium

The Dutch Data Protection Authority

Telephone number: +31 (0)70 888 85 00

Fax: +31 (0)70 888 85 01

Postal Address: PO box 93374, 2509 AJ Den Haag, the Netherlands