

## **Privacy Policy for EU Users.**

### **PRIVACY STUFF FOR CONTINENTALS.**

GGHK Limited ("**GGHK**", "**we**", "**us**" or "**our**") is committed to protecting and respecting the privacy of people we interact with in-person or online in relation to the preparation, organisation and operation of Gay Games 11 and/or any events, programmes, activities, campaigns or competitions related thereto ("**Events**"), including but not limited to those viewing or using our website [www.gghk2023.com](http://www.gghk2023.com) ("**Website**"), using our applications or APIs (collectively, the "**Apps**"), participating in any research or surveys we carry out, and participating in, attending or interacting with us in relation to any of our Events; but excluding those registering to participate in or attend any Event(s) through Fusesport (as defined below). The protection of your personal information is very important to us, and we understand our responsibilities to handle your personal information with care, to keep it secure and to comply with legal requirements. In the preparation, organisation and operation of Gay Games 11 and any Events related thereto, GGHK will cooperate with the Federation of Gay Games (the "**Federation**") and the Federation's third party vendor, Fusesport, Inc. ("**Fusesport**").

We may collect and process certain personal information about you in relation to the preparation and operation of Gay Games 11 both online and in-person, including but not limited to when you visit, interact with us, or use our Website or our Apps through any channel, when you download applications we make available to you, when you enter lucky draws or competitions, when you sign up for our e-newsletter, or when you participate in, attend or interact with us in relation to in any Events. The processing of your personal information, including personal data, complies with applicable data protection laws, including the EU General Data Protection Regulation (Regulation (EU) 2016/679) ("**GDPR**"). For the avoidance of doubt, those registering to participate in or attend any Event(s) through Fusesport will not be covered by this Policy ("**Policy**"). If you are an athlete, volunteer, official or other participant of Gay Games 11 or its Events, who has or will register through Fusesport, please carefully read the privacy policy indicated in your registration form.

The purpose of this Policy is to provide a clear explanation of when, why and how we collect and use your personal information. We have written this to be as user friendly as possible, and have labelled sections to make it easy for you to find the information that may be most relevant to you and to allow you to click on a topic to find out more. This Policy should be read together with our Cookies Policy.

Please read this Policy carefully. This Policy is intended to articulate the types of personal data we may collect, what your data may be used for, what the legal bases for those collections and uses are, and how we protect it. This Policy is not intended to override the terms of any contract that you may have with us (for example, the terms and conditions you agree to if you enter into a competition held by us) or any rights you might have under data protection laws applicable to you.

We may make changes to this Policy from time to time to keep it up to date or to comply with legal requirements or changes in the way we operate our business. We will notify you about significant changes through our Website. We encourage you to regularly check and review this Policy so that you will always

know what information we collect, how we use it, and who we share it with. While you are using our Website and/or Apps, you may be redirected to Fusesport's website. In such an event, you will be subject to the Federation's privacy policies, which may differ from this Privacy Policy. Please read those privacy policies carefully.

This Policy is effective from March 2020 (last updated September 2021).

## **WHO IS RESPONSIBLE FOR LOOKING AFTER YOUR PERSONAL INFORMATION?**

GGHK will be the data controller and as such is responsible for looking after your personal information. You may contact us by emailing [privacy@gghk2023.com](mailto:privacy@gghk2023.com).

GGHK is a company with charitable status incorporated in Hong Kong with company number 2523311 set up to organise the event known as the Gay Games Hong Kong 11. Our registered office in Hong Kong is Suite 701, 7/F, The L Plaza, 367-375 Queen's Road Central, Hong Kong. The personal information you submit to us in one country may be transferred, used, processed, stored and accessed worldwide by GGHK and our representatives in one or more countries. For details, please see the section titled "*International Transfers*" below.

### **• WHAT PERSONAL INFORMATION DO WE COLLECT?**

**We may collect certain information from you in different situations, for example when you use our Website and Apps, enter lucky draws or competitions, sign up for our e-newsletter or participate in, attend or interact with us in relation to any Events. This includes:**

1. contact details and basic user information including your name and preferred name, age, gender identity or preferred gender category, email address, telephone number, country of residence, travel history, and past and intended Gay Games attendance information;
2. your marketing preferences including interests and market list assignments, marketing objections, preferred language, website or app data;
3. usage information including how you use our Website or applications such as clicks and which pages have been shown to you, referring webpage address;
4. device data and log information including IP addresses, device ID and type, and details about your use of our website, app, browsing history, search queries, browser type, session frequency, geolocation information, wireless and mobile network connection information; and
5. cookies and tracking technologies including technologies cookies and web beacons and advertising IDs (more information about use of cookies can be found in our Cookies Policy).

