

# POLICY ON PROTECTION AND PROCESSING OF PERSONAL DATA



## Table of Contents

1. Introduction.....	3
1.1. Objective.....	3
1.2. Scope .....	3
1.3. Definitions and Abbreviations .....	3
2. Governance Structure .....	4
3. Legal Obligations .....	5
3.1. Our Clarification Obligation.....	5
3.2. Our Obligation to Ensure Data Security .....	6
4. Classification of Personal Data .....	6
4.1. Personal Data .....	6
4.2. Personal Data of Special Nature.....	6
4.3. Categories Related to Personal Data.....	7
5. Processing of Personal Data .....	9
5.1. General Principles.....	9
5.2. Our Purposes for Processing of Personal Data.....	10
5.3. Our Methods of Personal Data Collection.....	11
5.4. Our Legal Reasons for Personal Data Collection .....	11
5.5. Our Legal Reasons for Collection of Personal Data of Special Nature .....	11
5.6. Processing of Personal Data and Personal Data of Special Nature .....	12
5.7. Processing of Personal Data Collected Within the Scope of Wireless Network .....	13
5.8. Processing of Personal Data for Human Resources and Employment Purposes .....	13
5.9. Processing of Personal Data within the Scope of Providing Overall Security .....	14
6. Transfer of Personal Data.....	15
6.1. Domestic Transferring of Personal Data .....	15
6.2. Overseas Transferring of Personal Data.....	16
6.3. Third Parties to Whom the Personal Data is Transferred by Limak Investment.....	16
7. Retention of Personal Data .....	18
8. Deletion, Destruction or Anonymization of the Personal Data.....	18
9. Security of Personal Data .....	18
9.1. Our Obligations Regarding the Safety of Personal Data .....	18

9.2.	Technical and Administrative Precautions and Measures Taken by Us for Prevention of Unlawful Processing of Personal Data .....	19
9.3.	Measures Taken by Us in Case of Unlawful Disclosure of Personal Data .....	19
10.	Rights of the Related Person .....	20
10.1.	Exercising Rights Related to Personal Data .....	21
10.2.	Evaluation of Application .....	21
11.	Release and Retention of Policy .....	22
12.	Updating Frequency .....	22
13.	Enforcement .....	22
14.	Appendices .....	23

## 1. Introduction

### 1.1. Objective

As Limak Yatırım Enerji Üretim İşletme Hizmetleri ve İnşaat A.Ş. ("**Limak Investment**" or "**Corporation**"), our priority is to ensure the process of personal data of employees, employee candidates, interns, intern candidates, company associate, public official, suppliers' employees, suppliers' officers, persons procuring products or services, board members, visitors, subcontractors' officials, subcontractors' employees, press members, third parties and business associates in accordance with the relevant legislation particularly the Constitution of the Republic of Turkey and the Law on Protection of Personal Data No. 6698 <sup>1</sup> ("**LPPD**" or "**Law**") and further ensure the personal data subjects to exercise their rights related to processing of personal data.

Protection of personal data and observance of the fundamental rights and freedoms of real persons with the personal data collected are the basic principles of our policy with respect to the processing of personal data. Therefore, Limak Investment is required to sustain and maintain its entire activities and operations in which personal data are processed by observing the rights to protect the right of privacy, privacy of communication, freedom of thought and belief, and to practice effective legal remedies.

Limak Investment attaches the required importance and sensitivity for taking the entire administrative and technical protection measures required by the nature of the relevant data and maintaining the actuality of the measures taken, in accordance with the legislation and current technology for the protection of personal data.

Limak Investment Policy on Protection and Processing of Personal Data ("Policy") sets forth the methods to be applied for the processing (for instance, storage, retention, transfer and deletion or anonymization processes) of personal data collected during the corporate activities and operations within the framework of the principles contemplated in the LPPD.

### 1.2. Scope

This Policy shall apply to the entire personal data subject to the data processing by Limak Investment belonging to the employee, employee candidate, intern, intern candidate, company partner, public official, supplier employee, supplier officer, person procuring product or service, member of the board of directors, visitor, subcontractor official, subcontractor employee, press member and the third parties as well as business associates.

This Policy shall be applied to entire processing activities related to personal data within Limak Investment, and managed and drawn up in accordance with LPPD and other regulations on personal data and international standards in this area.

### 1.3. Definitions and Abbreviations

The following terms and expressions used herein shall have the following definitions;

- **Explicit Consent:** Refers to the consent granted only limited to the particular process or transaction related to a certain matter, based on information and freewill with the explicitness beyond any doubt,

---

<sup>1</sup> <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.6698.pdf>

- **Anonymization:** Refers to anonymization of personal data to render the personal data to a state that cannot be associated with an identified or identifiable real entity in no means even though personal data is paired with other data,
- **Employees:** Refers to employees Limak Investment,
- **Employee Candidate:** Refers to persons filed job application to Limak Investment,
- **Related Person:** Refers to the real entity with the personal data processed,
- **Personal Data:** Refers to all sorts of information relating to an identified or identifiable real entity,
- **Processing of Personal Data:** Refers to all sorts of processes and transactions performed on the data such as acquiring, recording, storing, maintaining, altering, rearranging, disclosing, rendering to a retrievable state, classifying or prevention of using personal data entirely or partially through entirely or partially automated or non-automated ways provided to be a part of any data registry system,
- **Personal Data Protection Board:** Refers to the Personal Data Protection Board,
- **Personal Data Protection Institution:** Refers to the Personal Data Protection Institution,
- **LPPD or Law:** Law on Protection of Personal Data promulgated on the Official Gazette dated April 7, 2016 and No. 29677
- **Limak Investment or Corporation:** Refers to Limak Yatırım Enerji Üretim İşletme Hizmetleri ve İnşaat A.Ş.,
- **Personal Data of Special Nature:** Refers to the personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, sect or other belief, clothing, membership to associations, foundations or trade-unions, health, sexual life, convictions and security measures, and the biometric and genetic data are deemed to be personal data of special nature,
- **Policy:** Refers to the Policy on Protection and Processing of Personal Data,
- **Data Processor:** Refers to the real or legal entity processing personal data on behalf of the data supervisor based on the authorization granted,
- **Data Supervisor:** Refers to real or legal entity determining the objectives and instruments of personal data processing and responsible for the installation and management of data recording system.

