



SHIRT CIRCLE

C2C marketplace for match-worn, signed and collectible football shirts

ENFORCEMENT POLICY

Which measure for which violation

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Article 1. Purpose and scope

- 1.1 This Enforcement Policy (hereinafter: this Policy) describes which measures Shirt Circle may impose in the event of a violation of the Terms and Conditions, the attached policy documents or applicable laws and regulations, and which measure is in principle appropriate for which violation.
- 1.2 This Policy applies alongside and in implementation of the powers granted to Shirt Circle in the Terms and Conditions and the other policy documents. In the event of any conflict, those documents prevail.
- 1.3 Capitalised terms have the meaning given to them in the Terms and Conditions.

Article 2. Guiding principles

- 2.1 Shirt Circle enforces on the basis of the following guiding principles:
 - a) **Proportionality.** The measure imposed is in reasonable proportion to the nature, seriousness and extent of the violation.
 - b) **Subsidiarity.** The least intrusive measure that achieves the objective is chosen; escalation takes place where a lighter measure does not suffice.
 - c) **Consistency.** Comparable violations are treated comparably; deviations are motivated.
 - d) **Reasoned decision and objection.** Every measure is accompanied by a reasoned explanation (statement of reasons) and by information about the complaint and objection options, in accordance with the DSA (Article 8).
 - e) **Protection of the Buyer prevails.** Enforcement must not create an automatism for payout to the Seller; funds in progress remain held until a decision has been taken.
 - f) **Human assessment.** Enforcement measures are not based solely on automated processing; automated signals support the assessment but, as a rule, do not lead to blocking without human review.

Article 3. Catalogue of measures

- 3.1 Shirt Circle has the following measures at its disposal, in ascending order of intrusiveness:
 - a) **Warning.** Written warning with a request for remediation or change of conduct within a reasonable period.
 - b) **Amendment of the Listing.** Request for correction, or correction by Shirt Circle, of misleading or incomplete information.
 - c) **Removal or deactivation of the Listing.** The Listing is deactivated or removed; transactions already concluded are settled in accordance with the protection.
 - d) **Holding or recovery of funds.** Payout is suspended, or amounts unduly paid out are recovered (clawback).
 - e) **Restriction of functionality.** Restriction of certain functions (for example the placing of new Listings, bids or high-value transactions) for a fixed or indefinite period.
 - f) **Suspension of the account.** Temporary suspension of access to the Platform.
 - g) **Termination of the account (offboarding).** Definitive termination of the account and exclusion from (new) accounts.
 - h) **Other measures.** Reporting to the competent authorities, recovery of damages, and other measures to which Shirt Circle is entitled by law or by contract.
- 3.2 Measures may be combined where appropriate and proportionate (for example, removal of a Listing combined with a warning).

Article 4. Matrix: violation versus measure

4.1 The matrix below describes the measure that in principle applies per category. Aggravating circumstances (repetition, seriousness, intent) may lead to a heavier measure; mitigating circumstances to a lighter one.

Category of violation	First time (in principle)	Upon repetition or seriousness
Incomplete or inaccurate Listing (no bad faith)	Warning + amendment (a + b)	Removal (c) + warning
Misleading Listing about condition or defects	Removal + warning (c + a)	Suspension (f); for grail: functionality restriction (e)
Incorrect authenticity claim without counterfeit (unsubstantiated)	Removal + refund to Buyer (c + d)	Suspension (f) pending reconsideration
Confirmed counterfeit	Termination (g) + forfeiture of payment + surrender/destruction	Termination (g) and exclusion from new accounts
Transactions outside the Platform (fee avoidance)	Warning + holding of funds (a + d)	Suspension (f); if structural: termination (g)
Manipulation or forging of evidence in a dispute	Report rejected + warning (a)	Suspension (f) or termination (g)
Return swap (returning a different/deviating item)	Report rejected + warning (a) + clawback (d)	Suspension (f) or termination (g)
Pressuring the counterparty in a dispute	Warning (a)	Functionality restriction (e) or suspension (f)
Artificially just-below-threshold priced Listings	Warning + amendment (a + b)	Functionality restriction on high value (e)
Missing or incorrect DAC7 data after two reminders	Suspension of payout (d)	Restriction or termination (e/g), pursuant to DAC7
Missing KYC/verification with the Payment Service Provider	No payout / no checkout (d)	Functionality restriction (e) until completed
Offering counterfeit, stolen or otherwise prohibited items	Removal + warning (c + a)	Suspension (f) or termination (g); reporting to authorities (h) where required
Infringement of third-party IP or trademark rights	Removal (c) upon valid notice	Suspension (f) upon repetition; counter for repeated infringers (Art. 5.4)
Identity theft or incorrect verification data	Suspension (f) pending investigation	Termination (g)
Disruption of technical operation or scraping	Warning (a) + technical block	Termination (g); reporting to authorities (h) where required

