

BORUSAN KOCABIYIK VAKFI KÜTLÜR SANAT  
MÜZECİLİK KOLEKSİYON TANITIM EĞİTİM ÖĞRETİM  
COMMERCIAL ENTERPRISE'S POLICY ON THE  
PROTECTION AND PROCESSING OF PERSONAL DATA

21/04/2017

**CONTENTS**

- 1. INTRODUCTION ..... 4
- 2. PURPOSE AND SCOPE OF POLICY ..... 4
- 3. PRINCIPLES FOR PROCESSING OF PERSONAL DATA ..... 4
  - 3.1. TO PROCESS PERSONAL DATA PURSUANT TO THE PRINCIPLES ENVISAGED BY THE LAW ..... 4
    - 3.1.1. Processing in Good Faith and in Accordance with the Law ..... 5
    - 3.1.2. Ensuring that Personal Data Are Accurate and Up-to-Date Where Necessary ..... 5
    - 3.1.3. Processing for Specific, Explicit and Legitimate Purposes ..... 5
    - 3.1.4. Relevant, Limited and Proportional to the Purposes for Which They Are Processed 5
    - 3.1.5. Keeping for duration necessary for the purposes for which the data are processed or foreseen under the relevant legislation..... 5
  - 3.2. CONDITIONS OF PROCESSING PERSONAL DATA..... 5
  - 3.3. TRANSFER OF PERSONAL DATA ..... 7
    - 3.3.1. Transferrin Personal Data to Third Parties..... 7
    - 3.3.2. Transfer of Personal Data Abroad..... 7
  - 3.4. PROVIDING INFORMATION FOR DATA SUBJECTS..... 7
- 4. ERASURE, DESTRUCTION AND ANONYMIZING PERSONAL DATA..... 8
- 5. ENSURING SECURITY OF PERSONAL DATA ..... 8
- 6. RIGHTS OF DATA SUBJECTS AND RULES ON USE OF SUCH RIGHTS..... 9
  - 6.1. RIGHTS OF DATA SUBJECTS..... 9
  - 6.2. DATA SUBJECT’S USE OF RIGHTS..... 9
  - 6.3. REPOSENSE OF COMMERCIAL ENTERPRISE TO APPLICATIONS..... 10
- 7. INFORMATION AS REGARDS TO OUR COMMERCIAL ENTERPRISE’S DATA PROCESSING PROCEDURES ..... 10
  - 7.1. PERSONAL DATA TYPES PROCESSED BY OUR COMMERCIAL ENTERPRISE ..... 10
  - 7.2. PURPOSES FOR PROCESSING OF PERSONAL DATA BY COMMERCIAL ENTERPRISE..... 15
  - 7.3. THIRD PARTIES TO WHOM PERSONAL DATA ARE TRANSFERRED AND PURPOSES OF TRANSFER

- 8. PERSONAL DATA PROCESSING ACTIVITIES UNDERTAKEN IN BUILDINGS, FACILITY ENTRANCES AND INSIDE THE PREMISES AND WEBSITE VISITORS..... 18
  - 8.1. CAMERA SURVEILLANCE WITHIN THE PREMISES OF COMMERCIAL ENTERPRISE..... 18
  - 8.2. MONITORING THE VISITORS ENTERING THE COMMERCIAL ENTERPRISE PREMISES..... 18
  - 8.3. MAINTAINING OF RECORDS REGARDING INTERNET ACCESS PROVIDED TO COMMERCIAL ENTERPRISE VISITORS ..... 19
  - 8.4. WEBSITE VISITORS ..... 19
- 9. ORGANISTIONAL MEASURES RELATED TO THE COMMERCIAL ENTERPRISE PERSONAL DATA PROTECTION ..... 19
- 10. THE CLOSING AND UPDATEABLITY ..... 20
- ANNEX-1 DEFINITIONS ..... 21

## **1. INTRODUCTION**

Protection of personal data is of high importance as regards to our customers, potential customers, Commercial Enterprise authorities, visitors, related parties and entities that are in business cooperation relation with our part. Upon that awareness, processing and protection of personal data is within our priorities and are handled with ultimate sensitivity.

Our Commercial Enterprise determines and implements the basic rules for personal data processing activities here with this Policy.

