

**PERSONAL DATA PROTECTION  
AND  
CONFIDENTIALITY POLICY**

# CONTENTS

PERSONAL DATA PROTECTION AND PROCESSING POLICY.....	1
1. INTRODUCTION.....	1
2. RULES AND PRINCIPLES RELATED TO PERSONAL DATA PROTECTION.....	1
A. DEFINITIONS.....	1
B. GENERAL PRINCIPLES RELATED TO PERSONAL DATA PROCESSING.....	2
C. PROVISIONS RELATED TO PERSONAL DATA PROCESSING.....	3
D. PURPOSES RELATED TO PERSONAL DATA PROCESSING.....	3
E. PRESERVING OF THE PERSONAL DATA.....	4
F. TRANSFERRING PERSONAL DATA TO DOMESTIC PERSONS.....	4
G. TRANSFERRING PERSONAL DATA TO ABROAD.....	5
H. DISCLOSURE OBLIGATION OF DATA CONTROLLER.....	5
I. RIGHTS OF DATA OWNERS.....	6
J.	
MEASURES TO BE TAKEN FOR DATA SECURITY.....	8
Administrative Measures.....	8
Technical Measures.....	8
K. PROCESSING IMAGE RECORDINGS.....	10
3. OTHER ISSUES.....	10
DATA OWNER APPLICATION FORM.....	11
1. GENERAL.....	11
2. APPLICATION METHOD.....	11
3. INFORMATION RELATED TO DATA OWNER.....	11
PROCESSING AND DESTRUCTION POLICY OF PERSONAL DATA.....	12
FIRST CHAPTER.....	12
GENERAL PROVISIONS.....	12
Article 1: Purpose.....	12
Article 2: Scope.....	12
Article 3: Definitions.....	12
SECOND CHAPTER.....	13
PRINCIPLES TO BE APPLIED IN BAYDÖNER.....	13
Article 5: Clarifying and Informing the Personal Data Owner.....	13
Article 6: Observing the Rights of the Data Owner.....	13
Article 7: Recording Medium in which Personal Data is Stored and Destruction.....	14
Article 8: Ensuring the Security of Personal Data.....	14

Article 9: General Measures to be Taken for Safe Storage of Personal Data, Unlawful Processing and Prevention of Access .....	15
Article 10: Technical and Administrative Measures to be Taken for the Safe Storage of Personal Data and for Preventing Unlawful Processing and Accessing .....	16
<b>THIRD CHAPTER.....</b>	<b>17</b>
<b>PRINCIPLES RELATED TO THE PROCESSING OF PERSONAL DATA .....</b>	<b>17</b>
Article 12: Provisions of Processing of Personal Data .....	17
Article 13: Provisions of Processing of Special Quality Personal Data .....	17
Article 14: Transfer of Personal Data .....	18
Article 15: Workplace Entrances and Personal Data Processing Activities in the Workplace and Website Visitors .....	19
<b>FORTH CHAPTER .....</b>	<b>19</b>
<b>PRINCIPLES ON DELETION, DESTRUCTION OR ANONYMIZATION OF PERSONAL DATA .....</b>	<b>19</b>
Article 16: Principles Related to Deletion, Destruction and Anonymization of Personal Data ..	19
Article 17: Deletion of Personal Data.....	19
Article 18: Destruction of Personal Data.....	19
Article 19: Anonymization of Personal Data .....	19
Article 20: Methods to be used for Deletion, Destruction and Anonymization Transactions of Personal Data .....	20
Article 21: Periods for Ex officio Deletion, Destruction or Anonymization of Personal Data ....	20
Article 22: Request for Deletion and Destruction of Personal Data of Data Owner .....	20
Article 23: Periods of Deletion and Destruction of Personal Data upon Request by the Data Owner .....	21
<b>FIFTH CHAPTER.....</b>	<b>21</b>
<b>OTHER PROVISIONS.....</b>	<b>21</b>
Article 24: Enforcement .....	21

# BAYDÖNER

## PERSONAL DATA PROTECTION AND PROCESSING POLICY

### 1. INTRODUCTION

As Baydöner ("Baydöner" or "Company"), we give great importance to the protection, processing, deletion, destruction or anonymization of personal data belonging to all real persons we come into contact during our commercial activities and to fulfil the requirements of the 6698 numbered Law on Protection of Personal Data ("KVKK" or "Law") and the Regulation on Deletion, Destruction or Anonymization of Personal Data entered into force on 01.01.2018 by being published in the Official Gazette dated 28.10.2017 and the Regulation on the Data Controllers Regulation entered into force on 01.01.2018 by being published in the Official Gazette dated 30.12.2017 and the relevant legislation.

This Personal Data Protection and Processing Policy ("Policy") has been prepared to inform you about the processes and principles of collection, use, sharing, storage, processing, deletion, destruction or anonymization of personal data by Baydöner. In this Policy, the principles regarding the processing, deletion, destruction or anonymization of personal data belonging to data owners by Baydöner are included, and these disclosures aim the Baydöner employees, subcontractors and employees, active and potential customers, suppliers, visitors and other real persons in contact with Baydöner.