Category of violation	First time (in principle)	Upon repetition or seriousness
Consumer-law violation by a Trader	Warning + obligation to remedy (a + b)	Functionality restriction (e), suspension (f) or termination (g)

- 4.2** Confirmed counterfeit, serious fraud and structural fee avoidance are violations that in principle lead directly to the most severe measures (termination), without first imposing a lighter measure.

Article 5. Procedure

- 5.1** An enforcement case is initiated on the basis of Shirt Circle's own observation, a report from a User or third party (see Terms and Conditions Art. 12.1), a decision in a dispute procedure, or a lawful request from a competent authority.
- 5.2** Before a measure is imposed, the User concerned is, where reasonably possible, given the opportunity to respond. In urgent cases (for example, clear counterfeit, safety, or imminent damage) a provisional measure may be taken, after which the opportunity to respond is still provided.
- 5.3** Every measure is notified in writing with a reasoned explanation (statement of reasons), in accordance with the DSA. The explanation contains at least: the factual grounds, the provision(s) applied and the measure imposed and its duration.
- 5.4** Shirt Circle keeps a counter of repeated infringements and of misuse of notices, in line with the DSA ("frequently providers of manifestly illegal content" and "frequently submit notices that are manifestly unfounded"). **Three or more valid warnings or upheld reports within 12 months lead, as a starting point, to escalation to functionality restriction or suspension.**

Article 6. Complaint and objection

- 6.1** The User may object to a measure within 30 days of notification, via info@shirtcircle.eu. The objection sets out the grounds on which the User disagrees with the measure and, where relevant, additional evidence.
- 6.2** The objection is assessed by a person other than the one who imposed the measure, unless this is not reasonably possible; in that case the objection is assessed on the basis of the same framework. Shirt Circle endeavours to handle the objection within 15 business days.
- 6.3** The outcome of the objection is notified in writing with reasons. Upholding, mitigating or withdrawing the measure is possible.
- 6.4** The User may also submit a dispute to a certified out-of-court dispute settlement body in accordance with the DSA, and to the competent court.

Article 7. Recording and transparency

- 7.1** Every measure is recorded internally with the date, the User concerned, the category of violation, the measure imposed and the reasoning. Where the DSA so requires, information on content moderation is submitted to the European Commission's database.
- 7.2** Shirt Circle publishes aggregated information on enforcement measures periodically insofar as the law so requires. For small enterprises, the heavier transparency obligations of the DSA do not apply; this is reconsidered if the small-enterprise exemption ceases to apply.

Article 8. Provisional measures and lawful requests

- 8.1** In the event of a justified suspicion of counterfeit, safety risks, imminent damage or serious unlawful content, Shirt Circle may take an immediate provisional measure, including deactivation of a Listing or temporary suspension of an Account, pending further investigation.
- 8.2** Shirt Circle carries out lawful orders and requests from competent authorities in accordance with the DSA, and informs the User concerned in accordance with the time limits and exceptions prescribed therein.

Article 9. Interplay with other documents

- 9.1** This Policy elaborates the powers set out in the following places:
- Terms and Conditions Art. 12 (content, notice and moderation), Art. 13 (acceptable use) and Art. 17 (term, suspension and termination);
 - Seller Policy Art. 4.3 (refusal/removal of Listing), Art. 10.4 (counterfeit), Art. 11.2 (abuse and fraud) and Art. 14.2 (termination);
 - Buyer Protection Policy Art. 13.2 (abuse of buyer protection);
 - Marketplace Protection Policy Arts. 8.4 (counterfeit) and 13 (admin override);
 - DSA Trader Flow Art. 9 (compliance and enforcement vis-à-vis Traders).

Article 10. Amendments

- 10.1** Shirt Circle may amend this Policy. Material amendments will be announced in accordance with the Terms and Conditions.

— End of Enforcement Policy —