## **2. PURPOSE AND SCOPE OF POLICY**

The main purpose of this Policy is to inform our customers, potential customers, employee candidates, employees of the entities we are in a relation for business cooperation relation with and other persons whose personal data are being processed by our Commercial Enterprise regarding subjects such as Commercial Enterprise's data processing activities, the systems we adopt for data processing activities, measures we take in that regard, rights of data subjects and the methods to use their rights.

The scope of this Policy is; all personal data of our customers, potential customers, employee candidates, employees of the entities we are in a relation for business cooperation and other persons whose personal data are being processed by our Commercial Enterprise.

4

---

In case of any conflicts between the relevant legislations in force and this Policy, the legislation clauses shall be applied primarily. Should other policies or regulations are available apart from this Policy as regards to more special subjects, clauses with special provisions shall be applied primarily. By no means the clauses of other policies or documents that conflict with this Policy and legislations shall be applicable.

## **3. PRINCIPLES FOR PROCESSING OF PERSONAL DATA**

### **3.1. TO PROCESS PERSONAL DATA PURSUANT TO THE PRINCIPLES ENVISAGED BY THE LAW**

Our Commercial Enterprise processes personal data pursuant to the rules and provisions determined by the Personal Data Protection Law numbered 6698 ("**the Law**"). The principles for data processing are determined by the Law. Our Commercial Enterprise complies with all the principles in every data processing activity.

### **3.1.1. Processing in Good Faith and in Accordance with the Law**

Our Commercial Enterprise complies with the good faith principle while processing personal data, and in accordance with the principles set forth under legal regulations during personal data processing activities. In that regard, our Commercial Enterprise processes personal data pursuant to the data protection legislations and to the rules determined therein and does not conduct any processing activities beyond the scope of the purposes declared to the data subjects.

### **3.1.2. Ensuring that Personal Data Are Accurate and Up-to-Date Where Necessary**

Our Commercial Enterprise takes necessary measures to ensure that processed personal data are accurate and up-to-date. For instance; Commercial Enterprise enables data subjects to access to their data correct their personal data.

### **3.1.3. Processing for Specific, Explicit and Legitimate Purposes**

Our Commercial Enterprise processes personal data only with legitimate purposes. Commercial Enterprise determines the purposes for personal data processing and expressly declares those purposes to data subjects prior to starting any processing activities. In case the purposes of the Commercial Enterprise for processing data changes, the Policy shall be updated and also efforts shall be made in order to announce such changes to data subjects via different channels.

### **3.1.4. Relevant, Limited and Proportional to the Purposes for Which They Are Processed**

Personal data shall be processed with regards and limited to the purposes determined by Commercial Enterprise and any processing that is not relevant to the scope of such purposes shall be avoided. Only the personal data that is necessary for realising an objective shall be collected from the data subjects.

### **3.1.5. Keeping for duration necessary for the purposes for which the data are processed or foreseen under the relevant legislation**

Our Commercial Enterprise shall keep personal data only for a duration stated under the applicable legislation or necessary for the purposes for which the data are processed. In this regard, if a duration is foreseen under the relevant legislation, personal data shall be maintained by our Commercial Enterprise only for a period limited to such durations. If such duration is not determined by legislations or no other legal grounds are available for maintaining personal data, our Commercial Enterprise shall keep the personal data for the duration necessary for the purposes for which they are processed.

## **3.2. CONDITIONS OF PROCESSING PERSONAL DATA**

Personal data shall be processed by Commercial Enterprise in compliance with one or more conditions set forth by the Law. The purposes for processing personal data by Commercial Enterprise are specifically indicated in Section 7.2. Our Commercial Enterprise processes personal data in compliance with the provisions prescribed by the Law.

### **CONDITIONS for DATA PROCESSING**

If explicit consent of data subject is available;

If processing is specifically envisaged under the laws;
If processing is necessary to protect the vital interests or bodily integrity of the data subject or a third person if the data subject is not in a condition to express his/her consent due to actual impossibility;
If processing is necessary for execution or a performance of a contract to which data subject is a party;
If processing is necessary for our Commercial Enterprise to comply with a legal obligation to which the data controller is subject;
If personal data has been made public by the data subject;
If processing is necessary for the establishment, exercise or protection of a right;
If processing is necessary for the purpose of the legitimate interests of our Commercial Enterprise provided that such interest does not harm the fundamental rights and freedoms of the data subject;

Additionally, the Law states that special measures can be brought by the Board for processing special categories of data. In that regard, the measures to be determined by the Board will be taken. The conditions under which special categories of data can be processed by Commercial Enterprise are indicated under Section 7.2 below.