**We will permit you to provide the following special categories of personal data on a voluntary and optional basis on the basis of your consent:**

1. *Health data; and*
2. *Religion.*

### **• HOW DO WE COLLECT THIS INFORMATION?**

Your personal information is collected by us directly, for example, when you use our Website and Apps, participate in, attend or interact with us in relation to any of our Events, enter lucky draws or competitions,

sign up for our e-newsletter, download our applications, or when you interact with us by contacting us for enquiries or providing feedback. You are under no obligation to provide the personal information when we seek to directly collect it from you. However, if you do not provide us with certain information marked as mandatory or with an asterisk on the relevant online or hardcopy forms, we may not be able to provide or continue to provide services to you, including (a) allowing you to register or enter lucky draws and competitions, participate in and attend any of our Events or otherwise engage with GGHK, and (b) allowing us to process your registration or respond to your enquiries and feedback. For the avoidance of doubt, those registering to participate in or attend any Event(s) through Fusesport will not be covered by this Policy. If you are an athlete, volunteer, official or other participant of Gay Games 11 who has or will register through Fusesport, please carefully read the privacy policy indicated in your registration form.

We may receive information about you indirectly from other sources and combine such information with information we collect directly from you where this is necessary to help manage our relationship with you. These other sources may include third party software applications, advertising technologies, and social media platforms such as Facebook, Instagram, Twitter, WeChat, YouTube and Weibo.

If you provide us with information about other individuals, you must tell those individuals and let them know where they can find a copy of this Privacy Policy.

- **FOR WHAT PURPOSES DO WE USE YOUR PERSONAL INFORMATION?**

We use your personal information for the following purposes:

1. to create profiles, maintain records and to communicate with you, fulfil your requests and respond to your enquiries and feedback;
2. to organise, prepare and operate Gay Games 11 and any events, programmes or activities related thereto;
3. to enhance and promote campaigns, appeals, activities and events arranged by or on behalf of us and/or the Federation;
4. to inform you (subject to your consent) of campaigns, appeals, activities and events relating to Gay Games 11 in accordance with the "*Direct Marketing*" section below;
5. to conduct research and surveys and generate statistics;
6. to send you important notices or personalised messages;
7. to administer the operation of our Website and Apps, to allow you to use the services and functions of our Website, to conduct website maintenance, to troubleshoot problems, and to continually improve your Website and App experience and improve our products and services;
8. to provide services in connection with registration and participation for our Events;
9. to identify you for entry into lucky draws or any other promotional activities or events;
10. to facilitate lucky draws, promotional activities or events and notify you of the results of the lucky draws, promotional activities or events, announce winners and arrange for the subsequent presentation or redemption of prizes;

11. to send you marketing materials, news and information which we think will be of interest to you such as our latest promotional activities and upcoming events;
12. to assist with identification of attendees at our Events, and to determine appropriate services;
13. to monitor, evaluate and analyse trends, data, usage and activities in connection with our Website, Apps, and services;
14. to administer and operate our Apps and other digital services in support of our users;
15. to keep internal records, decision making and facilitate internal purposes such as auditing, data analysis, and research to improve our products and services, in addition, such internal records will be used to maintain opt-in and opt-out lists;
16. to detect, investigate and prevent fraud and other illegal activities and protect our rights and property;
17. to comply with applicable laws, regulations, court orders or orders of a government or regulatory body (in Hong Kong or elsewhere); and
18. to transfer your personal data to any place outside of Hong Kong for any of the above purposes.

We also use your personal information to develop, display and track content for the purposes of customising or personalising advertising, offers and content made available to you based on your usage of websites, mobile applications or services, and analysing the performance of those advertisements, offers and content, as well as your interaction with them. We may also recommend content to you based on information we have collected about you and your viewing habits. This may amount to profiling in respect of which more information is provided in the "*Profiling*" section below.

We are required to establish a legal basis in order to use your personal information for the purposes set out above. We will make sure that we only use your personal information for the purposes set out above and in Appendix 1 where we are satisfied that:

1. our use of your personal information is necessary to perform a contract or take steps to enter into a contract with you (e.g. to fulfil obligations under the contract signed between you and us);
2. you have provided your consent;
3. it is necessary to comply with a legal obligation; or
4. our use of your personal information is necessary to support the 'legitimate interests' that we have as a business (for example, to improve our products and services, to organise and operate Gay Games 11, to provide help or support in connection with our Website and Apps, to ensure that they operate efficiently and securely, and to carry out analytics across our datasets), provided it is always carried out in a way that is proportionate, and that respects your privacy rights.

