

TAV İNŞAAT
THE POLICY ON THE PROTECTION AND PROCESSING
OF PERSONAL DATA

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1. INTRODUCTION

1.1. Purpose and Scope of the Policy

The Law on Protection of Personal Data numbered 6698 (“**Law**”) came into force on April 7th, 2016 and this Tav Tepe Akfen Yatırım İnşaat ve İşletme A.Ş. Policy on Processing and Protection of Personal Data (“**Policy**”) is intended to assure compliance of Tav Tepe Akfen Yatırım İnşaat ve İşletme A.Ş. (“**Tav İnşaat**” or “**Company**”) with the Law and to determine principles to be adhered to by the Company to fulfill obligations of protecting and processing personal data.

The Policy determines conditions for processing of the personal data and also sets forth main principles adopted by the Company for processing personal data. In this framework, the Policy covers all personal data processing activities carried out by the Company within scope of the Law, owners of all personal data processed by the Company and all data processed by the Company.

Matters regarding processing of the Company's employees' personal data are not covered by this Policy and such matters are covered by Tav Tepe Akfen Yatırım İnşaat ve İşletme A.Ş. Policy on Processing and Protection of Employees' Personal Data.

Definitions relating to the terms used in this Policy are given in Annex-1:

1.2. Effective Date and Amendment

The Policy has been made public through publication by the Company at its website. In the event of a conflict between the legislation in force, notably, the Law, and arrangements laid down in this Policy, provisions of the legislation shall apply.

The Company reserves its right to amend the Policy in line with legal arrangements. Up-to-date version of this Policy is available at the Company's website (<http://www.tavconstruction.com/>).

2. DATA SUBJECTS, DATA PROCESSING PURPOSES AND DATA CATEGORIES ASSOCIATED WITH PERSONAL DATA PROCESSING ACTIVITIES CARRIED OUT BY OUR COMPANY

2.1. Data Subjects

Data subjects covered by this Policy are all natural persons other than the Company's employees whose personal data is being processed by the Company. Accordingly, categories of data subjects in general are as follows:

DATA SUBJECT CATEGORIES		DESCRIPTION
1	Customer / Product or Service Buyer	Means natural persons benefiting from products and services provided by the Company.
2	Visitor	Means natural persons visiting the Company's campus and website.
3	Prospective Employee	Means natural persons filing a job application by submitting a CV to the Company or with other methods.

4	Subcontractor	Means the contractor assuming part of works undertaken within scope of the Company's business activities.
5	Former Employee	Means individuals who previously conducted business activities as an employee indicated within the payroll of Tav İnşaat and who left the company.
6	Business Partner / Solution Partner	Means parties with whom the Company builds business partnership in the course of its business operations
7	Authorized Representative of the Company	Means members of the Board of Directors.
8	Supplier's Authorized Representative	Means authorized representatives of Parties that render services intended for continuation of the Company's business operations in line with instructions received from the Company based on the contract concluded with the Company.
9	Supplier's Employee	Means employees of Parties that render services intended for continuation of the Company's business operations in line with instructions received from the Company based on the contract concluded with the Company.
10	Intern	Means individuals doing their internship at Tav İnşaat.
11	Third Persons	Mean natural persons except for aforesaid data subject categories and the Company's employees.

Data subject categories are given for information purposes only. A data subject not being covered by any one of such categories is not to be construed to mean removal of the data subject qualification as specified in the Law.

2.2. Personal Data Processing Purposes

Your personal data and sensitive personal data of yours may be processed by the Company in compliance with the personal data processing conditions laid down in the relevant legislation for following purposes:

MAIN PURPOSES	SUB PURPOSES
Carrying out the necessary works by our respective business units and the related business processes in order to realize the commercial operations performed by the Company	<ol style="list-style-type: none"> 1. Event management, 2. Planning and execution of business activities, 3. Planning and/or Execution of Business Continuity Activities 4. Planning and execution of corporate communication activities, 5. Following up the finance and/or accounting affairs, 6. Planning and execution of sponsorship activities,
Planning and conducting the commercial and/or business strategies of the Company	<ol style="list-style-type: none"> 1. Planning and execution of reporting activities.