<b>CONDITIONS for PROCESSING SPECIAL CATEGORIES OF PERSONAL DATA</b>
If explicit consent of data subject is available.
When special categories of data except personal data relating to health and sex life ( <i>racial or ethnic origin, political opinions, philosophical beliefs, religion, sect or other beliefs, dress and appearance, memberships to any association, foundation or trade union, criminal conviction and security measures and biometric data and genetic data</i> ) are envisaged under laws.
For personal data relating to health and sex life, only by persons who are under the obligation of confidentiality or authorized institutions and organizations for the purposes of protection of public health, preventive medicine, medical diagnosis, conducting of nursing services, planning of the health services and financing.

### **3.3. TRANSFER OF PERSONAL DATA**

#### **3.3.1. Transferring Personal Data to Third Parties**

Our Commercial Enterprise may transfer personal data it processes in line with the lawful personal data processing purposes to third parties. The third parties are indicated as below on a category basis (i.e. Section 7.3.).

Our Commercial Enterprise may transfer the personal data to third parties on one or more of personal data processing conditions (i.e. Section 3.2.)

Our Commercial Enterprise may also transfer special categories of data to third parties provided that it takes the measures determined by the Board and necessary security measures and by taking utmost care, and that conditions for processing special categories of data (i.e. Section 3.2.) are available.

#### **3.3.2. Transfer of Personal Data Abroad**

Our Commercial Enterprise may transfer personal data to third parties residing abroad by taking necessary security measures.

Personal data are transferred by our Commercial Enterprise to foreign countries where it is deemed by the Board that adequate protection is provided in this country (“Foreign Country with Sufficient Protection”) or to foreign countries where adequate protection is not provided and on the condition that the Board gives permission and the data controllers both in Turkey and in the country to which data is transferred undertake to provide sufficient protection in writing (“Foreign Country Where the Data Controller Undertakes to Provide Adequate Protection”) (i.e. Section 7.3.)

Our Commercial Enterprise may transfer personal data to Foreign Countries with Sufficient Protection or to Foreign Countries Where the Data Controller Undertakes to Provide Adequate Protection by taking measures determined by the Board and the necessary security measures provided that one of the conditions for processing personal data and/or special categories of data are available.

### **3.4. PROVIDING INFORMATION FOR DATA SUBJECTS**

Our Commercial Enterprise shall inform data subjects regarding how their data shall be processed, during the collection of personal data pursuant to the obligation to provide information. In that regard, Commercial Enterprise informs data subjects at least on the points below:

- (1) Identity of the personal data controller and of his representative, if any
- (2) Purposes of personal data processing,
- (3) Recipients to whom the personal data will be transferred,
- (4) Method and legal grounds of the personal data collection,
- (5) Rights of the data subjects

#### **4. ERASURE, DESTRUCTION AND ANONYMIZING PERSONAL DATA**

Our Commercial Enterprise maintain the personal data that it processes pursuant to the principles within the Law as per the durations envisaged by legislations. If such duration is not determined by legislations for maintaining personal data, the personal data are kept until the termination of the purposes for which personal data are processed.

In case duration is not determined by legislations for maintaining personal data, the durations for maintaining data shall be determined as per each purpose for data processing considering our Commercial Enterprise applications and commercial practices. In that regard, the durations for maintaining data shall be determined by considering our Commercial Enterprise applications and commercial practices.

Apart from the purposes for processing, personal data may be maintained for citing them as evidence in possible legal conflicts, asserting the relevant rights with respect to personal data or for forming a defence and for responding the information requests delivered from public authorities. In determining the durations for purposes mentioned herein, the legal periods for setting forth the rights and also the Commercial Enterprise practices shall be considered.

Our Commercial Enterprise shall erase, destroy or anonymise personal data following the expiration of said periods. Additionally, personal data may be erased, destroyed or anonymised upon data subject's request.

Pursuant to article 28 of the Law; anonymised data may be processed for research, planning and statistical reasons. Anonymised data shall not be deemed as "personal data" hence they are outside the scope of the Law.