### 2. RULES AND PRINCIPLES RELATED TO PERSONAL DATA PROTECTION

#### A. DEFINITIONS

The definitions regarding the terms and abbreviations in this Policy are as follows:

- **Explicit Consent:** Consent about a specific subject, based on information and expressed with free will.
- **Recording Media:** Any media containing personal data that is fully or partially automated or processed non-automatically, provided that it is a part of any data recording system.
- **Anonymization:** Making personal data incapable of being associated with an identified or identifiable natural person under any circumstances, even by matching with other data.
- **Deletion of Personal Data:** Making personal data inaccessible and unavailable in any way for Related Users.
- **Destruction of Personal Data:** The process of making personal data inaccessible, unrecoverable and reusable by anyone.
- **Destruction:** Deletion of Personal Data, its destruction or anonymization.
- **Law:** 6698 numbered Law on Protection of Personal Data.
- **Personal Data:** Any information relating to an identified or identifiable natural person.
- **Processing of Personal Data:** Obtaining, recording, storing, preserving, changing, rearranging, disclosing, transferring, taking over, making available personal data fully or partially automatically or non-automatically provided that it is a part of any data recording system. All kinds of operations performed on data such as classification or prevention of use.
- **Board:** Personal Data Protection Board.
- **Sensitive Personal Data:** Data about people's race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, clothing, membership to associations, foundations or unions, health, sexual life, criminal convictions and security measures, biometric and genetic data.
- **Periodic Destruction:** In the event that all of the personal data processing conditions in the Law are eliminated, the deletion, destruction and anonymization process that will be carried out ex officio at repetitive intervals and specified in the personal data storage and destruction policy
- **Data Processor:** The natural or legal person who processes personal data on behalf of the data controller, based on the authority given by him.
- **Data Owner/Relevant Person:** The natural person whose personal data is processed.
- **Data Controller:** The natural or legal person who determines the processes and means of processing personal data and is responsible for the establishment and management of the data

recording system.

- **Regulation:** Regulation on Deletion, Destruction or Anonymization of Personal Data published in the Official Gazette on 28.10.2017, Regulation on Data Controllers Registry published in the Official Gazette dated 30.12.2017.

## **B. GENERAL PRINCIPLES RELATED TO PERSONAL DATA PROCESSING**

Baydöner processes, stores and destroys personal data in accordance with the procedures and principles stipulated in the KVKK and other relevant laws. Within this framework, Baydöner ensures full compliance with the following principles in the KVKK while processing, storing and destroying personal data.

- **Compliance with the law and honesty rules:** In accordance with this principle, Baydöner's data processing processes are carried out within the limits required by all relevant legislation and honesty rules, especially the Constitution and KVKK.
- **Being accurate and up-to-date when necessary:** Necessary measures are taken to ensure that the personal data processed by Baydöner is correct and in line with the current situation, and necessary opportunities are provided to data owners by informing them in order to ensure that the data being processed reflects the real situation.
- **Processing for specific, open and legitimate purposes:** Baydöner only processes personal data with legitimate purpose clearly and precisely, and does not perform data processing activities other than these purpose. In this scope, Baydöner processes personal data only in connection with the business relationship established with the data owners and if necessary for them.
- **Being connected, limited and proportional to the Purpose they are processed:** Data are processed by Baydöner in accordance with the KVKK and other relevant legislation, suitable for the realization of the Purposes determined according to the data categories, related to the realization of the purpose and in a measured manner, and the processing of personal data that is not needed is avoided.
- **Retention for the period stipulated in the relevant legislation or required for the purpose for which they are processed:** Personal data processed by Baydöner are retained only for the period stipulated in the relevant legislation or required for the purpose they are processed. Within this Scope, Baydöner abides by the period stipulated in the relevant legislation for the storage of data. If there is no such period, it retains the data only for the period necessary for the purpose they are processed. In this respect, in the event that the period stipulated in the legislation expires or the reasons requiring the processing of personal data deletion, the personal data is deleted, destroyed or anonymized by Baydöner. Baydöner does not store data based on the possibility of using it in the future.

## **C. PROVISIONS RELATED TO PERSONAL DATA PROCESSING**

The conditions regarding the processing of personal data are regulated in 5. Article of the KVKK, and the personal data are processed by Baydöner under the following conditions, provided that they comply with the processing conditions of the data specified in the KVKK.

Except for the exceptions listed in the Law, Baydöner processes personal data only by obtaining the explicit consent of the data owners. In the presence of the following conditions listed in the Law, personal data can be processed even without the explicit consent of the data owner:

- It is clearly stipulated in the laws,
- It is compulsory for the protection of life or physical integrity of the person or another person, who is

unable to express his consent due to actual impossibility or whose consent is not legally recognized,

- It is necessary to process the personal data of the parties to the contract, provided that it is directly related to the establishment or performance of a contract.
- It is mandatory for the data controller to fulfill its legal obligation,
- It has been made public by the data owner himself,
- Data processing is mandatory for the establishment, exercise or protection of a right,
- Data processing is mandatory for the legitimate interests of the data controller, provided that it does not harm the fundamental rights and freedoms of the data owner.

Baydöner pays special attention to the processing of special quality personal data, which is believed to be more critical in terms of protection for data owners. In this scope, provided that adequate measures determined by the Board are taken, such data are not processed without the explicit consent of the data owners. However, special categories of personal data can also be processed without the explicit consent of the data owner in cases stipulated by the laws. However, data related to health and sexual life can be processed without obtaining explicit consent, provided that adequate precautions are taken and in the presence of the reasons listed below or if it is prescribed by law:

- Protection of public health,
- Preventive medicine,
- Medical diagnosis,
- Execution of treatment and care services,
- Planning and management of health services and financing.

#### **D. PURPOSES RELATED TO PERSONAL DATA PROCESSING**

Your personal data obtained by Baydöner may be processed within the scopes, which is explained below:

- Strategic planning and business partners/supplier management,
- Processes and operations that touch the customer,
- Company internal operations,
- Activities with legal, technical and administrative consequences,
- HR operations,
- Marketing operations

The categories mentioned above are of informative purpose, and other categories may be added by us in order for Baydöner to carry out its future commercial and operational activities. In such cases, Baydöner will continue to update the specified categories in the relevant texts in order to continue to inform them as quickly as possible

## **E. PRESERVING OF THE PERSONAL DATA**

The personal data we obtain are securely stored in physical or electronic environment for an appropriate period of time in order for Baydöner to carry out its commercial activities. In the scope of these activities, Baydöner acts in accordance with the obligations stipulated in all relevant legislation, especially the KVKK, regarding the protection of personal data.

