

**BORUSAN HOLDING GROUP PERSONAL  
DATA PROTECTION AND PROCESSING  
POLICY**

**01.01.2024**

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## **INTRODUCTION**

The foregoing Policy outlines the principles to be adopted and followed by Borusan Holding A.Ş. and its affiliated companies (hereinafter referred to as "**Group Companies**") when processing and protecting personal data. This Policy delineates the responsibilities incumbent upon the Group Companies and establishes the fundamental principles for adhering to the provisions set forth in the Personal Data Protection Law No. 6698 ("**PDPL**").

## **PURPOSE**

This Policy has been formulated with the overarching goal of ensuring the highest level of management and coordination of compliance activities to be carried out across all relevant group companies in an effort to secure adherence to the PDPL during the processing and protection of personal data at the group level. This Policy provides comprehensive explanations regarding all personal data processing activities conducted by the Group Companies within the scope of the PDPL, along with details pertaining to the data subjects whose personal data is processed.

In accordance with the principles established by the Borusan Group, the Group Companies will take necessary actions to promote compliance across their internal operations, and make sure that a system is in place to raise awareness among their employees and business partners.

## **ENFORCEMENT AND AMENDMENT**

This policy took effect on 01.01.2024, upon approval from Borusan Holding A.Ş.

Borusan Holding A.Ş. reserves the right to make changes to the Policy in alignment with the applicable legislation. The latest version of the Policy text is available on the Borusan Holding website at <https://www.borusan.com>.

In the event of any conflict between the applicable legislation, particularly the PDPL, and the provisions outlined hereof, the provisions laid down in the applicable legislation shall take precedence.

### **I. PRINCIPLES GOVERNING HOW PERSONAL DATA IS PROCESSED**

The Group Companies shall process personal data in adherence to the general principles and as stipulated in the applicable legislation to ensure compliance with the PDPL. Accordingly, it shall be mandatory for the Group Companies to strictly adhere to the principles and conditions governing all personal data processing activities:

#### **1.1. Conducting Personal Data Processing Activities with Adherence to Legal Requirements and Good Faith**

Group Companies shall act in accordance with the law and good faith when conducting personal data processing activities. In this context, the Group Companies shall meticulously apply the principles of proportionality and necessity, emphasizing the processing of only the essential personal data required for the intended purposes.

### **1.2. Ensuring Accuracy of Personal Data and Keeping Up to Date Where Necessary**

Group Companies shall prioritize the accuracy and timeliness of processed personal data, and implement necessary measures to uphold these standards. Group Companies shall develop systems enabling data subjects to rectify and update their personal data.

### **1.3. Processing for Specific, Explicit, and Lawful Purposes**

Group Companies shall process personal data for specific, explicit, and lawful purposes. In this context, they shall determine legitimate and lawful purposes for processing, ensure avoidance of processing personal data for purposes other than those specified, and inform data subjects about these purposes before their personal data have been processed.

### **1.4. Relevance, Limitation, and Proportionality in Data Processing**

Group Companies shall process personal data in a manner conducive to achieving the specified purposes, and refrain from processing personal data that is irrelevant or unnecessary for the intended purpose. They shall not engage in personal data processing activities for the realization of new purposes emerging after the acquisition of personal data.

### **1.5. Retention for the Period Stipulated in the Applicable Legislation or Required for the Intended Purpose of Processing**

Group Companies shall retain personal data solely for periods stipulated by the laws or limited to the purpose for which the data is processed. In instances where the applicable legislation specifies a particular duration for storing personal data, the Group Companies shall adhere to the designated timeframe. If no such period is specified, personal data shall be retained for the duration necessary for the intended purpose of processing.

## **II. CONDITIONS FOR PROCESSING PERSONAL DATA**

As a rule, personal data is processed based on one or more of the personal data processing conditions outlined in Article 5 of the PDPL. In this context, Group Companies assess whether personal data processing activities align with any of these conditions and cease processing activities that do not meet any of these conditions. The specified conditions are detailed below:

- **Obtaining explicit consent from the data subject:** In the absence of other specified data processing conditions listed below, personal data shall be processed if the data subject provides consent willingly, without hesitation, and exclusively for the intended transaction, after being sufficiently informed about the processing activity.
- **Where the personal data processing activity is clearly stipulated in the legislation:** If the Law incorporates a provision pertaining to the processing of personal data, Group Companies shall process the personal data of data subjects in accordance with this condition, and within the framework of the applicable legal provisions.
- **Where it is practically unfeasible to obtain explicit consent from the data subject although it is strictly necessary to process personal data:** Personal data of data subjects who are unable to provide consent or whose consent is not deemed legally valid shall be processed by Group Companies when such processing is strictly necessary to protect the life or physical integrity of the data subject or a third party.

- **Where personal data processing is directly related to the establishment or performance of a contract:** If it is strictly necessary to process personal data of parties involved in a written or verbal contract concluded between the data subject and the Group Companies, personal data processing activities shall be carried out based on this condition.
- **Where personal data processing is necessary for compliance with a legal obligation to which the data controller is subject:** Group Companies shall process personal data to fulfill their legal obligations as stipulated under the applicable legislation.
- **Where the personal data has been made public by the data subject:** Personal data disclosed to the public by the data subject and thereafter made universally accessible, may be processed by Group Companies, for public disclosure purposes only.
- **Where processing of personal data is necessary for the establishment, exercise, or protection of a right:** Group Companies shall process the personal data of the data subject in cases where it is necessary for the establishment, exercise, or protection of a right.
- **Where processing of data is necessary for the legitimate interests pursued by the data controller, provided that this processing shall not violate the fundamental rights and freedoms of the data subject:** To engage in personal data processing activities based on this condition, Group Companies shall first identify the legitimate interest sought through the processing activity. They shall assess the potential impact of data processing over the rights and freedoms of the data subject, and proceed with the processing activity only if they conclude that the balance is maintained.