#### **5. ENSURING SECURITY OF PERSONAL DATA**

Our Commercial Enterprise takes necessary technical and administrative measures for ensuring the security of personal data within, preventing unlawful access to personal data and unlawful processing of personal data as regards to article 12 of the Law.

Also, our Commercial Enterprise may conduct audits by itself or by external service providers that process data on Commercial Enterprise's behalf in order to provide legitimate processing and security of personal data and to ensure application of other provisions of the Law. Audit results shall be shared with relevant internal units and activities shall be conducted in order to improve the measures taken or correct the proceedings that constitute risks.



Ultimate care is taken by our Commercial Enterprise as regards to protection of personal data. In that regard, by our Commercial Enterprise, technical and administrative measures are applied with due care as regards to special categories and necessary audits are conducted within Commercial Enterprise.

In case the personal data processed are unlawfully accessed by third parties, our Commercial Enterprise takes the utmost care to inform data subjects and the Board on the condition.

## **6. RIGHTS OF DATA SUBJECTS AND RULES ON USE OF SUCH RIGHTS**

### **6.1. RIGHTS OF DATA SUBJECTS**

Data subjects are entitled to the following rights:

- (1) Learn whether or not data relating to him/her are being processed;
- (2) Request further information if his/her personal data have been processed;
- (3) Learn the purpose of the processing of personal data and whether or not data are being processed in compliance with such purpose;
- (4) Learn the third party recipients to whom the data are disclosed within the country or abroad,
- (5) Request rectification of the processed personal data which is incomplete or inaccurate and request such process to be notified to third persons to whom personal data is transferred.
- (6) Request erasure or destruction of data in the event that the data is no longer necessary in relation to the purpose for which the personal data was collected, despite being processed in line with the Law no. 6698 and other applicable laws and request such process to be notified to third persons to whom personal data is transferred.
- (7) Object to negative consequences about him/her that are concluded as a result of analysis of the processed personal data by solely automatic means,
- (8) Demand compensation for the damages he/she has suffered as a result of an unlawful processing operation.

### **6.2. DATA SUBJECT'S USE OF RIGHTS**

Data subjects may forward their requests concerning their rights stated by the Law and mentioned above to our Commercial Enterprise. In order to make an application you may fill in and forward the Application Form available at [www.borusancontemporary.com](http://www.borusancontemporary.com).

As a rule, our Commercial Enterprise responds to data subject's requests free of charge. However, if additional cost is determined for the requested action, the costs determined within the tariff by the Board may be required from the applicant data subjects.

Insufficient application forms shall not be taken into examination by our Commercial Enterprise. Our Commercial Enterprise may request additional information and documents in order to verify the applicant is the subject of personal data or if the qualification of request cannot be understood from the content of application form.

Special power of attorney issued by data subject on the name of relevant third party is required in order a third party to apply for and on behalf of data subject.

The explanations on how to fill the application form shall be stated within the application form itself.

### **6.3. REPOSE OF COMMERCIAL ENTERPRISE TO APPLICATIONS**

Upon data subject's application to our Commercial Enterprise as mentioned under the subheading 6.2. of this section, the request shall be replied by our Commercial Enterprise as soon as possible and within 30 days at most, depending on the nature of the request.

The request of the applicant data subject shall be assessed and fulfilled as possible pursuant to its compliance with the Law and the obligations that our Commercial Enterprise shall perform as regards to the legislations. Upon this assessment, if the Commercial Enterprise determines that fulfilment of the request shall not be possible, the request of the data subject shall be responded including its reasoning.

10

---

In cases of the rejection of the application, inadequacy of the respond or not responding to the application within the specified period; data subject may file a complaint to the Board within thirty days as of learning the response of our Commercial Enterprise and within sixty days as of the application in any event.

## **7. INFORMATION AS REGARDS TO OUR COMMERCIAL ENTERPRISE'S DATA PROCESSING PROCEDURES**

### **7.1. PERSONAL DATA TYPES PROCESSED BY OUR COMMERCIAL ENTERPRISE**

Personal data are processed

- By informing relevant persons pursuant to article 10 of the Law,
- Based on one or more of the conditions for data processing mentioned in article 5 of the Law and within limited scope and
- In compliance with our Commercial Enterprise's legitimate purposes and pursuant to the law and the good faith principle

by our Commercial Enterprise.