In accordance with the relevant legislation, with the exception of the cases where the personal data is allowed or required to be stored for a longer period, if the processing of personal data ends, the data will be deleted, destroyed or anonymized upon the request of data owners by Baydöner ex officio or through the attached data owner application form and different techniques (Physical destruction, the permanent deletion from the software, masking, data derivation, aggregation, data hash, deletion by an expert, etc.). If the personal data is destroyed by means of such methods, these data will be destroyed in a way that cannot be used again in any way and cannot be recovered.

However, in cases where Baydöner has a legitimate interest, personal data may be kept until the expiry of the general statute of limitations (ten years) regulated in the Code of Obligations, provided that it does not harm the fundamental rights and freedoms of the data subjects. After the expiry of the aforementioned statute of limitations, personal data will be deleted, destroyed or anonymized in accordance with the above procedure. In the event that Baydöner is liable for a longer period of time for the storage of the relevant data in the legislation in the enforcement, Baydöner has the right to keep the data regardless of the ten-year limitation period. Personal data, whose storage period has expired, is destroyed within the framework of the destruction periods in this Policy, in accordance with the procedures set forth in this Policy, every 6 months.

All transactions regarding the deletion, destruction and anonymization of personal data are recorded and these records are kept for at least three years, excluding other legal obligations.

## **F. TRANSFERRING PERSONAL DATA TO DOMESTIC PERSONS**

Baydöner carefully complies with the conditions set forth in the KVKK regarding the sharing of personal data with third parties, without prejudice to the provisions of other laws. Within this context, personal data are not transferred by Baydöner to third parties without the explicit consent of the data owner. However, in the presence of one of the following conditions regulated by the KVKK, personal data may be transferred by Baydöner without obtaining the explicit consent of the data owner:

- It is clearly stipulated in the laws,
- Being obligatory for the protection of life or bodily integrity of the person or someone else, who is unable to express his or her consent due to actual impossibility or whose consent is not legally valid.

- Provided that it is directly related to the establishment or performance of a contract, it is necessary to process personal data belonging to the parties to the contract,
- It is mandatory for the data controller to fulfil its legal obligation,
- It has been made public by the data owner himself,
- Data processing is mandatory for the establishment, exercise or protection of a right,
- It is necessary to process data for the legitimate interests of the data controller, provided that it does not harm the fundamental rights and freedoms of the data owner.

In terms of special quality personal data other than health and sexual life, it is stipulated in the laws, and in terms of special quality personal data related to health and sexual life provided that adequate precautions are taken;

- Protection of public health,
- Preventive medicine,
- Medical diagnosis,
- Execution of treatment and care services,
- Planning and management of health services and financing
- It is transferred in case of requests from public, semi-private, private institutions and organizations in accordance with the legislation and in accordance with the legislation.

In specially qualified Transfer of Personal Data, the conditions specified in the processing conditions of this data are complied with.

#### **G. TRANSFERRING PERSONAL DATA TO ABROAD**

Regarding the transfer of personal data abroad, the explicit consent of the data owner is sought in accordance with Article 9 of the KVKK. However, in the presence of conditions that allow the processing of personal data, including sensitive personal data, without the explicit consent of the data owner, the personal data may be transferred abroad by Baydöner without seeking the explicit consent of the data owner, provided that adequate protection is available in the foreign country where the personal data will be transferred. If the country to be transferred is not determined by the Board among the countries with sufficient protection, Baydöner and the data controller / data processor in the relevant country will undertake in writing sufficient protection.

You can reach the people with whom personal data are shared/can be shared from the list of companies from which support service is provided in the Annex 2 of this Policy. However, we would like to point out that the specified lists are for informative purposes and will be updated by Baydöner in case of changes.

#### **H. DISCLOSURE OBLIGATION OF DATA CONTROLLER**

Within the scope of Article 10 of the KVKK, data owners must be informed before or at the latest when personal data is obtained. The information to be communicated to the data owners within the framework of the said disclosure obligation is as follows:

- Identity of the data controller and its representative, if any,
- For what purpose personal data will be processed,
- To whom and for what purpose the processed personal data can be transferred,
- Method and legal reason for collecting personal data,
- Other rights of the Relevant Person listed in Article 11 of the KVKK.



Baydöner has prepared disclosure statements on the basis of the process and the persons whose data is processed, to be submitted to the data owners within the scope of the above-mentioned KVKK provision in order to fulfil its obligation of disclosure. After the disclosure statements were submitted to the data owners, explicit consent statements were also prepared for data processing activities and data categories requiring the explicit consent of the data owner in order for Baydöner to carry out its commercial activities. In the express consent declarations prepared for the data owners, in parallel with the European Union regulations that form the basis of the KVKK, the data owners are given the right to choose whether their personal data can be processed by Baydöner and they are informed about the consequences that may occur if the explicit consent cannot be obtained. On the other hand, within the framework of 1. Paragraph of 28. Article of the KVKK, there is no disclosure obligation of data controller in the cases listed below:

- Processing of personal data by real persons within the scope of activities related to themselves or their family members living in the same residence, provided that they are not given to third parties and that the obligations regarding data security are complied with,
- Processing personal data with purposes such as research, planning and statistics by making them anonymous with official statistics,
- Processing personal data in art, history, literature or scientific purposes or within the scope of freedom of expression, provided that they do not violate national defence, national security, public security, public order, economic security, privacy of private life or personal rights or constitute a crime,
- Processing of personal data within the scope of preventive, protective and intelligence activities carried out by public institutions and organizations authorized by law to ensure national defence, national security, public safety, public order or economic security,
- Processing of personal data by judicial authorities or execution authorities in relation to investigation, prosecution, trial or execution proceedings.

However, within the framework of 2. Paragraph of 28. Article of the KVKK, disclosure obligation of data controller will not find application in the following cases:

- The processing of personal data is necessary for the prevention of crime or for criminal investigation,
- Processing of personal data disclosed by the data owner himself,
- Personal data processing is necessary for the execution of supervisory or regulation duties and for disciplinary investigation or prosecution by official and authorized public institutions and organizations and professional organizations in the nature of public institution, based on the authority given by the law,
- Processing of personal data is necessary for the protection of the economic and financial interests of the State regarding budget, tax and financial issues.