- **WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?**

We may share your personal information with our affiliates and representatives (including the Federation). We may also, subject to applicable law, share your personal information with third parties to help manage our business and deliver services. These third parties may from time to time need to have access to your personal information. These third parties may include:

- our partners, such as venue proprietors, hotels, restaurants, airlines, retailers, travel agents, government departments and public bodies and other companies involved in providing services to you or fulfilling your requests;
- service providers, who provide administrative, marketing and research, distribution, data processing and management, advertising delivery, computer system, web development, payment gateway and other functions on our behalf to help us operate our business, such as sending postal mail and e-mails, help manage our IT and back office systems, analysing data, providing marketing and targeted advertising services assistance, and providing search results and links (including paid listings and links). If you share your data through our Website or Apps with a third party account such as Facebook, Twitter or Instagram, your personal information will be managed respectively by one of those third parties. Please review the third party's privacy policy, as their data processing will not be covered by this Policy;
- event sponsors or authorised managers, agents or contractors, who facilitate the Events registrations, lucky draws, presentation, redemption or delivery (as appropriate) of prizes in connection with the associated Events organised or promoted by us including the Federation;
- any person or company who is under a duty of confidentiality to us, its members and any of their subsidiaries, holding companies, associated companies or affiliates and who has undertaken to keep such information confidential;
- any person(s) as required under applicable laws, regulations, court orders or orders of a government or regulatory body (in Hong Kong or elsewhere) or an event venue;
- other third parties, for the purposes of detecting, preventing or otherwise addressing fraud, security or technical issues, protecting against harm to the rights, property or safety of our users or the public, or as necessary to serve our legitimate business interests; and
- professional advisors engaged by us or the Federation (including our lawyers and auditors).

Our Website may, from time to time, contain links to and from the websites of our partners and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we have no control over how they may use your personal data. You should check the privacy policies of third party websites before you submit any personal data to them. If you register to participate in or attend any of our Events through Fusesport, you will not be covered by this Policy and you should carefully read the privacy policy indicated in your registration form.

- **DIRECT MARKETING.**

We may use your personal information to send you direct marketing communications about our products and services or our related services including our latest e-newsletter and upcoming Events and offers. This may be in the form of email, post, SMS, telephone or targeted online advertisements or in-app notifications. We limit direct marketing to a reasonable and proportionate level, and to send you communications which we think will be interesting and relevant to you, based on the information we have about you.

From the effective date of this Policy onwards, where you interact with us in-person or online in relation to the preparation and operation of Gay Games 11, including but not limited to when you register for our Events or offers, when you sign-up for our e-newsletter, when you enter a lucky draw or when you participate in, attend or interact with us in relation to any of our Events and have elected to receive direct marketing information by email or SMS, then for the purposes of the GDPR and where required under relevant privacy laws, we will ask you for your consent for our processing of your personal information for direct marketing purposes.

The above statement does not apply if you have previously provided us with your personal information and opted-in to direct marketing in accordance with relevant laws. In these cases our continued processing of your personal information is based on our legitimate interests as further detailed in Appendix 1.

You have a right to stop receiving direct marketing at any time. You can do this by following the opt-out links in electronic communications (such as emails), or by contacting us using the details set out in the "*Contact and Complaints*" section below.

- **INTERNATIONAL TRANSFERS.**

We may transfer your personal information to GGHK affiliates and representatives or service providers that are located outside of Hong Kong and the EU. We must comply with specific rules when we transfer Personal Data (as defined in the GDPR) from inside the European Economic Area ("**EEA**") to outside the EEA. When we do this, we will use appropriate safeguards, where necessary, to protect any Personal Data being transferred.

We will always take steps to ensure that any international transfer of information is carefully managed to protect your rights and interests and is undertaken in accordance with the applicable rules governing such transfers.

You have the right to ask us for more information about the safeguards we have put in place. Contact us using our contact information details as set out in the "*Contact and Complaints*" section if you would like further information or to request a copy where the safeguard is documented (which may be redacted to ensure confidentiality).

- **PROFILING.**

'Automated decision making' refers to a decision which is taken through the automated processing of your personal information alone. This means processing using, for example, software code or an algorithm, which does not involve human intervention. As profiling uses automated processing, it is sometimes

connected with automated decision making. Though not all profiling results in automated decision making, there is a possibility that it can.

We may use profiling to ensure that marketing materials are tailored to your preferences and to what we think you will be interested in. This does not have any significant effect (legal or otherwise) on you. In certain circumstances it may be possible to infer certain information about you from the result of profiling, which may include special categories of data. We will not however conduct profiling based on your special categories of data unless we have obtained your explicit consent to do so.