Personal data categories processed by our Commercial Enterprise pursuant to the principles and obligations envisaged by law are indicated here below.

- **Identity Information:** Any information provided on the documents such as driver's licence, identity document, residency, passport, advocate identity, marriage records which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.
- **Contact Information:** Information such as phone number, address and e-mail which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system
- **Location Data:** Information locating the location of the vehicles and devices of the Commercial Enterprise that are used by our employees or by the employees of institutions that we are in cooperation with; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system
- **Customer Data:** Information obtained and generated as a result of the operations conducted by our business units for our business operations such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system
- **Information on Family Members and Relatives:** Information relating to the family member and relatives of the data subject that are processed for the purposes of protecting the legal interests of the Commercial Enterprise and the data subject, such information which explicitly belongs to an identified or identifiable real person and are a part of the data recording system.
- **Customer Process Information:** Information such as records of the use of goods and services and instructions and requests necessary for customer's use of goods and services, such information which explicitly belongs to an identified or identifiable real person and are a part of the data recording system.
- **Physical Premises Security Information:** Personal data relating to the records and documents obtained when entering to physical premises and during the stay in such premises; such information which explicitly belongs to an identified or identifiable real person and are a part of the data recording system.

- **Security Information of Activity:** Personal data processed for the purposes of ensuring administrative, legal and commercial security of both our employees and our Commercial Enterprise during the conduct of commercial activities of our Commercial Enterprise; such information which explicitly belongs to an identified or identifiable real person and are a part of the data recording system
- **Risk Management Information:** Personal data processed by means in accordance with legal principles, customs of trade and principles of good faith for us to manage our commercial, technical and administrative risks such information which explicitly belongs to an identified or identifiable real person and are a part of the data recording system.
- **Financial Information:** Personal data processed with respect to indicating all financial information, document and records generated based on the nature of the legal relation established between our Commercial Enterprise and the data subject; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.
- **Personnel Information:** Any personal data processed for obtaining the information that is required for the establishing the basis of personnel rights of our employees or real persons having a working relation with our Commercial Enterprise; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.
- **Candidate Employee Information:** Personal data processed relating to the candidates who have applied to our Commercial Enterprise in order to become an employee or are deemed as candidate employee due to the requirements of the human resources of our Commercial Enterprise as per the customs of trade and principles of good faith; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.
- **Employee Process Information:** Data processed with respect to all operations relating to work, carried out by our employees or real persons having a working relation with our Commercial Enterprise; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.

- **Employee Performance and Career Development Information:** Personal data processed for evaluating performances of our employees or real persons having a working relation with our Commercial Enterprise, planning and executing their career developments within the scope of the human resources policies of our Commercial Enterprise; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system
- **Information on Additional Rights and Benefits:** Your personal data processed for the purposes of planning the social rights and benefits we provide or to be provided to Employees or other real persons having a working relation with our Commercial Enterprise, determining objective criteria with respect to acquiring such rights and following progress billing thereof; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.
- **Legal Procedure and Compliance Information:** Your personal data processed for the purposes of determining and following our legal receivables and rights and performance of our obligations and within the scope of compliance with the legal obligations of our Commercial Enterprise and Commercial Enterprise policies, such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.
- **Supervision and Inspection Information:** Your personal data processed within the scope of compliance with the legal obligations of our Commercial Enterprise and Commercial Enterprise policies, such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.
- **Special Categories of Personal Data:** Data stated under Article 6 of Law no. 6698; such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system
- **Marketing Information:** Personal data processed for the purposes of personalization and promoting the usage habit, preferences and requirements, reports and evaluations produced as a result of such processing such information which explicitly belongs to an identified or identifiable real person and are a part of the data recording system.

- **Request/ Complaint Management Information:** Personal data relating to the receipt and evaluation of all requests or complaints addressed to our Commercial Enterprise, such information which explicitly belongs to an identified or identifiable real person and processed wholly or partly by automatic means or by non-automatic means as a part of the data recording system.

You may find which category of data processed by our Commercial Enterprise is related to which data subject category.