#### **I. RIGHTS OF DATA OWNERS**

With regard to personal data processed by Baydöner in accordance with the principles set forth in this Policy, necessary measures were taken to exercise the rights granted to data owners in the 11. Article of the KVKK. The mentioned rights are:

- a) Learning whether personal data is processed or not processed,
- b) If personal data has been processed, requesting information about it,
- c) Learning the purpose of processing personal data and whether they are used in accordance with its

purpose,

- d) To know the third parties to whom personal data is transferred in the country or abroad,
- e) Requesting correction of personal data in case of incomplete or incorrect processing,
- f) Requesting deletion of personal data or its destruction within the framework of the conditions stipulated in the 7. Article of the Law,
- g) Request notification of the transactions made pursuant to Articles (d) and (e) above, to third parties to whom personal data has been transferred,
- h) Objecting to the emergence of a result against the person itself by analysing the processed data exclusively through automated systems,
- i) Request the compensation of the damage in case of damage due to the processing of personal data illegally.

The data owners can exercise their above-mentioned rights by sending a wet-signed copy of the DATA OWNER APPLICATION FORM in Annex 1 of this Policy to Baydöner contact addresses by mail, e-mail or registered mail with return receipt requested. Detailed information about filling the form or sending it to Baydöner can be found in the application form attached to No.1. Baydöner will deliver the response to the relevant applications, physically or electronically, to the relevant data owner.

Baydöner will conclude the request free of charge as soon as possible and within thirty (30) days at the latest, depending on the nature of the request. However, if the transaction requires an additional cost, the fee in the tariff determined by the Board will be collected by Baydöner. Additionally, in the process of finalizing the requests of the data owners, Baydöner may request additional information or documents from the applicants in order to ensure data security and to determine whether the applicant is the owner of the personal data.

On the other hand, within the scope of 28(1) Article of the KVKK the data owners cannot use the above-mentioned rights listed in 11. Article of the KVKK in the cases listed below:

- Processing of personal data by real persons within the scope of activities related to themselves or their family members living in the same residence, provided that they are not given to third parties and that the obligations regarding data security are complied with,
- Processing personal data with purposes such as research, planning and statistics by making them anonymous with official statistics,
- Processing personal data in art, history, literature or scientific purposes or within the scope of freedom of expression, provided that they do not violate national defence, national security, public security, public order, economic security, privacy of private life or personal rights or constitute a crime,
- Processing of personal data within the scope of preventive, protective and intelligence activities carried out by public institutions and organizations authorized by law to ensure national defence, national security, public safety, public order or economic security,
- Processing of personal data by judicial authorities or execution authorities in relation to investigation, prosecution, trial or execution proceedings.

However, within the framework of 28(2) Article of the KVKK the above-mentioned rights listed in 11. Article of the KVKK will not be applicable in the following cases except for the right to redress the damage,

- The processing of personal data is necessary for the prevention of crime or for criminal investigation,
- Processing of personal data made public by the data owner itself,
- Personal data processing is necessary for the execution of supervisory or regulation duties and for disciplinary investigation or prosecution by official and authorized public institutions and organizations and professional organizations in the nature of public institution, based on the authority given by the law,
- Processing of personal data is necessary for the protection of the economic and financial interests of the State regarding budget, tax and financial issues.

#### **J. MEASURES TO BE TAKEN FOR DATA SECURITY**

Baydöner takes all necessary technical and administrative measures to ensure the appropriate level of security required for the protection of personal data. The measures envisaged in 12(1) Article of the KVKK are as follows:

- To prevent the unlawful processing of personal data,
- To prevent unlawful access to personal data,
- To ensure the protection of personal data

The measures taken by Baydöner in this context are listed below:

##### **Administrative Measures:**

- Baydöner performs and has it done the necessary inspections in its own institution or organization in order to ensure the implementation of the provisions of the Law.
- If the processed personal data is obtained by others through illegal means, Baydöner notifies this situation to the relevant person and the Board as soon as possible.
- Regarding the sharing of personal data, Baydöner signs a framework contract with the persons with whom personal data is shared or provides data security with the provisions to be added to the contracts.
- Baydöner employs knowledgeable and experienced personnel about the processing of personal data and provides necessary KVK training to its personnel.

##### **Technical Measures:**

Baydöner employs knowledgeable and experienced people in order to ensure data security and provides the necessary KVK training to its personnel.

- Performs necessary internal controls within the scope of established systems.
- It carries out the processes of risk analysis, data classification, IT risk assessment and business impact analysis within the scope of the installed systems.
- It ensures the provision of the technical infrastructure to prevent and/or monitor the leakage of personal data outside the institution and the creation of relevant matrices.
- It ensures that the access to personal data of employees in information technology units is kept under control.

The measures taken by Baydöner within the scope of the processing of sensitive personal data are listed below:

1. It determines systematic, manageable and sustainable policies and procedures for the security of sensitive personal data.
2. For employees involved in the processing of special categories of personal data;
  - a) Provides regular trainings on the law and related regulations and special quality personal data security.
  - b) Concludes confidentiality agreements.
  - c) It makes a clear definition of the users who have access to the data, the authorization scopes and their duration.
  - d) Performs authorization checks periodically.
  - e) The authorization of employees who have a change of job or quit their job in this field is immediately cancelled, and the inventory allocated to them within this scope is returned by data controller.
3. If the environments in which sensitive personal data are processed, stored and/or accessed are electronic media;
  - a) It ensures that data is preserved using cryptographic methods.
  - b) It ensures that cryptographic keys are kept securely and in different environments.
  - c) It ensures that all transactions performed on the data are logged securely.
  - d) It ensures that the security updates of the environment where the data are located are constantly monitored, the necessary security tests are carried out regularly, and the test results are recorded.
  - e) If the data is accessed through a software, the user authorization of this software ensures that the security tests of these software are regularly performed and the test results are recorded.
  - f) If remote access to data is required, it creates at least a two-stage authentication system.
4. Environments where sensitive personal data is processed, stored and/or accessed, if it is physical environment;
  - a) It ensures that adequate security measures (against electrical leakage, fire, flood, theft, etc.)
  - b) By ensuring the physical security of these environments, unauthorized access outputs are prevented.
5. If personal data of special nature is to be transferred;
  - a) If the data needs to be transferred via e-mail, it is transferred with an encrypted corporate e-mail address or by using a Registered Electronic Mail (KEP) account.
  - b) If it needs to be transferred via media such as portable memory, CD, DVD, it is encrypted with cryptographic methods and the cryptographic key is kept in different media.
  - c) If transfer is made between servers in different physical environments, it is ensured that data transfer is realized by installing VPN between servers or by sFTP method.
  - d) If the data is to be transferred via paper environment, necessary measures are taken against risks such as theft, loss or being seen by unauthorized persons and the documents are sent in the format of "documents with a confidentiality degree".

## **K. PROCESSING IMAGE RECORDINGS**

In order to ensure the general and commercial security of the Company's facilities and businesses, Baydöner records images of visitors, employees and other relevant persons in accordance with the basic principles stipulated in the KVKK and in this Policy, and these records are recorded physically or are securely stored in electronic media (see Item "E").

In order to inform the data owners, the warning about the recording of the video is visibly displayed in the places where the video recording is taken. In the scope of these activities, Baydöner acts in accordance with the obligations stipulated in all relevant legislation, especially the KVKK, regarding the protection of personal data. In places where privacy is high, viewing is not possible.

### **3. OTHER ISSUES**

- In case of inconsistency between KVKK and other relevant legislation provisions and this Policy, KVKK and other relevant legislation provisions will be applied first.
- This Policy prepared by Baydöner will enter into force from the date it is approved by the Board of Directors. Except for the abolition of this Policy, Baydöner Board of Directors has been authorized by Baydöner regarding the changes to be made in the Policy and how it will be put into effect. With the approval of the Member of the Board of Directors, this Policy may be amended and put into effect..
- This Policy is reviewed once a year in any case, and if there are necessary changes, it is updated by submitting it to the approval of the Member of the Board of Directors.

**Baydöner**

## DATA OWNER APPLICATION FORM

### 1. GENERAL

This Application Form is prepared by Baydöner ("Baydöner" or "Company") with the capacity of Data Controller in order to be able to quickly, effectively and comprehensively evaluate and resolve the applications to be made by you data owners pursuant to Articles 11 and 13 of the 6698 numbered Law on the Protection of Personal Data ("KVKK").

### 2. APPLICATION METHOD

You, the data owners, can convey your requests regarding the implementation of KVKK in accordance with the 11. And 13. Articles of the KVKK to our Company, which is the data controller, in writing by filling out this form or by other methods to be determined by the Board:

- A wet signed copy of this Data Owner Application Form is sent to "Adalet Mah. Anadolu Cd. No: 41 K: 20 Bağımsız Bölüm No: 17 Bayraklı / İZMİR "in person,
- A wet signed copy of this Data Owner Application Form is sent to "Adalet Mah. Anadolu Cd. No: 41 F: 20 Bağımsız Bölüm No: 17 Bayraklı/İZMİR" by registered letter with return receipt,
- You can send a copy of this Data Owner Application Form to "kvk@apazgroup.com" by e-mail

Application Form:

[KVKK Application Form](#)

### 3. INFORMATION RELATED TO DATA OWNER

Regarding your application pursuant to the relevant article of the KVKK, we kindly request you to fill in the following information completely so that we can get to know you and make the necessary research, evaluation and analysis by Baydöner:

## PROCESSING AND DESTRUCTION POLICY OF PERSONAL DATA

### FIRST CHAPTER

#### GENERAL

#### PROVISIONS

##### Article 1: Purpose

The purpose of this policy is to determine the procedures and principles regarding the processing and protection of personal data and the deletion, destruction and anonymization of Personal Data processed by Baydöner in accordance with the legal regulations on which this Policy is based.

##### Article 2: Scope

This Policy refers to the personal data of the personnel, candidates for personnel, managers, visitors, employees and managers of third parties with which we are in cooperation and the other third parties, fully or partially processed automatically or by non-automatic means provided that it is a part of any data recording system. In this scope, the above-mentioned groups of personal data owners can be applied as a whole, as well as only some provisions of this Policy.

##### Article 3: DEFINITIONS

In the implementation of this policy the following terms have the meanings that are attributed to them below:

- a- **Recipient group:** The natural or legal person category to which personal data is transferred by the data controller,
- b- **Relevant User:** Persons who process personal data within the organization of the data controller or in line with the authorization and instruction received from the data controller, excluding the person or unit responsible for the technical storage, protection and backup of the data,
- c- **Destruction:** Deletion, destruction or anonymization of the personal data,
- d- **Law:** 6698 numbered Law on Protection of Personal Data,
- e- **Recording medium:** Any medium containing personal data that is fully or partially automated or processed by non-automatic means, provided that it is part of any data recording system,
- f- **Personal data:** All kinds of information regarding an identified or identifiable natural person,
- g- **Personal data owner:** The real person whose personal data is processed,
- h- **Processing of personal data:** Obtaining, recording, storing, preserving, changing, rearranging, disclosing, transferring, taking over, making available, of personal data fully or partially automatically or non-automatically provided that it is a part of any data recording system. All kinds of operations carried out on the data such as bringing, classifying or preventing its use,
- i- **Personal data processing inventory:** The maximum period required for the personal data processing activities, personal data processing purposes, data category, the transferred recipient group and the purposes created by the data controllers by associating them with the data subject group and the personal data are processed depending on the business processes the inventory detailed by explaining the personal data that is expected to be transferred to the countries and the measures taken regarding data security,
- j- **Board:** Personal Data Protection Board,
- k- **Institution:** Personal Data Protection Authority,
- l- **Sensitive personal data:** Data about the race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, disguise and dress, membership to associations, foundations or trade unions, health, sexual life, criminal convictions and security measures. with biometric and genetic data,
- m- **Periodic destruction:** The deletion, destruction or anonymization process, which will be carried out ex officio at repetitive intervals and specified in the personal data storage and destruction policy, in case all the processing conditions of personal data in the law are eliminated,
- n- **Policy:** This Policy, on which data controllers base the process of determining the maximum

period required for Purpose, in which personal data are processed, and for deletion, destruction and anonymization,