## 2. Governance Structure

The Corporation is required to establish the required governance structure in order to perform obligations stipulated in LPPD and to implement this Policy as well as fulfilling the following functions.

- Preparing the basic policies regarding the protection and processing of personal data, submitting them for the approval of the senior management to put them into effect,
- Updating the basic policies regarding the protection and processing of personal data arising from the alterations and changes in the corporate work flow or legislation and submitting them to the approval of the senior management to put them into effect,
- Deciding upon the implementation and supervision of policies regarding the protection and processing of personal data, and making in-house appointments and assignments and coordination within this framework to submit for the approval of the senior management (for instance, determining a contact person in each unit/department to maintain the communication and sustain relations with the Personal Data Protection Committee),
- Determining the provisions to be performed in order to comply with the LPPD and the relevant legislation and submitting what is required to be done for the approval of the senior management, observing and coordinating its implementation (for instance, providing the

disclosure and information to Employee and Employee candidates within the scope of this Policy),

- Increasing awareness within the Company and among business associates on the protection and processing of Personal Data,
- Identifying the risks that can occur during the processing of personal data by the corporation and ensuring that the required actions are to be taken, submitting the improvement proposals for the approval of the senior management,
- Communicating with the Personal Data Protection Committees/Personal Data Protection officers in other Limak group companies and ensuring that the practices adopted in the field of personal data protection in different Limak group companies are compatible with each other,
- Designing trainings regarding the protection of personal data and implementation of the policies and ensuring implementation thereof,
- Concluding the applications of the personal data subjects on the optimal level (for instance; establishing the infrastructure and work flow required for the applications of the related person),
- Managing the relations with the Personal Data Protection Board and Institution (for instance, registering the Company with VERBIS (Data Supervisors Registration Information System)).

While establishing the governance structure, in case it is stipulated to establish a personal data protection committee ("**Personal Data Protection Committee**") within the Company, the committee members are appointed by the senior management of the Corporation. The internal directive regulating the distribution, allocation and working principles of this committee shall be drawn up by the senior management of the Corporation and approved by the senior management of the Corporation. In case the Committee shall not be established, a person in charge of fulfilling such functions shall be appointed and assigned by the senior management of the Corporation. Other duties and responsibilities in addition to the duties stated hereinabove can be assigned to the Committee or person(s) in charge to be appointed based on the requirements of the Corporation and activities executed.

The principal departments/directorates recommended to participate in the Personal Data Protection Committee are as follows: (i) Information Technologies; (ii) Legal; (iii) Internal Audit; (iv) Human Resources and Personnel Affairs. In addition to these, it should be ensured that departments/directorates (for instance, if any, sales/marketing departments, customer services department) processing personal data intensively within the workflow shall participate in the Personal Data Protection Committee. The Personal Data Protection Committee determines the distribution and allocation of authorities and duties among its members and submits it to the approval of the Corporation's senior management.

### **3. Legal Obligations**

The legal obligations of the corporation within the scope of protection and processing of personal data acting with the capacity of the data supervisor are as follows:

#### **3.1. Our Clarification Obligation**

While the Corporation collects personal data acting with the capacity of the data supervisor;

- Purpose of personal data processing,
- Information on the business name of the Corporation,
- To whom and for which purposes the processed personal data may be transferred,
- Method and legal grounds for the collection of data and

- The rights of the Related Person associated with LPPD

We have the obligation to disclose the information stated hereinabove to the Related Person. The Corporation is required to fulfill such obligation through the department/directorate obtaining the personal data from the Related Person. Each department/directorate is required to identify the personal data collection channels in its own business flow and provide information to the Related Persons related to the instructions, guidance of the Personal Data Protection Committee and the clarification spots and texts and design processes accordingly. (For instance, collective e-mail sending to employees, continuous announcement of clarification texts at workplaces, informing employee candidates during application processes, etc.)

The Corporation is required to pay attention to make this Policy comprehensible and accessible with ease and design release and notification methods (written notification in return for signature, e-mail, etc.) in accordance with the business flow of the departments and employees involved in the processing of personal data. The obligation of disclosure is performed by means of the corporate website, through the portal dedicated to employees or through the boards in the physical premises or printed or electronic informational texts of the related person groups.

The clarification texts enclosed to this Policy (refer to Appendix-1) for the purpose of providing information by the Corporation to the Related Persons in terms of data processing activities. No requirement as to form is stipulated in the regulation for the obligation of disclosure, however, the burden of proof for the performance of the obligation belongs to the Corporation acting with the capacity of the data supervisor. In order to facilitate the burden of proof, it is recommended to send e-mails to employees collectively or to log the read receipt in the event that it is preferred to serve an announcement on the corporate intranet.

### **3.2. Our Obligation to Ensure Data Security**

The Corporation is required to take the entire administrative and technical measures and precautions stipulated in the regulation to ensure the security of the personal data processed as acting with the capacity of the data supervisor. The obligations and measures taken related to the data security are explained in detail in section 11 of this Policy and the Limak Investment Policy on Retention and Destruction of Personal Data.

## **4. Classification of Personal Data**

### **4.1. Personal Data**

Protection of personal data only aims for the real entities and the data of the legal entities and the information not including any data of a real entity shall be excluded from the scope of protection of personal data. Therefore, this Policy shall not be applied to the data of the legal entities.

This Policy shall apply to the data such as name, surname, Republic of Turkey Identification Number directly referring to a person as well as data such as height, weight and educational status that can be identified related to a person.

### **4.2. Personal Data of Special Nature**

The personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, sect or other belief, clothing, membership to associations, foundations or trade-unions, health, sexual life, convictions and security measures, and the biometric and genetic data are deemed to be personal data of special nature.

Personal data of special nature shall also subject to the provisions of this Policy.