Please note that you have certain rights in respect of automated decision making, including profiling where that decision has legal or similarly significant effects on you. You may find more information in the "*What Are Your Rights in Relation to Your Personal Information?*" section below.

- **HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION?**

We will retain your personal information for as long as is reasonably necessary for the purposes listed in the "*For What Purposes Do We Use Your Personal Information?*" section above. When we no longer need to use your personal data, we will remove it from our systems and records and/or take steps to anonymise it so that you can no longer be identified from it. In some circumstances we may retain your personal information for longer periods of time. Such circumstances may include, but are not limited to, where we are required to do so to meet legal, regulatory, tax or accounting requirements.

In specific circumstances we may also retain your personal information for longer periods of time so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a possibility of legal action relating to your personal information or dealings.

- **WHAT ARE YOUR RIGHTS IN RELATION TO YOUR PERSONAL INFORMATION?**

Subject to applicable laws and regulations, you may have a number of rights in relation to your personal information. For example, under GDPR, you may request access to your data, rectification of any mistakes in our records, erasure of records where no longer required, restriction on the processing of your data, objection to the processing of your data, data portability and various information in relation to any automated decision making and profiling or the basis for international transfers. You also have the right to lodge a complaint with your national supervisory authority (further details of which are set out in the "*Contact and Complaints*" section below).

If you are in the EEA, you have the following rights:

1. Access: you can ask us to provide details of what personal information (if any) we possess about you, what we use it for, who we disclose it to, whether we transfer it abroad and how we protect it, how long we keep it for, how you can make a complaint, where we got your data from and you can also ask us to provide a copy of it;
2. Rectification: you can ask us to rectify inaccurate personal information;
3. Erasure: you can ask us to erase your personal information in certain circumstances (for example if it is no longer needed for the purposes for which it was collected or you have withdrawn your consent if the data processing was based on consent) absent an overriding legitimate interest;

4. Restriction: you can ask us to restrict (i.e. keep but not use) your personal information in certain circumstances (for example where its accuracy is contested or where it ceases to be useful for the purposes we are using it for);
5. Portability: in certain circumstances you can ask us to provide your personal information to you in a structured, commonly used, machine-readable format, or you can ask to have it 'ported' directly to another data controller;
6. Objection: you can object to any processing of your personal information which has our 'legitimate interests' as its lawful basis if you believe your fundamental rights and freedoms outweigh our legitimate interests;
7. Automated Decision Making: you can ask for certain automated decisions to be reconsidered by us using human intervention; and
8. Withdrawal of Consent: if you have consented to our processing of your personal information, you have the right to withdraw your consent at any time, free of charge. This includes cases where you want to opt out from marketing messages you receive from us.

Please contact us at the details set out in the "*Contact and Complaints*" section if you wish to exercise these rights.

- **HOW DO WE PROTECT YOUR PERSONAL INFORMATION?**

We endeavour to protect us and you (including your data and personal information that we hold) from unauthorised access, alteration, disclosure or destruction. We have implemented technical and organisational security measures to safeguard your personal information and data.

In particular:

1. we review our information collection, storage and processing practices, including physical security measures, to guard against unauthorised access to systems;
2. we use encrypted password protection where appropriate; and
3. we restrict access to personal information to employees and contractors who need access to the relevant personal information in order for them to process it for us and who are subject to strict contractual confidentiality obligations.

We endeavour to take all reasonable steps to protect your personal information, but cannot guarantee the security of the data you disclose online due to the inherent security risks of providing information over the Internet.

- **CONTACT AND COMPLAINTS.**

For enquiries, you may contact us at:

Full name of legal entity: **GGHK Limited**

Email address: [privacy@gghk2023.com](mailto:privacy@gghk2023.com)

Postal address: **Suite 701, 7/F, The L Plaza, 367-375 Queen's Road Central, Hong Kong**



If you are in the EEA, you also have a right to lodge a complaint with your national data protection supervisory authority at any time if you believe that we have not complied with applicable data protection laws. Please click [here](#) for a list of national data protection authorities in the EEA countries.