- o- **Registry:** The registry of data controllers kept by the Presidency of the Personal Data Protection Authority,
- p- **Data processor:** Real and legal person who processes personal data on behalf of the data controller, based on the authority given by the data controller,
- q- **Data registration system:** The registration system in which personal data is processed and structured according to certain criteria,
- r- **Data controller:** It refers to the real or legal person who determines the purposes and means of processing personal data and is responsible for the establishment and management of the data recording system.

For definitions not included in this Policy, the definitions in the Law are valid.

## **SECOND CHAPTER**

### **PRINCIPLES TO BE APPLIED IN BAYDÖNER**

#### **Article 5: Clarifying and Informing the Personal Data Owner**

Baydöner enlightens the personal data owners during the acquisition of personal data. Within this scope Baydöner will explain to the data owners with which purpose the personal data will be processed, to whom and with which purpose the processed personal data will be transferred, the method of personal data collection and the legal reason together with the rights in the Law.

Among the rights of the personal data owner there is also "requesting information". Baydöner will provide the necessary information in case the personal data owner requests information.

Baydöner announces to personal data owners and those concerned that it is engaged in personal data processing in accordance with the law and the rule of honesty, with various documents open to the public, especially this Policy, and ensures accountability and transparency in personal data processing activities

#### **Article 6: Observing the Rights of the Data Owner**

Baydöner carries out the necessary channels, operation, administrative and technical regulations in accordance with the Law in order to evaluate the rights of personal data owners and to provide necessary information to personal data owners.

If the personal data owners submit their requests regarding their rights listed below in writing to Baydöner, Baydöner concludes the request free of charge as soon as possible and within 30 days at the latest, depending on the nature of the request. If the transaction requires a separate cost, the fee in the tariff determined by the Board will be charged by Baydöner.



The personal data owners have the following rights;

- a- Learning whether personal data is processed or not processed,
- b- If personal data has been processed, requesting information about it,
- c- Learning the purpose of processing personal data and whether they are used in accordance with its purpose,
- d- To know the third parties to whom personal data is transferred in the country or abroad,
- e- Requesting correction of personal data in case of incomplete or incorrect processing and requesting notification of the transaction made within this scope to the third parties to whom the personal data was transferred,
- f- Even though it was processed in accordance with the provisions of the law and other relevant legislation, if the reasons for the processing of the data disappear, to request the deletion or destruction of personal data, and to request notification of the transaction made within this scope to third parties to whom personal data was transferred,
- g- Object to the occurrence of a result against the person himself by analysing the processed data exclusively through automated systems,
- h- In case of loss due to unlawful processing of personal data, it has the right to demand the compensation of the damage.

Data owners should convey their requests to Baydöner "in writing" or using the methods specified by the Law, while using their rights stated above. Since the Board has not determined any other method yet, data owners are required to submit their requests in writing at this stage.

When the data owners submit their written requests, as well as the necessary information identifying their identity, to Baydöner, they will receive answers regarding the application in question quickly and effectively. If data owners request to exercise the above-mentioned rights, you can send a signed copy of the request in writing to our company's Baydöner address, with documents that will encourage your identity, by hand, through a notary public or with a secure electronic signature.

#### **Article 7: Recording Medium in which Personal Data is Stored and Destruction**

Any medium containing personal data acquired by Baydöner that is fully or partially automated or processed by non-automatic means provided that it is a part of any data recording system is considered as a recording medium. All personal data within Baydöner are kept and stored in the maximum security in the following systems.

The personal data of the data owners are safely stored by Baydöner in electronic media in accordance with the relevant legislation, especially the provisions of the KVKK, and within the framework of international data security principles.

#### **Article 8: Ensuring the Security of Personal Data**

Considering the commercial activities carried out as Baydöner, the protection of personal data is among the top priorities for Baydöner. Baydöner takes the necessary legal, technical and administrative measures regarding data security and shows the highest level of importance and care in this regard.

The employees of Baydöner were informed that they will not disclose the personal data they learned to others in violation of the provisions of the Law, that they cannot use the relevant data with other purposes other than processing, and that these obligations will continue in the same way in case they will leave Baydöner, and necessary commitments are taken from them in this regard.

Baydöner also raises the necessary awareness among business partners, suppliers and similar third parties on the prevention of unlawful processing of personal data, the prevention of illegal access to personal data and their legal storage. The legal processing, protection and storage of personal data in the presence of third parties working with Baydöner were also contractually arranged with the relevant third parties, and the activity carried out with third parties was harmonized due to the processing of the relevant personal data.

Baydöner carries out all the necessary inspections within its own structure and has them done. When it is determined that the measures taken as a result of the audit need to be improved, necessary actions are taken by Baydöner immediately.

In the event that personal data is learned and/or obtained by others illegally despite all the general, technical and administrative measures listed below, Baydöner fulfils its obligation to notify the data owner and the Board as soon as possible

#### **Article 9: General Measures to be taken for Safe Storage of Personal Data, Unlawful Processing and Prevention of Access**

Personal data is processed by Baydöner only in accordance with the procedures and principles stipulated in the Law and other legal regulations. Baydöner complies with the following principles while processing personal data:

**a) Compliance with the law and honesty rules**

Baydöner acts in accordance with the principles and honesty rules brought by the relevant legislation in the processing of personal data. Baydöner acts in accordance with the proportionality rule in the processing of personal data. Baydöner does not use personal data beyond the extent required for the realization of the relevant purpose, taking into account the proportionality requirements in the processing of personal data.