#### 4.3. Categories Related to Personal Data

We process personal data regarding the following categories of persons within the scope of our commercial activities and operations and employment purposes:

<b>Subcontractor Official</b>	Refers to real entities acting with the capacity as the authorized personnel of the parties providing services in accordance with the contracts concluded within the scope of the commercial activities and operations of Limak Investment. Detailed information on the processed personal data of the Subcontractor Official should be released on the Corporate website in a way that only subcontractor officials can access. You may access to Subcontractor Officials' Clarification Text in here <sup>2</sup> .
<b>Subcontractor Employee</b>	Refers to real entities acting with the capacity as the employees of the parties providing services in accordance with the contracts concluded within the scope of the commercial activities and operations of Limak Investment. Detailed information on the processed personal data of the Subcontractor Employee should be released on the corporate website in a way that only subcontractor officials can access. You may access to Subcontractor Employees' Clarification Text in here <sup>3</sup> .
<b>Employees</b>	Refers to permanent staff employed by Limak Investment. Detailed information on the processed personal data of the employees should be released on the Corporate Intranet and boards in a way that only employees can access them and they are required to be informed in detail in this regard. You may access to Employees' Clarification Text in here <sup>4</sup> .
<b>Employee Candidate</b>	Refers to real entities filed job applications to Limak Investment by means of various methods and means or with the CV information communicated by private employment offices (Kariyer.net, Secretrcv.com, LinkedIn etc.). The Employee Candidate Clarification Text is required to be released on the Corporate website. You may access to Employee Candidates' Clarification Text in here <sup>5</sup> .
<b>Third (3rd) Party</b>	In the due diligence endeavors of Limak Investment performed prior to the merger and acquisition, this term refers to the real entities with the data regarding the company to be merged or taken over (such as the corporation's employee and shareholder/associate) processed accordingly. You may access to the Third Parties' Clarification Text in here <sup>6</sup> .

<sup>2</sup> Intra-document hyperlink shall be provided.

<sup>3</sup> Intra-document hyperlink shall be provided.

<sup>4</sup> Intra-document hyperlink shall be provided.

<sup>5</sup> Intra-document hyperlink shall be provided.

<sup>6</sup> Intra-document hyperlink shall be provided.

<b>Press Member</b>	Refers to real entities acting with the capacity of addressee of Limak Investment in the press and media organizations within the scope of executing and establishing Limak Investment' relations with the press and activities as well as operations related to public opinion. You may access to Press Members' Clarification Text in here <sup>7</sup> .
<b>Company Partners</b>	Refers to the real entities acting with the capacity of the shareholders of Limak Investment. Detailed information on the processed personal data of the Shareholders/Partners is required to be released in a way that only the particular Shareholder/Partner can access and the members should be informed on this in detail accordingly.
<b>Public Officials</b>	Refers to real entities acting in the state bodies with the capacity of being addressee of Limak Investment within the scope of the administrative transactions and processes of the corporation. You may access to Public Officials' Clarification Text in here <sup>8</sup> .
<b>Interns</b>	Refers to the interns employed by Limak Investment within the scope of the compulsory and voluntary internship. You may access to Interns' Clarification Text in here <sup>9</sup> .
<b>Intern Candidate</b>	Refers to real entities filing application before Limak Investment for internship by means of various methods and means. You may access to Intern Candidates' Clarification Text in here <sup>10</sup> .
<b>Supplier Employee</b>	Refers to real entities acting with the capacity as the employees of the parties providing goods or services in accordance with the contracts concluded within the scope of the commercial activities and operations of Limak Investment. You may access to Supplier Employees' Clarification Text in here <sup>11</sup> .
<b>Supplier Official</b>	Refers to real entities acting with the capacity as the authorized personnel of the parties providing goods or services in accordance with the contracts concluded within the scope of the commercial activities and operations of Limak Investment. You may access to Supplier Officials' Clarification Text in here <sup>12</sup> .

<sup>7</sup> Intra-document hyperlink shall be provided.

<sup>8</sup> Intra-document hyperlink shall be provided.

<sup>9</sup> Intra-document hyperlink shall be provided.

<sup>10</sup> Intra-document hyperlink shall be provided.

<sup>11</sup> Intra-document hyperlink shall be provided.

<sup>12</sup> Intra-document hyperlink shall be provided.



<b>Person Procuring Goods or Services</b>	Refers to real entities acting with the capacity as the authorized personnel or officials of the parties (customers) purchasing products or services within the scope of the business activities and operations performed by Limak Investment with the personal data obtained directly. You may access to Person Procuring Goods or Services (Customer) Clarification Text in here <sup>13</sup> .
<b>Business Associates</b>	Refers to the officials and employees of the real entities or legal entities with which Limak Investment performs and executes its business activities and operations. You may access to Business Associates' Clarification Text in here <sup>14</sup> .
<b>Member of the Board of Directors</b>	Refers to the real entities acting with the capacity of the members of Board of Directors of Limak Investment. Detailed information on the processed personal data of the Members of the Board of Directors is required to be released in a way that only the particular member of the Board of Directors can access and the members should be informed on this in detail accordingly.
<b>Visitors</b>	Refers to real entities entering in the physical premises of Limak Investment. You may access to Visitors' Clarification Text in here <sup>15</sup> .

## 5. Processing of Personal Data

### 5.1. General Principles

The required administrative and technical measures are required to be taken within the corporation for the processing of personal data in accordance with the following principles.

#### 5.1.1. Processing Complying with Law and in Good Faith

This principle can be objectified as the processing of personal data in accordance with the good faith, with transparent methods and within the framework of the obligation to inform. The Corporation takes into account the requirements of the principle of proportionality in the processing of personal data, does not use personal data outside the requirements of the legitimate collection purpose, and refrains from processing data exceeding the requirements of the legitimate purpose.

#### 5.1.2. Ensuring the Accuracy and Actuality of Personal Data If Required

The Related Person is required to be offered with the opportunity to file application to the Corporation for the purpose of taking the required measures in the data processing procedures to ensure the accuracy and actuality of the data processed within the Corporation and if any errors, for the correction of the personal data.

<sup>13</sup> Intra-document hyperlink shall be provided.

<sup>14</sup> Intra-document hyperlink shall be provided.