PERSONAL DATA CATEGORISATION	PERSONAL DATA CATEGORY RELATED TO PERSONAL DATA
<b>Identity Information</b>	Customer, Potential Customer, Employee Candidate, Commercial Enterprise Shareholder, Commercial Enterprise Representative, Visitor, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties
<b>Contact Information</b>	Customer, Potential Customer, Employee Candidate, Commercial Enterprise Shareholder, Commercial Enterprise Representative, Visitor, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties
<b>Location Data</b>	Customer, Employee, Employee of Business Cooperation Entities, Their Shareholders and Representatives
<b>Customer Data</b>	Customer
<b>Information on Family Members and Relatives</b>	Customer, Visitor, Employee Candidate, Third Parties, Employee of Business Cooperation Entities, Their Shareholders and Representatives
<b>Customer Process Information</b>	Customer
<b>Physical Premises Security Information</b>	Visitor, Commercial Enterprise Representatives, Employee of Business Cooperation Entities, Their Shareholders and Representatives
<b>Security Information of Activity</b>	Customer, Visitor, Third Parties, Commercial Enterprise Representatives, Employee of Business Cooperation Entities, Their Shareholders and Representatives
<b>Risk Management Information</b>	Customer, Potential Customer, Employee Candidate, Commercial Enterprise Shareholder, Commercial Enterprise Representative, Visitor, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties

<b>Financial Information</b>	Customer, Potential Customer, Commercial Enterprise Shareholder, Commercial Enterprise Representative, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties
<b>Personnel Information</b>	Employee of Business Cooperation Entities, Their Shareholders and Representatives
<b>Candidate Employee Information</b>	Employee Candidate, Employee of Business Cooperation Entities
<b>Employee Process Information</b>	Employee of Business Cooperation Entities
<b>Employee Performance and Career Development Information</b>	Employee of Business Cooperation Entities
<b>Information on Additional Rights and Benefits</b>	Employee of Business Cooperation Entities
<b>Legal Procedure and Compliance Information</b>	Customer, Potential Customer, Employee Candidate, Commercial Enterprise Shareholder, Commercial Enterprise Representative, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties
<b>Supervision and Inspection Information</b>	Customer, Potential Customer, Employee Candidate, Commercial Enterprise Shareholder, Commercial Enterprise Representative, Visitor, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties
<b>Special Categories of Data</b>	Customer, Employee Candidate, Commercial Enterprise Shareholder, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties
<b>Marketing Information</b>	Customer, Potential Customer
<b>Request/ Complaint Management Information</b>	Customer, Potential Customer, Commercial Enterprise Shareholder, Commercial Enterprise Representative, Visitor, Employee of Business Cooperation Entities, Their Shareholders and Representatives, Third Parties

## 7.2. PURPOSES FOR PROCESSING OF PERSONAL DATA BY COMMERCIAL ENTERPRISE

Conditions for processing personal data and/or special categories of personal data are mentioned above (i.e. Section 3.2.). One of these conditions is to obtain explicit consent of the data subject. In case other conditions are available, personal data can be processed without taking explicit consent of data subject.

Purposes for which personal data of data subject can be processed by our Commercial Enterprise are mentioned on a general basis below. These purposes may differ from time to time.

Purposes such as

- Planning and execution of the operational activities in order to conduct Commercial Enterprise activities pursuant to the law and/or Commercial Enterprise procedure.
- Planning and execution of the business activities
- Planning and execution of corporate governance activities.
- Planning and execution of business continuity activities
- Planning and execution of human resources processes and necessities
- Planning and execution of sales and marketing activities of product and services
- Planning and execution of sales processes of products or services
- After sales support services
- Planning and execution of customer relations processes
- Pursuance of customer requests and/or complaints
- Planning and/or pursuance of customer satisfaction processes
- Pursuance of contract processes and/or legal requests
- Planning and/or execution of financial risk processes of the Commercial Enterprise.
- Pursuance of finance and/or accounting operations
- Executing risk management
- Wage management
- Planning and execution of Commercial Enterprise inspection activities.
- Informing authorized person and/or institutions originating from the law
- Pursuance of legal affairs
- Planning and execution of corporate communication activities
- Planning and execution of supplier or business partner management processes
- Planning and execution of operation processes
- Planning, inspection and execution of information security processes
- Creating and managing substructure of information technologies
- Conducting processes regarding personnel employment
- Fulfilling obligations arising from the law
- Planning and execution of side benefits and expediencies for employees
- Planning and execution of employee performance evaluation processes
- Planning and execution of talent-career improvement activities
- Planning and execution of corporate communications/social responsibilities/activities towards employees
- Pursuance and/or inspection of business activities of employees