**b) Being accurate and up-to-date when necessary**

Baydöner considers the fundamental rights and interests of personal data owners and ensures that the personal data it processes are accurate and up-to-date. In line with this Purpose, Baydöner also takes the necessary measures.

**c) Processing for specific, clear and legitimate purposes**

Baydöner defines the purpose of processing personal data, which is legitimate and lawful, precisely and clearly, and processes personal data in connection with the service it provides and to the extent required by the said service. Baydöner reveals the Purpose with which personal data will be processed before the personal data begins to be processed.

**d) Being connected with the purpose they are processed, limited and measured**

Baydöner processes personal data in a way that is suitable for the realization of the determined Purposes. This Periscope avoids processing personal data that are not related or needed to fulfil the purpose of processing personal data.

**e) Preservation for the period required for the purpose they are processed or stipulated in the relevant legislation.**

Baydöner retains personal data for the period required for Purpose, as specified in the relevant legislation or for which they are processed. Within this framework, Baydöner primarily acts in accordance with this period if it is stated in the relevant legislation how long the personal data should be kept, and if it is not stated, it is kept for the period that requires processing. In the event that the period expires or the reason requiring its processing disappears, the personal data is deleted, destroyed or anonymized by Baydöner.

**Article 10: Technical and Administrative Measures to be Taken for the Safe Storage of Personal Data and for Preventing Unlawful Processing and Accessing**

Baydöner is aware that it has to take all kinds of technical and administrative measures necessary to prevent the unlawful processing of personal data, to prevent illegal access to personal data, to ensure the preservation of personal data, and in this context, shows utmost care and importance.

Baydöner will be jointly responsible for taking the above-mentioned measures in case the personal data it has is processed by another natural or legal person.

As a matter of fact, Baydöner is aware of the fact that it has to make and have all the necessary inspections done in order to ensure the implementation of the provisions of the Law and the relevant legislation, and takes the necessary actions for this.

## THIRD CHAPTER

### PRINCIPLES RELATED TO THE PROCESSING OF PERSONAL DATA

#### Article 12: Provisions of Processing of Personal Data

In order for personal data to be processed, the explicit consent of the person concerned is required. Express consent is only one of the legal bases for the processing of personal data. Apart from explicit consent, personal data may also be processed in the event of one or more of the following situations at the same time. Baydöner will only be able to process personal data without the explicit consent of the person concerned, if one of the following conditions is met.

- a- **Explicit consent:** The explicit consent of the personal data owner should be disclosed on a specific subject, based on information and free will. In this context, Baydöner will obtain the express consent of the personal data owner in order to process the personal data.
- b- **Explicitly stipulated in the law:** Personal data of the data owner may be processed by Baydöner in accordance with the law, provided that it is clearly stipulated in the law.
- c- **Failure to obtain the explicit consent of the data subject due to actual impossibility:** The personal data of the data subject may be processed in cases where it is necessary for the protection of the life or physical integrity of the person or someone else, who is unable to express his consent due to actual impossibility or whose consent is not legally valid.
- d- **Being directly related to the establishment or performance of the contract:** Provided that it is directly related to the establishment or performance of a contract, it is possible to process personal data if it is necessary to process the personal data of the parties to the contract.
- e- **Baydöner's fulfilment of its legal obligation:** If data processing is necessary for Baydöner to fulfil its legal obligation, the data of the data owner may be processed.
- f- **Making the personal data of the personal data owner public:** Personal data can be processed if the data owner has made his personal data public by himself.
- g- **If data processing is mandatory for the establishment or protection of a right:** If data processing is necessary for the establishment, exercise or protection of a right, the personal data of the data owner may be processed.
- h- **Data processing is mandatory for the legitimate interest of Baydöner:** Provided that it does not harm the fundamental rights and freedoms of the personal data owner, Baydöner can process personal data if it is necessary for the legitimate interests of Baydöner.

#### Article 13: Provisions of Processing of Special Quality Personal Data

Baydöner does not process sensitive personal data without the express consent of the personal data owners. Special categories of personal data other than health and sexual life may be processed without seeking the explicit consent of the person concerned, in cases stipulated by the laws. Personal data related to health and sexual life can only be collected for the purposes of protecting public health, performing preventive medicine, medical diagnosis, treatment and care services, planning and managing health services and financing, by persons or authorized institutions and organizations under the obligation of secrecy without seeking the explicit consent of the person concerned.

Baydöner also takes the necessary measures determined by the Board in the processing of special categories of personal data.

#### **Article 14: Transfer of Personal Data**

Considering the nature of the commercial activities it carries out, Baydöner transfers the personal data and sensitive personal data of the personal data owners to third parties by taking the necessary security measures in line with the personal data processing purposes in accordance with the Law and the relevant legislation.

Baydöner also applies to foreign countries declared by the Board to have adequate protection ("Foreign Country with Sufficient Protection") or, in the absence of sufficient protection, to foreign countries where data controllers in Turkey and the relevant foreign country undertake an adequate protection in writing and have the Board's permission. ("Foreign Country of Data Controller Undertaking Adequate Protection") for the transfers personal data. In this respect, Baydöner acts in accordance with the regulations stipulated in the Law.

#### **Article 15: Workplace Entrances and Personal Data Processing Activities in the Workplace and Website Visitors**

In order to ensure security by Baydöner, personal data processing activities are carried out for monitoring with security cameras at Baydöner workplaces and tracking guest entries and exits. Baydöner conducts personal data processing by using security cameras and recording guest entrance and exits. While processing data in this way, Baydöner acts in accordance with the Constitution, the Law and all other legislation.

Baydöner carries out the surveillance activity in the workplace with the aim of increasing the quality of the service it provides, ensuring its reliability, ensuring the safety of Baydöner, visitors and other people, and protecting the benefits of the visitors regarding the service they receive.