<p>Allowing our units to carry out the necessary procedures to make the relevant persons benefit from the products and services offered by the Company, and to execute the related business processes</p>	<ol style="list-style-type: none"> 1. Following-up contractual processed and/or legal demands 2. Follow-up of the demands and/or complaints of the Customers
<p>Planning and execution of the human resources policies and processes of the Company</p>	<ol style="list-style-type: none"> 1. fulfillment of the obligations arising from the employment contract and/or legislation for Company employees, 2. Planning and execution of fringe benefits and interests for employees, 3. Human resources processes planning, 4. Conducting of personnel recruitment processes, 5. Procedures for the work and residence permits of foreign personnel,
<p>Planning and execution of the activities necessary for presentation of the products and services offered by the Company to relevant persons by customizing them according to the taste, usage habits and needs of the relevant persons and activity required for promotion of the Company</p>	<ol style="list-style-type: none"> 1. Planning and/or execution of customer satisfaction activities.
<p>Ensuring the legal, technical and commercial-occupational safety of the Company and any persons who have business relationships with the Company</p>	<ol style="list-style-type: none"> 1. planning and execution of operational activities necessary for ensuring that activities of the Company are carried out in accordance with the Company's procedures and/or respective legislation, 2. Follow-up of the legal affairs, 3. Providing information to authorized agencies as a requirement of the legislation 4. Taking actions connected with the law on companies and partnership 5. planning and execution of company audit activities, 6. Providing information to authorized agencies as a requirement of the legislation, 7. Planning and/or execution of occupational health and/or safety processes, 8. Planning and execution of the intra-company audit and investigation processes, 9. Assuring security of the Company's fixtures and/or resources, 10. Assuring the security of the Company's operations

2.3. Personal Data Categories

Your personal data as categorized below by the company is processed in compliance with the personal data processing conditions laid down in the Law and the relevant legislation:

PERSONAL DATA CATEGORIZATION	DESCRIPTION
Identity Information	All details regarding the identity of the person that are given in such documents of his/her as driving license, birth certificate, residence certificate, passport, attorney's ID card, marriage certificate, etc.
Contact Details	Details intended to get in touch with the data subject, such as telephone number, postal address, e-mail address, etc.
Information on Family Members and Relatives	Information on family members and relatives of the data subject
Customer Transaction Information	Information such as the records regarding use of our products and services, and the instructions and requests of the customer required for the use of the products and services
Physical Location Security Information	Personal data appertaining to the records and documents, including the camera records, fingerprint records, etc. that are taken at the time of physical entrance to and during the stay at the premises
Transaction Security Data	Your personal data being processed so as to maintain our technical, administrative, legal, and commercial security while conducting our business activities
Financial Information	Personal data being processed with regard to the information, documents, and records that reveal all sorts of financial outcomes that arise in accordance with the status of the legal relationship established by and between our Company and the personal data subject
Recruitment and interview forms	Personal data being processed in respect of individuals, who have applied to become an employee of our Company and are either considered as prospective employee as per our company's human resources requirements according to commercial practices and rules of integrity, or are in employment relation with our company
Legal Action	Personal data being processed within the scope of determination and monitoring of our legal receivables and rights, and performance of our debts, and compliance with our legal obligations and our company's policies
Criminal Conviction and Security Measures	Information on criminal conviction (e.g. criminal record) and information on security measures
Health Information	Information on disability status, personal healthcare information such as blood type information, personal health information, device and prosthesis information

Professional Experience	Diploma information pertaining to the data subject, information such as courses attended, in-service training information, certificates, transcript information
Vehicle Information	Information pertaining to the data subject such as vehicle registration plate, vehicle license and traffic ticket
Audio and Visual Records	Audio and video records
Personal Information	Information pertaining to the data subject such as payroll information, disciplinary investigation, entry-exit document records to job, goods declaration information, CV information, performance evaluation reports, etc.).

3. PRINCIPLES AND CONDITIONS REGARDING PERSONAL DATA PROCESSING

3.1. Principles regarding Processing of Your Personal Data

Your personal data is processed by the Company in compliance with the personal data processing principles stipulated under article 4 of the Law. These principles must be complied with in terms of each and every personal data processing activity:

- ***Processing the personal data in compliance with the law and rule of integrity***; the Company acts in compliance with the laws, secondary regulations, and with general principles of the law; it pays great attention to process the personal data restricted with the respective processing purpose, and to take the reasonable expectations of the relevant data subjects into consideration.
- ***Keeping the personal data accurate and up-to-date***; the Company pays attention to whether your personal data it processes is up-to-date, and to conduct respective controls. Data subjects are allowed to demand correction or deletion of their inaccurate and out of date data in this regard.
- ***Processing the personal data for definite, clear, and legitimate purposes***; the Company ascertains the data processing purposes prior to each personal data processing activity, and pays attention to ensure that such purposes do not contradict with the law.
- ***Ensuring the personal data being correlated with, restricted to, and corresponding to the relevant procession purpose***; the Company restricts the data processing activity to the personal data required for the fulfillment of the relevant purpose, and takes steps necessary to avoid processing of the irrelevant personal data.
- ***Storing the personal data for the period that is either stipulated in the relevant legislation, or required by the relevant processing purpose***; the Company deletes, destroys, or anonymizes the personal data either upon cessation of the respective data processing purpose, or upon the expiration of the period respectively stipulated under the legislation.

3.2. Conditions regarding Personal Data Processing

The Company processes your personal data in the existence of at least one of the personal data processing conditions stipulated under article 5 of the Law. The conditions in question are described as follows:

- **Seeking for the explicit consent of the personal data subject**, in cases where other data processing conditions do not exist, the Company processes the personal data of the data subject in compliance with the general principles stipulated under article 3.1 only on the basis of the data subject's free will, adequate information on the personal data processing activity, and on the basis of his/her explicit consent that leaves no room for doubt, and that is to be restricted to the process in question.
- The Company may process the personal data without the explicit consent of their data subject, **if the personal data processing activity in question is expressly stipulated in the relevant laws**. In such case the Company is to process the personal data within the framework of the relevant legal arrangement.
- **In the event of failure to obtain the explicit consent of the data subject due to actual impossibility and personal data processing being imperative**, the Company is to process the personal data of a data subject, who is unable to declare his/her consent, or whose consent may not be validated due to actual impossibility, in cases where processing of his/her personal data is compulsory so as to protect the life or bodily integrity of the data subject or another person.
- **Provided that the personal data processing activity is directly correlated with the constitution or execution of a contract**, personal data processing activity is to be performed, if it is necessary to process the personal data belonging to the parties of a contract either concluded or executed by and between the data subject and the Company.
- In the event that **it is imperative for the data controller to conduct personal data processing activity in order to fulfill his/her legal obligation**, the Company is to process the personal data for the fulfillment of the legal obligations stipulated under the applicable legislation.
- **In the event that the data subject has made public his/her personal data**, the Company is entitled to process such personal data that has been disclosed to the public by the data subject in any way and has become public in a way limited to the purpose of making public without the explicit consent of data subjects.
- **In the event that it is imperative to process personal data so as to establish, exercise or protect a right**, the Company may process the data subjects' personal data without explicit consent to the extent it is imperative.
- **In the event that data processing is imperative for the legitimate interests of the data controller, provided that fundamental rights and freedoms of the data subject are not prejudiced**, the Company may process personal data, provided that the balance of interest between the Company and the data subject is observed. Accordingly, as for the processing of data based on legitimate interest, the Company, first, determines the interest to be obtained as a result of processing activity. The Company evaluates possible impacts of personal data processing upon rights and freedoms of the data subject and carries out the data processing activity in the event that it is of the opinion that the balance is not upset.

3.3. Conditions regarding Sensitive Personal Data Processing

Sensitive personal data is stipulated in article 6 of the Law with a limitation in number. These are individuals' data relating to the race, ethnic origin, political opinion, philosophical belief, religion, sect or other belief, clothing, membership to associations, foundations or trade unions, health, sexual life, convictions and security measures, and biometric and genetic data.

The Company may process sensitive personal data under the following circumstances upon ensuring that the additional measures determined by the Personal Data Protection Board are implemented:

- **Processing of the sensitive personal data, apart from those regarding health and sexual life;** Such data may be processed either upon obtaining the explicit consent of the data subject, or in case it is expressly stipulated to do so under the Laws.
- **Personal data relating to health and sexual life** may only be processed by any person who has a confidentiality obligation or by authorized public institutions and organizations, for the purposes of protection of public health, execution of preventive medicine, medical diagnosis, treatment and nursing services, planning and management of health-care services as well as their financing without explicit consent of the data subject.

4. TRANSFER OF PERSONAL DATA

The Company may transfer personal data at home and abroad in compliance with the additional regulations stipulated under the articles 8 and 9 of the Law, and indicated by the Personal Data Protection Board, in cases where the conditions for the transfer of personal data exist.