<sup>15</sup> Intra-document hyperlink shall be provided.

### **5.1.3. Processing for Certain, Explicit and Legal Purposes**

The Corporation explicitly determines the scope and content of the personal data processing activity, and maintains them within the legitimate objectives determined to continue its business and transactions as well as the operations within the framework required by the legislation and the ordinary course of life. Particularly, the purposes for data processing shall be identified prior to personal data processing activity.

### **5.1.4. Personal Data Being Associated, Limited and Restrained with the Purpose of Processing**

The Corporation adopts as a basic principle to process personal data in connection with predetermined purposes, in a limited and measured manner.

Therefore, it is essential to refrain from processing of personal data that are not related to the purpose of the business or transaction or that are not required directly or indirectly for the performance of the business and transaction. Therefore, the Corporation does not process the personal data of special nature as long as no legal requirement exists in this regard or takes the required measures and precautions for prevention of execution of personal data processing without the explicit consent related to the processing purpose or for the purposes to be emerged afterwards.

### **5.1.5. Retention of Personal Data throughout the Period Stipulated in Legal Regulations or Required by our Legitimate Interests**

Numerous regulations in the legislation entail retention of the personal data. The Corporation, when determining retention periods, identifies whether a period is stipulated for the retention of personal data in the relevant regulation. In case a period is specified in the legislation, the Corporation determines the retention periods in accordance with this period and/or the period required for the purpose of processing personal data. In case of expiration of the retention periods stipulated in the relevant regulation or the purpose of processing personal data no longer exist, the personal data shall be deleted, destroyed or anonymized by the Corporation accordingly. Principles and procedures for the retention periods are detailed in the relevant provision of this Policy.

## **5.2. Our Purposes for Processing of Personal Data**

We process the personal data for the purposes specified hereinbelow:

- Planning and the management of the activities and operations of the Corporation,
- Planning and managing advertisements, promotions and other relevant activities and operations within the Corporation,
- Planning and executing the solidarity and awareness raising events of national and international nature,
- Planning and managing employment requirements,
- Executing and performing relations with the suppliers and other third parties,
- Monitoring and preventing unauthorized processes and processing in breach of the regulation,
- Planning and performing endeavors for risk management and quality improvement,
- Invoicing in return for our services,
- Managing all sorts of claim and complaint processes related to our activities and operations,
- Providing the required information in accordance with the audits of regulatory and supervisory bodies and official authorities,
- Measuring the satisfaction of visitors, customers, guests and other relevant third parties in order for the Corporation to provide and offer improved services,
- Establishing and follow-up visitor records and logs,

- Planning and supporting the execution processes of the vested benefits and interests to be provided to the executive directors and employees of the Corporation,
- Planning and executing audit activities to ensure the performance and enforcement in accordance with the internal procedures and relevant legislation,
- Planning and executing the corporate communication activities and
- Executing/following-up the corporate and partnership legal transactions and other legal affairs within the Corporation.

In case the processing activities performed within the scope of the purposes stated hereinabove fail to fulfill any of the legal compliance reasons stipulated within the scope of LPPD explained in Article 7.6.2 below, the explicit consent of the Related Person shall be sought by the Corporation for the relevant processing activity by using the affirmative covenants enclosed to this policy (please refer to Appendix-1).

### **5.3. Our Methods of Personal Data Collection**

Personal data is collected by means of online electronic forms (for instance; website contact form), documents declared by the related person, employment agreements and other printed/electronic forms.

### **5.4. Our Legal Reasons for Personal Data Collection**

The personal data is collected by Limak Investment or the real or legal entities processing data on behalf of Limak Investment in accordance with the satisfaction of the purposes specified specific to the data categories stated hereinabove on the following legal grounds stipulated in Article 5 of the Law;

- Explicit consent of the related person,
- Explicitly set forth in laws,
- Provided to be directly associated with conclusion or execution of an agreement, in case processing of personal data of contractual parties is required,
- In case of obligation for performance of a legal obligation of the data supervisor,
- In case of an obligation for the legitimate interests of the corporation, provided not to jeopardize the fundamental rights and liberties of the related person.

### **5.5. Our Legal Reasons for Collection of Personal Data of Special Nature**

Personal data of special nature related to medical condition is processed by Limak Investment based on the legal grounds of “the personal data of special nature can be processed by the real entities under the confidentiality obligation or authorized organizations and institutions without the explicit consent merely for the purpose of protection of public health, preventive medicine, medical diagnosis, execution of treatment and healthcare services, planning and management of healthcare services and financing” as stipulated in Article 6 of LPPD. Nevertheless, in cases where it is stipulated that health information is to be processed for a purpose other than the purposes specified in Article 6 of the Law, such information is processed with the explicit consent of the Related Person.

Data related to criminal convictions and security measures, biometric data and personal data related to union membership, in accordance with the purposes stated hereinabove, can be processed based on the legal grounds of “personal data of special nature except the ones related to the health and sexual life can be processed without seeking the explicit consent of the Related Person”. Nevertheless, the personal data of special nature, except the circumstances stipulated in the laws, is required to be processed with the explicit consent of the Related Person in accordance with the Article 6 of the Law.

## **5.6. Processing of Personal Data and Personal Data of Special Nature**

### **5.6.1. Processing of Personal Data Upon Explicit Consent**

In accordance with the regulation, personal data cannot be processed without the explicit consent of the Related Person. Explicit consent is defined in LPPD as “consent disclosed with freewill based on information provided with respect to a certain matter”. In case the processed data is personal data of special nature, the explanations in this Policy shall be valid and applicable. Such information is provided by means of our clarification texts.

### **5.6.2. Circumstances in Where Explicit Consent for Personal Data Processing in not Sought**

We may process personal data without explicit consent in the following circumstances (except for personal data of special nature):

- **Being Explicitly Set Forth in Laws**

Personal data of the Related Person may be processed in accordance with the law in circumstances clearly stipulated by the laws (for instance; retention of the employee's personal information as required by law).