- Planning and execution of internal or out of external training activities
- Planning and execution of employee satisfaction and/or loyalty processes
- Creation and pursuance of the visitor records
- Planning and execution of emergency management processes
- Executing corporate and partnership law processes
- Assurance of Commercial Enterprise establishment, fixture and resources security
- Planning and execution of operational risk processes of the Commercial Enterprise

These processes could require an explicit consent depending on the concrete case. On that occasion, explicit consent procedures must be applied to the data subjects within the scope of the Law. Should the data subject does not give his/her explicit consent, then the personal data can be processed in accordance with the conditions stated within the scope of the Law and for the purposes compliant therewith.

### **7.3. THIRD PARTIES TO WHOM PERSONAL DATA ARE TRANSFERRED AND PURPOSES OF TRANSFER**

According to Articles 8 and 9 of Law, our Commercial Enterprise may transfer personal data of its customers to the third parties. Scope of the third parties and data transfer purposes are stated here below.

- In order to ensure fulfilment of business partnership purposes with the business partner,
- To ensure services which are obtained from suppliers or outsourced from suppliers and necessary for the Commercial Enterprise to perform commercial activities are provided to our Commercial Enterprise,
- To provide conducting of the commercial activities which requires participation of our Commercial Enterprise,
- To plan and inspect commercial activity strategies of Borusan Group companies and our Commercial Enterprise,
- To design and inspect strategies for our Commercial Enterprise's commercial activities in accordance with the provisions of the Law regarding our shareholders,
- For the purposes requested by the state institutions and organizations within the scope of the legal authority of the state institutions and organizations,
- For the purposes requested by legally authorised private persons and within the scope of the legal authority of the legally authorised private persons,
- In any case, personal data can be transferred as regards to and within the scope of the purposes stated in article 7.2 above.

## **8. PERSONAL DATA PROCESSING ACTIVITIES UNDERTAKEN IN BUILDINGS, FACILITY ENTRANCES AND INSIDE THE PREMISES AND WEBSITE VISITORS**

### **8.1. CAMERA SURVEILLANCE WITHIN THE PREMISES OF COMMERCIAL ENTERPRISE**

Our Commercial Enterprise can conduct camera surveillance activity within the Commercial Enterprise buildings and facilities in order to provide security. This camera monitoring activity conducted by our Commercial Enterprise falls within the scope of the Constitution, the Law, Private Security Services Law and relevant regulations.

With the scope of the camera monitoring activity, our Commercial Enterprise aims to provide security for Commercial Enterprise, clients and other persons, to improve quality of the services provided, to ensure their reliability and to protect benefits of the clients as regards to the services they take.

In addition to the information notice made for general considerations, our Commercial Enterprise provides the placement of notification signs at the entrances of the areas where camera surveillance activities are made and places warning signs nearby the cameras placed within the premises. With this approach, our Commercial Enterprise aims to provide transparency for data processing activities and for the protection of the rights of the data subjects whose data are processed.

Monitoring areas, numbers and monitoring times of the security cameras are implemented in a way that this application is adequate for and limited to reaching the security purposes. Areas which exceed the security purposes and result as intervention to the individuals' privacy are not subject to monitoring. Provisions envisaged for data processing activities such as security, maintenance and erasure are all applied to the camera recordings as well.

Only security personnel are able to access to the camera recordings. Apart from this, camera recordings can be shared with third parties in case of a complaint by a customer, intercorporate disciplinary process, an information request regarding an ongoing legal conflict or similar situations.

### **8.2. MONITORING THE VISITORS ENTERING THE COMMERCIAL ENTERPRISE PREMISES**

Visitor entrances and exits can be monitored in Commercial Enterprise buildings and facilities by our Commercial Enterprise in order to provide security and purposes stated in this policy.

When personal data subjects arrive as visitors at the Commercial Enterprise, they are informed about data processing activities with notification boards, texts they may access when they visit the premises, or by any other way, while their names and surnames are being obtained. Data obtained for monitoring visitor entrance or exits are only processed and maintained for the said purposes. Data regarding the entrance and exits of the visitors shall be erased after the maintaining periods finalise.