- **Transfer of personal data to the third persons at home;** the Company may transfer your personal data, provided that at least any one of the data procession conditions stipulated under the articles 5 and 6 of the Law, and declared under heading 3 of this Policy exists, and the basic principles of the data procession conditions are complied with.
- **Transfer of personal data to third persons abroad;** the Company may transfer your personal data to abroad in cases without the explicit consent of the relevant person, provided that at least any one of the data procession conditions stipulated under the articles 5 and 6 of the Law, and declared under heading 3 of this Policy exists, and the basic principles of the data procession conditions are complied with.

In the event that the country where the transfer is to be made to is not among the secure countries to be announced by the Personal Data Protection Board, Personal Data may be transferred to third persons abroad, provided that the Company and the data controller in the relevant country undertake sufficient protection in writing, that the Personal Data Protection Board permits such a procedure, and that at least any one of the data processing conditions stipulated under articles 5 and 6 of the Law (please see heading 3 of this Policy) exists.

The Company is entitled to transfer data to the parties categorized in the table below within the scope of the data procession conditions stipulated under the general principles, and articles 8 and 9 of the Law:

CATEGORIZATION OF RECIPIENT PARTIES	SCOPE	PURPOSE OF TRANSFER
Business Partner	Means parties with whom the Company builds business partnership in the course of its business operations	Personal data sharing with the intent restricted to the fulfillment of the founding purposes of the business partnership
Supplier	Parties that render services intended for continuation of the Company's business operations in line with instructions received from the Company based on the contract concluded with the Company	Transfer restricted to procurement of services outsourced from the supplier
Natural persons or private legal entities	Third parties outside the Company with whom the Company has a contractual relationship	Transfers requiring sharing of personal data due to contractual relationship with the Company, which are solely carried out within such scope
Affiliates and Subsidiaries	Companies that are affiliates of the Company	Transfer of personal data for a purpose limited to conducting commercial activities requiring participation of affiliates
Legally Authorized Public Institution	Public institutions and organizations legally authorized to obtain information and documents from the Company	Personal data sharing restricted to the intent of the relevant public institutions and organizations to demand information
Legally Authorized Private Institution	Private entities legally authorized to obtain information and documents from the Company	Data sharing restricted to the purpose demanded by the relevant private entities within the scope of their legal authority

5. CLARIFICATION OF DATA SUBJECTS AND RIGHTS OF DATA SUBJECTS

Data subjects have to be clarified in respect of personal data processing either prior to the processing of the personal data, or when the personal data is processed, at the latest, in accordance with article 10 of the Law. A structure necessary for clarification of the data subjects in each case of personal data processing has been established by the Company in its capacity as data controller in accordance with the relevant article. Within this scope,

- Please review section 2.2 of the Policy regarding the purpose for processing of your personal data.
- Please review section 4 of the Policy regarding the parties to whom your personal data is transferred, and the purpose of such transfers.

- Please see sections 3.2 and 3.3 of the Policy regarding the legal reasons for the processing of your personal data that may be collected via various channels in physical environment or electronic medium.
- We declare that, you, as data subject, have following rights as per Article 11 of the Law:
 - To learn whether your personal data is being processed,
 - To request information in case your personal data has been processed,
 - To find out the purpose for processing of your personal data and whether personal data has been used in accordance with that purpose,
 - To know the third parties to whom personal data has been transferred at home or abroad,
 - To request for the correction of your personal data if personal data is incomplete or incorrectly processed and ask that the process carried out in this context be notified to the third parties to whom your personal data has transmitted,
 - To request for the deletion or destruction of your personal data if the reasons for processing the same have ceased to exist although personal data has been processed in accordance with the Law and other relevant laws, and ask that the process carried out in this context be notified to the third parties to whom personal data has been transmitted,
 - To object to occurrence of any result that is to your detriment by means of analysis of personal data exclusively through automated systems,
 - To demand compensation of your loss if you incur a loss due to illegal processing of your personal data.

You may submit your applications regarding aforesaid rights to our Company by completing Tav Tepe Akfen Yatırım İnşaat ve İşletme A.Ş. Data Subject Application Form available at [<http://www.tavconstruction.com/>]. Your demand will be concluded free of charge as soon as possible, but no later than thirty days, according to the nature thereof; however, if the respective process is to require any additional cost, you may be asked for a fee according to the relevant tariff to be determined by the Personal Data Protection Board.

The Company, first, ascertains whether or not the demanding person is an actual holder of right at the time of evaluating applications. However, the Company may request detailed and additional information so as to better understand the demand when the Company deems it necessary.