- **Failure to Obtain Explicit Consent of the Related Party Due to Physical Impossibility**

Personal data may be processed without explicit consent in case of mandatory to process personal data to protect the life or physical integrity of the person who is unable to disclose the explicit consent due to physical inability or disability or the explicit consent is not qualified in legal terms (for instance; location information of the kidnapped or missing person).

- **In Case of Directly Associated with the Conclusion or Performance of the Agreement**

Provided to be directly associated with the conclusion or performance of the agreement, processing of the personal data is feasible without obtaining the explicit consent in case it is obligatory for the processing of the personal data of the contractual parties (for instance; recording the address information of the customer enterprise to be able to perform the delivery).

- **In Case of Obligation for Performance of a Legal Obligation**

Personal data, which is obligatory to be processed in order to perform a legal obligation, may be processed without the explicit consent of the Related Person (for instance; performance of legal obligations such as information retention, reporting, information stipulated by official institutions and authorities, information disclosure in special audits in areas such as banking, energy, capital markets).

- **Personal Data Made Public by Related Person**

The personal data, made public by the Related Person, in other words, disclosed to the general public, may be processed without the explicit consent of the Related Person.

- **Obligatory Data Processing for Establishment, Exercise or Protection of a Right**

In case of obligation of data processing for establishment, exercise or protection of a right, may be processed without the explicit consent of the Related Person (for instance; retention and storage of required data of an employee quitting job throughout the lapse of time).

- **Obligatory Data Processing Within the Scope of Legitimate Interests**

Provided that the fundamental rights and liberties of the Related Person are not jeopardized or compromised, personal data can also be processed without seeking the explicit consent in the event that it is obligatory for the legitimate interests of Limak Investment (for instance; monitoring the facility with CCTV equipment to ensure the facility security).

### **5.6.3. Processing of Personal Data of Special Nature**

The personal data of special nature (except the data related to health and sexual life), is processed by the Corporation by taking the administrative and technical measures stipulated by the Personal Data Protection Board in case of presence of the explicit consent of the Related Person or in circumstances imposed by the relevant legislation.

In case of personal data of special nature related to medical condition and sexual life of the, the said data can and public shared to entities or authorized institutions and organizations under the obligation of non-disclosure merely for the purpose of protection of public health, preventive medicine, medical diagnosis, execution of treatment and healthcare services, planning and management of healthcare services and financing.

### **5.7. Processing of Personal Data Collected Within the Scope of Wireless Network**

Wireless internet service is provided within the premises of the corporation, and Limak Investment is defined as "Internet Collective Usage Provider" in accordance with the relevant legislation within the scope of such service.

Information on IP address, start and end time of use, MAC address, target IP address, port information, name, surname, the Republic of Turkey Identification Number and mobile phone number of the Related Persons who would like to use the internet service provided within the premises of Limak Investment shall be processed accordingly.

The Corporation may collect, transfer, store, retain and otherwise process personal data by means of the cookies placed on the corporate website. Informative texts (please refer to Appendix-4) enclosed to this Policy containing detailed information and the rewired warnings with respect to the cookies used on the corporate website should be included. You may access to the Cookie Policy used by the Corporation by <sup>16</sup> .

### **5.8. Processing of Personal Data for Human Resources and Employment Purposes**

The personal data disclosed by the candidates in the applications filed to the Company by the employee candidates shall be processed for the purpose of examining the job application and can be stored within the periods specified in the clarification texts for the purpose of evaluating recruitment and application and/or to be evaluated for the future positions to be available within the Corporation. The processing of personal data disclosed by the employee candidate is required to be carried out in accordance with the principles and rules specified in this Policy.

In this context, only limited number of employees are required to be entitled to access to the personal data collected and access to the records is only required to be provided for the purposes allowed by the explicit consent of the employee candidate or for the appropriate legal purposes in accordance with the LPPD and the data is required to be retained and maintained by applying high security

---

<sup>16</sup> Intra-document hyperlink shall be provided.

standards within the special folder structures and can only be disclosed to the legally authorized persons. The persons in limited number having access to the records state to protect the confidentiality and privacy of the data accessed.

The personal data of intern candidates are processed for the following purposes:

- Executing Intern Selection and Placement Processes
- Executing Planning of the Human Resources and Contractual Processes

The personal data of intern candidates are collected by means of the following tools and methods:

- Application forms obtained on physical environment,
- CVs and resumes delivered by the intern candidates to Limak Investment by means of methods such as electronic mail, postal service, etc.

Our intern candidates are also informed on the rules regarding the processing of personal data.

The personal data of employee candidates are processed for the following purposes:

- Executing Employee Candidate Selection and Placement Processes
- Executing Employee Candidate Application Processes
- Planning of Human Resources Processes

The personal data of employee candidates are collected by means of the following tools and methods:

- Application forms obtained on physical environment,
- CVs and resumes delivered by the employee candidates to Limak Investment by means of methods such as electronic mail, postal service, etc.
- Private employment offices (Kariyer.net, Secretrcv.com, LinkedIn etc.).

Our employee candidates are also informed on the rules regarding the processing of personal data.

#### **5.9. Processing of Personal Data within the Scope of Providing Overall Security**

The Corporation is entitled to process personal data of visitors, employees, interns and subcontractor employees in order to ensure physical space security and to perform and execute activities and operations in accordance with the relevant legislation.

In this context, the Corporation is entitled to obtain the camera images and footages of the people within the facilities via CCTV (closed circuit camera systems) and store such records for the periods stipulated by the relevant legislation and delete, destroy and anonymize in accordance with the Policy on Data Retention and Destruction.

The Corporation, in order to fulfill the disclosure obligation arising from this data processing process, is entitled to serve a notification through more than one means: The Corporation may post the clarification texts enclosed to this Policy (please refer to Appendix-1). It is also possible to inform by publishing the clarification text or by posting a notification letter stating that monitoring/visitor registration shall be performed at the entrances of the areas where monitoring and registration is performed.

In order for the data processing processes to be in compliance and in accordance with the principles stipulated in LPPD, the monitoring areas of security cameras, their number and the times of monitoring activities are implemented in a sufficient and limited way to achieve the security purposes (for

instance; areas such as building entrances and exits and data rooms in where the entrance and exit must be controlled accordingly). Areas (for instance, lavatories) that may cause consequences of intervening with the privacy of the person beyond security purposes shall not subject to monitoring process.