#### **APPENDIX 1 – LAWFUL BASES FOR PROCESSING.**

<b>No</b>	<b>Purpose for processing</b>	<b>Lawful basis</b>
1.	To create profiles, maintain records and to communicate with you, fulfil your requests and respond to your enquiries and feedback.	This processing is necessary for the purpose of the legitimate interests pursued by GGHK. GGHK considers that it has a legitimate interest in ensuring your requests and feedback are attended to and to maintain an accurate record of your data.
2.	To send you important notices or personalised messages.	This processing is necessary for the purpose of the legitimate interests pursued by GGHK. GGHK considers that it has a legitimate interest in ensuring that you receive the best possible experience, helping us to preserve our business operations, and ensuring that you are provided with information relevant to you.
3.	To administrate the operation of our Website and Apps, to allow you to use the services and functions of our Website and Apps, to conduct website and application maintenance, trouble shoot problems and to continually improve your Website and Apps experience and improve our products and services.	This processing is necessary for the purpose of the legitimate interests pursued by GGHK. GGHK considers that it has a legitimate interest in ensuring that all visitors or users of our Website and Apps receive the best possible experience and improving our products and services offering in order to preserve our business operations.
4.	To maintain opt-out and opt-in lists (including responding to your requests to opt-out of direct marketing).	This processing is necessary for the purpose of a legal obligation to which GGHK is subject in order to not provide direct marketing materials to individuals which have opted-out of, or opted-in to, receiving such communications.

5.	To provide services in connection with registration with our Events. For the avoidance of doubt, those registering to participate or attend in any Event(s) through Fusesport will not be covered by this Policy	This processing is necessary to perform the contract between you and GGHK.
6.	To identify you for entry into lucky draw or any other promotional activities or events.	This processing is necessary to perform the contract between you and GGHK. GGHK may also in certain situations have a legitimate interest to ensure that we are providing you with the opportunity to engage with us and participate in our Events.
7.	To facilitate lucky draws, promotional activities or events and notify you of the results of the lucky draws, promotional activities or events, announce winners and arrange for the subsequent presentation or redemption of prizes.	This processing is necessary for the purpose of the legitimate interests pursued by GGHK. GGHK considers that it has a legitimate interest in administering the lucky draws, promotional activities or events and notifying winners to the lucky draw and allowing winners to claim their prizes.
8.	To send you marketing materials, news and information which we think will be of interest to you such as our latest promotional activities and upcoming events.	GGHK considers that it has a legitimate interest in ensuring that you are kept up to date with information about our products and services, as this helps us to preserve our business operations.
9.	To assist with identification of visitors, and to determine appropriate services.	This processing is necessary for the purpose of the legitimate interests pursued by GGHK. GGHK considers that it has a legitimate interest in facilitating requests from you and in providing you with relevant appropriate services. GGHK may also in certain situations also have a legal obligation to respond to and comply with your requests.

10.	To monitor, evaluate and analyse trends, data, usage and activities in connection with our Website and Apps.	<p>This processing is necessary for the purpose of the legitimate interests pursued by GGHK.</p> <p>GGHK considers that it has a legitimate interest in reviewing our Website and Apps, including how you use our Website and services, in order to ensure that we are providing you with what you need, helping us to preserve and grow our business operations.</p>
11.	To conduct research and surveys and generate statistics in relation to Gay Games 11.	<p>This processing is necessary for the purpose of the legitimate interests pursued by GGHK.</p> <p>GGHK considers that it has a legitimate interest in reviewing data in connection with those participating in, attending or interacting with us in relation to Gay Games 11, in order for us to provide participation and attendance details and statistical data to (a) the Federation and (b) relevant governmental organisations that work with GGHK and/or the Federation in order to (i) assess the success of Gay Games 11 and (ii) help organise future Gay Games events and/or activities.</p>
11.	To administer and operate our Apps and other digital services in support of our users.	<p>This administration and operation is necessary for the purpose of the legitimate interests pursued by GGHK.</p>
12.	To keep internal records, decision making and facilitate internal purposes such as auditing, data analysis, and research to improve our products and services.	<p>This processing is necessary for the purpose of the legitimate interests pursued by GGHK.</p> <p>GGHK considers that it has a legitimate interest in continually improving our services in order to preserve and grow our business operations, and ensuring that you are provided with information relevant to you.</p>

13.	To detect, investigate and prevent fraud and other illegal activities and protect our rights and property.	GGHK considers that it has a legal obligation to ensure its business operates in accordance with applicable laws and regulations.
14.	To use your personal information for purposes associated with our legal or regulatory obligations.	GGHK considers that it has a legal obligation to ensure its business operates in accordance with the applicable laws and regulations.
15.	To develop, display and track content for the purposes of customising or personalising advertising, offers and content made available to you based on your usage of websites, mobile applications or services, and analysing the performance of those advertisements, offers and content, as well as your interaction with them.	GGHK considers that it has a legitimate interest in ensuring that you receive information about our products and services (and those of our partners) which may be of interest to you, which also helps us to preserve and grow our business operations.