The Company sends replies to the data subjects' applications to data subjects either in writing or electronically. In the event that an application is to be rejected, cause of such rejection is declared with its rationale to the relevant data subject.

In the event that the personal data is not directly obtained from the data subject, the Company conducts activities associated with clarification of data subjects (1) within a reasonable period of time following acquisition of personal data, (2) at the time of first contact if personal data is to be used for contacting the data subject, (3) by no later than the first transfer of personal data in the event that the personal data is to be transferred.

6. DELETION, DESTRUCTION OR ANONYMIZATION OF PERSONAL DATA

Although it is lawfully processed in compliance with article 7 of the Law, if reasons for processing cease to exist, the Company directly or upon demand of the data subject, deletes, destroys or anonymizes the personal data in accordance with guidelines issued by the Authority.

7. SCOPE OF THE LAW AND RESTRICTIONS APPLICABLE TO ITS IMPLEMENTATION

Circumstances listed below are excluded from scope of the Law:

- Personal data is processed by natural persons within the scope of purely personal activities of the data subject or of family members living together with him/her in the same dwelling, provided that it is not to be disclosed to third parties and the obligations about data security is to be complied with;
- Processing of personal data for official statistics and purposes such as research, planning and statistics by anonymizing the data.
- Processing of personal data within the scope of artistic, historical, literary, or scientific purposes, provided that such processing shall not violate national defense, national security, public security, public order, economic security, confidentiality of private life, or personal rights, or constitute any crime;
- Processing of personal data within the scope of the preventive, protective, and intelligence activities conducted by the competent legal public institutions and organizations with the intent of maintaining national defense, national security, public security, public order, or economic security;
- Processing of personal data by judicial authorities or execution authorities with regards to investigation, prosecution, judicial or execution proceedings.

The Company does not have to inform data subjects about following circumstances and data subjects are unable to exercise their rights specified in the Law, except for their rights of demanding compensation of their losses:

- Personal data processing is imperative either to prevent the perpetration of a crime, or to investigate a crime.
- Processing of personal data made public by the data subject him/herself.
- Processing of personal data is imperative for the auditing or regulating duties, as well as for disciplinary investigation or prosecution purposes to be carried out by the respectively commissioned and empowered public institutions and organizations, and by the professional organizations that serve as public organizations on the basis of the power respectively bestowed by the Law.
- Processing of personal data is imperative for the protection of the economic and financial interests of the State in respect of budget, tax, and financial affairs.

APPENDIX 1 - DEFINITIONS

DEFINITION	
Explicit Consent	The consent that is expressed in respect of a specific issue after being informed and based on free will.
Anonymization	Rendering personal data impossible to be linked with an identified or identifiable natural person, even through matching such data with other data.
Employee	Natural persons who are employees of the Company.
Prospective Employee	Natural persons that are not employees of the Company, yet having the status of prospective employee of the Company through various methods.
Personal Health Data	Any and all health information pertaining to an identified or identifiable natural person.
Personal Data	Any and all information relating to an identified or identifiable natural person.
Data Subject	Natural person whose personal data is processed.
Personal Data Processing	Any operation which is performed upon personal data such as collection, recording, storage, preservation, alteration, adaptation, disclosure, transfer, retrieval, making available for collection, categorization or blocking its use by wholly or partly automatic means or otherwise than by automatic means which form part of a filing system.
Law	Personal Data Protection Law No. 6698 published on Issue No. 29677 of the Official Gazette, dated April 7 th , 2016.
Sensitive Personal Data	Any biometric or genetic data relating to racial or ethnic origin, political opinion, philosophical and religious beliefs, sect, or other beliefs, dressing, membership of an association, a foundation or a trade union, health, sexual life, the sentence of any punishment and security measures,
Policy	Tav Tepe Akfen Yatırım İnşaat ve İşletme A.Ş. Policy on Processing and Protection of Personal Data
Company/ Tav Tepe Akfen Yatırım İnşaat ve İşletme A.Ş.	Tav İnşaat
Business Partners	Persons with whom the Company builds partnership within the framework of its business activities.
Data Subject	Natural person whose personal data is processed
Data Processor	A natural person or legal entity that processes personal data on behalf of the data controller on the basis of the authority vested by the latter;
Data Controller	The person who determines the purposes and means of processing personal data, and manages the place where the data is kept systematically