Only a limited number of employees are entitled to have access to live camera images, footages and digitally recorded and retained records. The persons in limited number having access to the records state to protect the confidentiality and privacy of the data accessed by means of non-disclosure agreement and privacy statement enclosed to this Policy (please refer to Appendix-5).

## **6. Transfer of Personal Data**

### **6.1. Domestic Transferring of Personal Data**

The Corporation is entitled to transfer personal data and personal data of special nature of the personal data subject to third parties by taking the required security measures in line with personal data processing purposes. As regards to transferring of personal data, it is acted in accordance with the regulations stipulated by LPPD and the resolutions of the Personal Data Protection Board. The Corporation, in accordance with the legitimate and legal personal data processing purposes, is entitled to transfer personal data to third parties based on one or more of the personal data processing requirements specified in Article 5 of the LPPD, and to a limited extent:

- In case of any explicit regulation in the applicable laws allowing the personal data transferring,
- In case it is obligatory for the protection of the lives or physical integrity of the Related Person, data subject or others and in case the Related Person is unable to communicate his/her explicit consent due to physical inability or disability or the explicit consent is not qualified in legal terms,
- Provided to be directly associated with conclusion or execution of an agreement, in case processing of personal data of contractual parties is required,
- In case the transferring of personal data is obligatory to fulfill the legal obligation of the Corporation,
- In case the personal data is made public by the Related Person,
- In case the transferring of personal data is mandatory for the establishment, exercise or protection of a right,
- In case the transferring of personal data is mandatory for the legitimate interests of the corporation, provided not to jeopardize the fundamental rights and liberties of the Related Person.

As regards to the personal data of special nature, the personal data of special nature can only be disclosed to the third parties by the individuals or authorized organizations and institutions under the confidentiality obligation (i) in cases stipulated by law in terms of personal data of special nature other than health and sexual life information; or (ii) data on health or sexual life only for the purpose of protecting public health, preventive medicine, medical diagnosis, treatment and care services, planning and managing health services and financing.

Without prejudice to the reasons stated hereinabove for compliance with the law, personal data and personal data of special nature shall not be transferred to third parties without the explicit consent of the Related Person.

## **6.2. Overseas Transferring of Personal Data**

As a general rule, the Personal Data cannot be transferred overseas without the explicit consent of the Related Person.

Moreover, in the event of a presence of reasons for compliance to law indicated in this Policy and in the event that the third party located at overseas to whom the data shall be transferred:

- Resides in any of the countries considered to be secure by the Personal Data Protection Board,
- In the event that it is not residing in any of the countries considered to be secure by the Personal Data Protection Board, Limak Investment and data supervisor residing at the non-secure country provide a written affirmative covenant on sufficient degree of protection and are in possession of authorization for overseas transfer issued by the Personal Data Protection Board,

such Personal Data can be transferred overseas without the explicit consent.

In case of overseas data transfer, the samples of the letters of covenant required to be concluded by the parties of the data transfer and submitted to the Board have been published on the Authority's website, and the departments sharing personal data overseas within the scope of work flows within the Corporation are required to submit the letters of covenants for the attention of the Personal Data Protection Committee and ensure that the required processes are to be performed before the Board. The appropriate one of the affirmative covenants enclosed to this Policy text (refer to Appendix-2) shall be selected depending on the realization of the data transfer between (i) two data supervisors (for instance; in case the resumes are transferred to the corporation's own database by the human resources unit through the database of the employment offices, or in case the corporation utilizes a common database with its foreign affiliate and both legal entities can perform changes in the database, both parties shall then become the data supervisor) or (ii) a data supervisor and data processor (for instance; during the Mernis (Central Civil Registration System) query by signing a protocol with the General Directorate of Population and Citizenship Affairs, the public institution data supervisor, the person who performs the query but is not entitled to make changes on the data, is considered as the data processor).

## **6.3. Third Parties to Whom the Personal Data is Transferred by Limak Investment**

The personal data processed by the Corporation can be transferred to the recipient/recipient groups listed hereinbelow within the scope of the rules contemplated in this Policy:

- Suppliers
- Authorized Public Authorities and Organizations
- Subsidiaries and Affiliates
- Real Entities or Private Law Legal Entities
- Independent Auditing Enterprises



Recipient Groups	Remarks	Transfer Purpose
Suppliers	Refers to the parties offering services or products to Limak Investment by the virtue of an agreement in line with the requirements and instructions of Limak Investment.	In order to provide the product or service to be procured from the supplier to Limak Investment, the personal data can be transferred for the purposes of carrying out the procurement processes of goods/services, conducting financial and accounting processes and transactions, performing contractual processes, and performing training activities.
Authorized Public Authorities and Organizations	Refers to the public authorities and organizations authorized to receive information and documentation from Limak Investment in accordance with the provisions of the relevant legislation.	The personal data can be transferred for the purposes of duly performance and execution of the activities and operations within the scope stipulated by the said legal regulation in accordance with the legislation, fulfilling the contractual and regulatory obligations for the employees, providing information to the authorized person, organization and institutions and executing and performing the activities related to the occupational health/safety.
Subsidiaries and Affiliates	Refers to the subsidiaries and affiliates of Limak Investment with organic ties with the corporate structure.	In accordance with the planning and execution of the activities and operations of Limak Investment' subsidiaries and affiliates with the organic ties with the corporate structure, planning human resources processes, conducting audit/ethical activities, executing wage policies and carrying out finance and accounting works.
Real Entities or Private Law Legal Entities	Refers to real or private law legal entities with whom Limak Investment have concluded agreements within the scope of its commercial activities and operations.	The personal data, within the scope of the business activities performed by Limak Investment, can be transferred for the purposes of following up and executing legal affairs, and performing the processes of vested benefits and interests for employees.
Independent Auditing Enterprises	Refers to the independent audit companies authorized by the parties with whom Limak Investment has concluded agreements within the scope of its commercial activities and operations or authorized by Limak Investment for accreditation procedures.	The Personal Data can be transferred for the purposes of executing auditing/ethical activities and operations and contractual processes within the scope of business activities and operations of Limak Investment.