Only a limited number of Baydöner employees have access to the records that are digitally recorded and maintained within Baydöner. A limited number of people who have access to the records declare that they will protect the confidentiality of the data they access with a confidentiality agreement.

While the names and surnames of the people who come to Baydöner workplaces as guests are obtained, the data in question is only processed in this Purpose or the data of the related persons are recorded in the data recording system in the physical environment, since the relevant data is obtained for the purpose of tracking the guest entrance and exit. Guest records are kept by the security guards of the Baydöner office building from outside. A declaration is received from the security company from which the service is provided, that the accessed data regarding the guests will be kept confidential.

## **FORTH CHAPTER**

### **PRINCIPLES ON DELETION, DESTRUCTION OR ANONYMIZATION OF PERSONAL DATA**

#### **Article 16: Principles Related to Deletion, Destruction and Anonymization of Personal Data**

Baydöner fulfils its obligations regarding the deletion, destruction or anonymization of personal data ex officio or upon the request of the person concerned, in the event that all the conditions for processing personal data in Article 12 and Article 13 are no longer valid.

Baydöner acts in accordance with the general principles of this Policy set in Article 9 and Article 10 of this Policy, technical and administrative measures, relevant legislation provisions, Board decisions, and personal data storage and destruction policy in the deletion, destruction or anonymization of the Personal Data.

All transactions made by Baydöner regarding the destruction, deletion or anonymization of Personal Data are recorded and such records are kept for at least 3 years, excluding other legal obligations.

Unless a contrary decision is taken by the Board, Baydöner chooses the appropriate method of deletion, destruction or anonymization of personal data ex officio. Upon the request of the person concerned, he/she chooses the appropriate method by explaining the reason.

#### **Article 17: Deletion of Personal Data**

Deletion of Personal Data is the process of making personal data inaccessible and non-reusable for relevant users. Baydöner takes all necessary technical and administrative measures to ensure that deleted personal data is inaccessible and reusable for relevant users.

#### **Article 18: Destruction of Personal Data**

Destruction of Personal Data is the process of making personal data inaccessible, unrecoverable and reusable by anyone in any way. Baydöner takes all necessary technical and Administrative Measures regarding Destruction of Personal Data.

#### **Article 19: Anonymization of Personal Data**

Anonymization of Personal Data is the rendering of personal data that cannot be associated with an identified or identifiable natural person under any circumstances, even if matched with other data. Personal data must be rendered unrelated to an identified or identifiable natural person, even by using appropriate techniques for the recording medium and the relevant field of activity, such as returning and matching the data with other data by the data controller, recipient or recipient groups in order to anonymize the personal data.

Baydöner takes all necessary technical and Administrative Measures regarding Anonymization of Personal Data.

#### **Article 20: Methods to be used for Deletion, Destruction and Anonymization Transactions of Personal Data**

Baydöner will delete, destroy and/or anonymize the personal data within its structure by using the methods set out below.

**Physical Destruction:** Personal data can also be processed by non-automatic means, provided that they are part of any data recording system. While such data is being deleted/destroyed, a system of physical destruction of personal data is applied so that it cannot be used later.

**Safe Deletion from Software:** While deleting/destroying data processed by fully or partially automated means and stored in digital media, the methods are used to delete the data from the relevant software in a way that cannot be recovered again.

**Safe Deletion by an Expert:** In some cases, Baydöner may agree with an expert to delete personal data on behalf of him. In this case, the personal data are securely deleted/destroyed by the expert in this field so that they cannot be recovered again.

#### **Article 21: Periods for Ex officio Deletion, Destruction or Anonymization of Personal Data**

Baydöner deletes, destroys or anonymizes personal data in the first periodical destruction process following the date on which the obligation to delete, destroy or anonymize personal data arises.

The time period for periodic destruction will be carried out by Baydöner within 30 days following the date on which the obligation to delete, destroy or anonymize personal data arises. In case of necessity, this period can be extended for a maximum of 30 days.

Baydöner accepts that the Board may shorten the periods specified in this Article in case of irreparable or impossible damage and in case of a clear violation of the law.

#### **Article 22: Request for Deletion and Destruction of Personal Data of Data Owner**

The data subject submits their requests regarding the implementation of the Law to Baydöner in writing or by other methods to be determined by the Board.

Baydöner concludes the requests in the application free of charge as soon as possible and within 30 days at the latest, depending on the nature of the request. However, if the transaction requires a cost, the fee in the tariff determined by the Board may be taken as a basis.

Baydöner accepts the request or rejects it by explaining its reason, and notifies the relevant person in writing or electronically. If the request in the application is accepted, Baydöner will fulfil its requirements. If the application is rejected depending on the fault of Baydöner, the fee received will be refunded to the relevant person.

### **Article 23: Periods of Deletion and Destruction of Personal Data upon Request by the Data Owner**

When the data owner requests the deletion or destruction of her/his personal data by applying to Baydöner, pursuant to Article 22 of this policy, and if the followings are realized is true, this request may be rejected by Baydöner pursuant to the 22/3 Article of this Policy by explaining the reason, and the rejection response is notified to the data owner in writing or electronically within 30 days at the latest:

- a- If all of the personal data processing conditions were eliminated, Baydöner deletes, destroys or anonymizes the personal data subject to the request. Baydöner concludes the request of the person concerned within 30 days at the latest and informs the person concerned.
- b- If all of the personal data processing conditions were removed and the personal data subject to the request was transferred to third parties, Baydöner notifies this situation to third parties, and ensures that the necessary actions are carried out in the scope of the Regulation on Deletion of Personal Data, Destruction or Anonymization of the third person.
- c- If the conditions for processing personal data have not disappeared.

## **FIFTH CHAPTER**

### **OTHER**

### **PROVISIONS**

#### **Article 24: Enforcement**

This Policy is dated 24.09.2018 and entered into force on the same date. The policy is published on Baydöner's website and is made available to individuals upon request of personal data owners.