### **8.3. MAINTAINING OF RECORDS REGARDING INTERNET ACCESS PROVIDED TO COMMERCIAL ENTERPRISE VISITORS**

Log records of the visitors during their stay in our facilities can be maintained within the scope of the Law numbered 5651 and imperative provisions can be regulated in accordance with the Law in order to provide security and for the purposes stated in this Policy.

Limited number of Commercial Enterprise employees have the access to the log records obtained within this scope.

These records are only processed and shared with third parties if requested by authorized state institutions and organizations or in order to fulfil our legal obligations as regards to the intercorporate inspection processes.

### **8.4. WEBSITE VISITORS**

Our Commercial Enterprise can use technical means (i.e. cookies) in order to track activities of the website visitors, ensure they fulfil their visits appropriately, to provide them with content customised for themselves and to perform online advertisement activities in the websites that our Commercial Enterprise owns and for purposes as such.

## **9. ORGANISTIONAL MEASURES RELATED TO THE COMMERCIAL ENTERPRISE PERSONAL DATA PROTECTION**

Our Commercial Enterprise is creating an organisation structure in order to provide application of the Policy on the Protection and Processing of Personal Data.

A committee is being formed in order to manage the policy and other policies connected and relevant to this policy. Tasks of this committee are stated below. Committee shall carry out also other tasks given by the executives in addition to these tasks. Committee carries out all the operation with the approval of the senior management.

- Preparing fundamental policies regarding the protection and processing personal data and changes to this policy if necessary,
- Deciding how will application and inspection of the protection and processing of personal data policies will be fulfilled,
- Conducting intercorporate assignment and providing coordination,
- Determination and application of the necessary provisions in order to cooperate with the Data Protection Law,

- Create awareness within the Commercial Enterprise and before the institution that the Commercial Enterprise cooperates regarding the Protecting and Processing of Personal Data and organize trainings within this scope.
- Determine possible risks when the Commercial Enterprise is processing data and provide necessary measures to be taken in that regard,
- Resolve applications of the data subjects on the highest levels,
- Follow developments and regulations regarding protection of personal data and take necessary actions,

## **10. ENFORCEMENT AND UPDATEABILITY**

This Policy issued by our Commercial Enterprise is dated April 21<sup>st</sup>, 2017. The Policy could be updated fully or partially.

The Policy shall be published in our Commercial Enterprise's website [www.borusancontemporary.com](http://www.borusancontemporary.com) and shall be submitted for relevant persons' access upon the request of personal data subjects.

## ANNEX-1 DEFINITIONS

<b>Explicit Consent</b>	:	Consent related to a specific subject which is given freely upon informing.
<b>Anonymisation</b>	:	Processing of personal data in such a way to make the linking of the data with another data of an identified or identifiable natural person impossible; i.e. techniques such as masking, aggregation, deterioration to prevent linking of data with a real person.
<b>Personal Data Subject</b>	:	Natural persons whose personal data are processed i.e. customers, employees.
<b>Personal Data</b>	:	Any information relating to an identified or identifiable natural person.; i.e. name-surname, ID number, e-mail, address, date of birth, credit card number. Hence processing of data relating to legal persons is not within the scope of the Law.
<b>Special Categories of Personal Data</b>	:	Data relating to an individual’s racial or ethnic origin, political opinions, philosophical beliefs, religion, sect or other beliefs; dress and appearance; memberships to any association, foundation or trade union; health or sex life; criminal conviction and security measures, biometric and genetic data.
<b>Processing of Personal Data</b>	:	Any operation which is performed upon personal data whether or partly by automatic means or otherwise than by automatic means which form part of a filing system, such as collection, recording, storage, retain, alteration, re-organization, disclosure, transfer, retrieval, making available, combination, or blocking.
<b>Data Processor</b>	:	Natural or legal persons who process personal data on behalf of and under the authority given by the data controller; i.e. an IT Commercial Enterprise that stores personal data that belong to customers of a Commercial Enterprise.
<b>Data Controller</b>	:	any natural and legal person which determines the purposes and

means of processing personal data and is responsible for the establishment and management of the storage where data are kept (data register system). All Borusan Group Companies shall be deemed as data controllers.