## **7. Retention of Personal Data**

Personal data is required to be retained and stored for the period required by the purpose of processing personal data and within the scope of the Policy on Retention and Destruction of Personal Data (please refer to Appendix-6) included in the appendix of this Policy, without prejudice to the retention periods stipulated in the relevant legislation.

In cases where the personal data is processed for more than one purpose, the data shall be deleted, destroyed or retained upon anonymization in case the entire purposes of data processing shall no longer exist or upon the request of the Related Person and in case it is not prevented by any provision of the relevant legislation. The provisions of the relevant legislation and resolutions of the Personal Data Protection Board shall apply for the provisions of destruction, deletion or anonymization of the personal data.

## **8. Deletion, Destruction or Anonymization of the Personal Data**

Personal data collected within the scope of the processing purposes of the Corporation shall be processed and stored within the scope of processing purposes and applicable laws.

The Personal Data;

- In case of termination of the processing purposes or
- Upon the request of the Related Person when the required conditions are established, shall be deleted, destroyed or anonymized accordingly.

The deletion, destruction and anonymization procedures stated hereinabove shall be carried out within the scope of the Policy on Retention and Destruction of Personal Data (please refer to Appendix-6), without prejudice to the provisions of the relevant legislation.

The security measures contemplated in this Policy and the Policy on Retention and Destruction of Personal Data shall be taken during the deletion, destruction or anonymization of your personal data.

Records of the processes performed for the deletion, destruction or anonymization of personal data shall be retained and maintained for at least 3 (three) years, without prejudice to the provisions of other laws and regulations.

Limak Investment, unless otherwise specified by the Personal Data Protection Board, chooses the appropriate method of deleting, destroying or anonymizing the personal data. Upon the request of the Related Person, the appropriate method shall be chosen by presenting the justification thereof.

## **9. Security of Personal Data**

### **9.1. Our Obligations Regarding the Safety of Personal Data**

Limak Investment is obliged and liable to take the administrative and technical measures based on the technological facilities and application costs for the following purposes;

- Prevention of unlawful the processing of personal data,
- Prevention of unlawful access to personal data and
- Ensuring lawful retention and storage of personal data.

## **9.2. Technical and Administrative Precautions and Measures Taken by Us for Prevention of Unlawful Processing of Personal Data**

- Network security and application security is ensured,
- Closed system network is used for personal data transfer processes through the network,
- Security measures are taken within the scope of procurement, development and maintenance of information technology systems,
- Security of personal data stored in the cloud is ensured,
- Training and awareness activities on the security of data are performed for employees on a periodical basis,
- Establishing an authorization matrix for employees,
- Access logs are maintained on a regular basis,
- Corporate policies with respect to access, information security, use, storage and disposal are implemented and in place,
- Non-disclosure agreements and covenant letters are concluded,
- The relevant authorizations of the employees exposed to duty change or employment termination are removed accordingly,
- Actual and updated anti-virus systems are utilized and in place,
- Firewalls are utilized,
- Personal data security policies and procedures are determined,
- Personal data security issues are reported expediently,
- Personal data security is monitored,
- The required security measures related to entry-exits to and from the physical environments containing personal data are taken,
- Security of the physical environments containing personal data against the external risks (fire, flood, etc.) ensured,
- The security of environments containing personal data is ensured,
- The principle of data minimization in proportion to the purpose of processing of personal data is adopted,
- Personal data is backed up and the security of the backed up personal data is ensured,
- User account management and authorization control system is applied and in place and the follow-up thereof is further performed,
- Periodical and/or random in-house audits are performed and having performed,
- Log entries are maintained to prevent user intervention,
- Current risks and threats are identified,
- Intrusion detection and prevention systems are applied and in place,
- Penetration test is performed,
- Cyber security measures are taken and their implementation is constantly monitored,
- Encryption is performed and
- Awareness of data processing service providers is ensured.

## **9.3. Measures Taken by Us in Case of Unlawful Disclosure of Personal Data**

The Corporation is responsible and liable to take administrative and technical measures to prevent unlawful disclosure of personal data and to duly update the relevant procedures appropriately. In case of determination of unauthorized disclosure of the personal data, the required system and infrastructure to notify the Related Person and the Personal Data Protection Board as soon as possible are required to be established accordingly.

In accordance with the Resolution of the Board dated 24.01.2019 and No. 2019/10, it is contemplated and stipulated that the period of the notification to be served to the Board should not exceed 72 (seventy-two) hours, besides, following the identification of the persons affected by the data breach in question, the related persons are required be notified within the shortest possible time, directly in case the contact address of the relevant person can be accessed, in case of not able to access, by appropriate methods such as publishing on the data supervisor's own website.

In case of any unlawful disclosure despite the entire administrative and technical measures taken, the Corporation itself or the third parties (data processor or data controller) to whom data has been transferred should detect that a data breach has occurred or after receiving the news, this situation is required to be accelerated to the attention of the Personal Data Protection Committee immediately. The Personal Data Protection Committee shall perform the required processes regarding the evaluation of the potential consequences of data breach through the notifications to be served within the scope of LPPD.

“Personal Data Breach Notification Form” published on the website of the Personal Data Protection Board is required to be used for the breach notifications to be served to the Personal Data Protection Board by the Personal Data Protection Committee. In cases where it is not concurrently feasible to provide the information in the form, this information is required to be provided gradually without any delay. This condition, in case deemed to be required by the Personal Data Protection Board, shall be announced on the website of the Board or through any other means.

#### **10. Rights of the Related Person**

The Corporation, within the scope of the disclosure obligation, informs the Related Person about the rights granted in the LPPD and listed below and establishes the necessary systems and infrastructures for this notification. Performs the technical and administrative arrangements required for the Related Person to exercise his/her rights regarding his/her personal data.