In Article 6 of the PDPL, specific categories of personal data are defined as including but not limited to data relating to the race, ethnic origin, political opinion, philosophical belief, religion, religious sect or other belief, appearance, membership to associations, foundations or trade-unions, data concerning health, sexual life, criminal convictions and security measures, and the biometric and genetic data. The PDPL allows for introducing special measures for processing special categories of personal data. In this context, special categories of personal data may be processed by implementing the measures specified by the Board.

Concerning the transfer of personal data to third parties within or outside the country, provisions laid down in Articles 8 and 9 of the PDPL shall be followed. When transferring personal data, necessary security measures shall be taken, in alignment with the intended purposes for processing.

- ***Where personal data would be transferred to third parties within the country:***

Personal data may be transferred domestically to third parties in the event that at least one of the data processing conditions outlined in Articles 5 and 6 of the PDPL, and explained hereof is enforceable, with adherence to the fundamental principles regarding data processing conditions.

- ***Where personal data would be transferred to third parties outside the country:***

Personal data may be transferred abroad to third parties in the event that at least one of the data processing conditions explained hereof is enforceable, and the data subject has given explicit consent, the data recipient has guaranteed, in writing, to provide adequate protection, and obtained the Board's permission for the relevant transfer in accordance with the fundamental principles specified in Article 4 of the PDPL.

### III. OBLIGATION TO INFORM DATA SUBJECTS AND THE RIGHTS OF DATA SUBJECTS

#### 3.1. Obligation to Inform Data Subjects

Group Companies shall inform the data subjects about how their data would be processed during the collection of their personal data. For every process involving personal data processing by Group Companies, the initial step is to determine the channels through which personal data would be collected, and provide clarification texts for each channel.

#### 3.2. Obligation to Respond to the Applications Submitted by Data Subjects

Data subjects shall be entitled to exercise their rights under Article 11 of the PDPL regarding their own data, which include:

- to learn whether his/her personal data are processed or not,
- to demand for information as to if his/her personal data have been processed,
- to learn the purpose of the processing of his/her personal data and whether these personal data are used in compliance with the purpose,
- to know the third parties to whom his personal data are transferred inside the country or abroad,
- to request rectification if the personal data has been processed in an incomplete or inaccurate manner, and to request that the third parties to whom personal data has been transferred be notified regarding this procedure,
- to request the erasure or destruction of his/her personal data -even if it has been processed in accordance with the PDPL and other applicable legislation- in the event that the reasons for the processing no longer exist, and to request that the third parties to whom personal data has been transferred be notified regarding this procedure,
- to object to the occurrence of a result against the person himself/herself by analyzing the data processed solely through automated systems,
- to claim compensation for the damage arising from the unlawful processing of his/her personal data.

To exercise their rights, data subjects may:

- Send their requests to the e-mail address [holdingkvkk@borusan.com](mailto:holdingkvkk@borusan.com) , using the e-mail address they have previously shared with us and registered in our system.
- Submit their requests via mail to the following address:  
Pürtelaş Hasan Mah. Meclisi Mebusan Cad.No.37 Beyoğlu/İstanbul.
- Explore additional avenues as outlined in the [Communiqué on the Principles and Procedures For The Request To Data Controller](#) for submitting their requests.

Group Companies shall respond to requests free of charge as promptly as possible, ensuring a maximum response time of thirty days, depending on the nature of the request. However, if the procedure requires an extra cost, fees may be charged in the tariff determined by the Personal Data Protection Board.

During the evaluation of requests, Group Companies will ascertain whether the applicant is the true right holder. Based on the evaluation, they may either accept applications, taking necessary actions, or reject

them with justifications.

In cases where personal data are not obtained directly from data subjects the obligation to inform shall be fulfilled: (1) within a reasonable time following the obtainment of the personal data, (2) at the first instance of communication in case personal data are used to communicate with the data subject, (3) at the time of the first transfer of personal data at the latest in case personal data are to be transferred.

#### IV. ERASURE, DESTRUCTION, AND ANONYMIZATION OF PERSONAL DATA

Despite being processed lawfully, and in compliance with the provisions under Article 7 of the PDPL, personal data shall be erased, destructed or anonymized by the Group Companies, ex officio or on the request of the data subject, in alignment with the guidelines published by the Personal Data Protection Board, the periodic destruction periods and the request of the data subject, in the event that the reasons for the data processing no longer exist.

#### ANNEX-1 DEFINITIONS

<b>Explicit Consent</b>	:	Informed consent freely given for a specific matter.
<b>Anonymization</b>	:	Making changes to personal data to the extent that it loses its inherent nature as personal data, and such change is irreversible.
<b>Data subject</b>	:	The natural person, whose personal data are processed. E.g. Customers, employees.
<b>Personal Data</b>	:	Any information relating to an identified or identifiable natural person.
<b>Special Categories of Personal Data</b>	:	Personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, religious sect or other belief, appearance, membership to associations, foundations or trade-unions, data concerning health, sexual life, criminal convictions and security measures as well as biometric and genetic data are deemed to be special categories of personal data.
<b>Processing of Personal Data</b>	:	Any operation which is performed on personal data, wholly or partially by automated means or non-automated means which provided that form part of a data filing system, such as collection, recording, storage, protection, alteration, adaptation, disclosure, transfer, retrieval, making available for collection, categorization, preventing the use thereof.
<b>Data Processor</b>	:	The natural or legal person who processes personal data on behalf of the data controller upon its authorization.
<b>Data Controller</b>	:	The natural or legal person who determines the purposes and means of processing personal data, and manages the place where data are systematically stored.