The Related Person shall have the following rights related to the personal data:

- Learning whether or not the personal data has been processed,
- Requesting information accordingly in case of personal data processing,
- Learning the purpose of processing of the personal data and whether it is utilized in compliance with intended use,
- Being aware of the domestic and overseas third parties to where the personal data is transferred,
- Requesting for correction in case of deficient wrongful personal data,
- Requesting for the deletion or destruction of personal data in case the reasons requiring the processing of personal data no longer exist,
- Requesting to notify the third parties to whom the personal is transferred regarding the correction, deletion or destruction processes stated hereinabove,
- Objecting and appealing to an outcome against the person himself by analyzing the person data exclusively by means of automated systems,
- Claiming for damages in the event of any loss incurred due to illegal processing of personal data.

## **10.1. Exercising Rights Related to Personal Data**

You may communicate your application and requests related to your personal data to Limak Yatırım Enerji Üretim İşletme Hizmetleri ve İnşaat A.Ş., through the Related Person Application Form to be delivered to<sup>17</sup>;

- With original signature and copy of the identity card to Zorlu Center Levazım Mah. Kuru Sk. No:2 Ofisler Bölgesi Kat:T3 PK: 34340 Beşiktaş / İstanbul,
- Applying in person to Limak Investment with a valid identity card,
- Sending an e-mail signed with mobile signature or secure electronic signature to kvkk\_yatirim@limak.com.tr,
- Sending an e-mail by using registered mail (KEP) and signed with mobile signature or secure electronic signature to our registered mail address limakyatirim@hs02.kep.tr

And by any other means to be designated and determined by the Personal Data Protection Board.

In accordance with the Communiqué on the Procedures and Principles of Application to the Data Controller ("Communiqué"), the name, surname, signature and the Republic of Turkey Identification Number, if the application is filed in written, (in case the applicant is foreigner, the nationality, passport number or identification number, if any), notification address or address of the workplace and if any, electronic mail address, telephone number and fax number are required to be included in the application.

In cases where an application is received, an analysis is required to be made on a case-by-case basis and an attitude aiming not to make it difficult for the Related Person to exercise their rights should be followed in cases where identification can be provided. For instance; the Related Person is required to state explicitly the matter requested in the application for exercising the rights hereinabove including the explanations related to the right requested to be exercised. Information and documents related to the application are required to be attached to the application. However, since the clarity of the request subject is of a subjective factor, even if the request is expressed in a comprehensible manner, the request is required to be processed accordingly.

The subject of the request is required to be related to the applicant, in case of acting on behalf and in the name of others, such applicant is required to be authorized to act so and this authorization is required to be documented (power of attorney) accordingly. Requests filed by unauthorized third parties on behalf of someone else are required not to be taken into consideration. Moreover, as the data supervisor, for the purpose of ensuring the prevention of unauthorized access to the personal data and security of your personal data, your application is required to include the identification particulars and documentation verifying the identity of the applicant (copy of identity card, etc.) is required to be enclosed to the application.

## **10.2. Evaluation of Application**

### **10.2.1. Responding Term of Application**

In accordance with Article 6 of the Communiqué, the request of the Related Person is required to be finalized, based on the nature of the request, within the shortest time possible and within no later than 30 (thirty) days as of the date of delivery to the Corporation, without charging any expense to the

---

<sup>17</sup> Intra-document hyperlink shall be provided.

Related Person. However, in the event that the transaction requires an additional cost, a fee may be charged in accordance with the Article 7 of the Communique.

#### **10.2.2. Right to Refuse the Application**

Applications related to the personal data can be refused under the certain circumstances including but not limited to the following:

- Processing personal data for purposes such as research, planning and statistics by anonymizing them with official statistics,
- Processing of personal data for artistic, historical, literary or scientific purposes or within the scope of freedom of expression, provided not to violate the privacy of the person concerned or personal rights or in a manner constituting a crime,
- Processing of the personal data already made public by the Related Person,
- Application without sound justifications and rightful grounds,
- Application including a request violating the relevant legislation and
- Not complying with the application procedure.

#### **10.2.3. Procedure Application Evaluation**

The applications, for the purpose of initiation of the responding term indicated in Article 12.2.1. of this Policy, are required to be filed as contemplated in Article 12.1 with the title "*Exercising rights related to personal data*".

In case the request is accepted, the required actions are taken and the applicant is notified in written or by electronic means. In case of refusal of the request, the applicant is notified on the justification of the refusal in written or by electronic means.

#### **10.2.4. Right to File Complaint to Personal Data Protection Board**

In case the application is refused, unsatisfactory response or failure to respond in time, the applicant is entitled to file a complaint before the Personal Data Protection Board within 30 (thirty) days following the reception of the response and in any case 60 (sixty) days following the application date.

### **11. Release and Retention of Policy**

The signed copy of the Policy is retained and maintained by the corporate contact person and the most actual version of the Policy is made available to employees on electronic means through the corporate intranet.

### **12. Updating Frequency**

This Policy shall be reviewed and updated, if required, at least once a year without serving any notification.

### **13. Enforcement**

This Policy shall be inured upon the approval of the Board of Directors of Limak Investment.

## **14. Appendices**

### **APPENDIX-1:**

- General Clarification Text
- Employee Clarification Text
- Employee Candidate Clarification Text
- Subcontractor Employee Clarification Text
- Subcontractor Official Clarification Text
- Press Member Clarification Text
- Company Associate Clarification Text
- Business Associates' Clarification Text
- Public Official Clarification Text
- Intern Candidate Clarification Text
- Intern Clarification Text
- Supplier Employee Clarification Text
- Supplier Official Clarification Text
- Third Party Clarification Text
- Person Procuring Products and Services Clarification Text
- Board Member Clarification Text
- Visitor Clarification Text
- Sample Letter of Consent

### **APPENDIX-2:**

- Protocol Between Data Supervisor (Limak) and Data Processor
- Protocol Between Data Supervisor and Data Processor (Limak)
- Protocol Between Data Supervisors
- Protocol Between Data Processor and Data Sub-processor

### **APPENDIX-3:**

- Related Person Application Form

### **APPENDIX -4:**

- Cookie Policy

### **APPENDIX-5**

- Employee Affirmative Covenant on Confidentiality

### **APPENDIX -6:**

- Policy on Retention and Destruction of Personal Data