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**POLICY ON THE PROTECTION AND PROCESSING OF PERSONAL DATA**

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**SECTION 1 – INTRODUCTION**

The protection of personal data is of utmost priority for Zer Merkezi Hizmetler ve Ticaret Anonim Şirketi'nin (the "**Company**"). This present Zer Merkezi Hizmetler ve Ticaret Anonim Şirketi Policy on the Protection and Processing of Personal Data (the "**Policy**") sets out the principles adopted by our Company for the conducting of the personal data processing activities undertaken by our Company and the fundamental principles adopted with respect to the compliance of our Company's data processing activities with the regulations laid down in the Law No. 6698 on the Protection of Personal Data (the "**Law**") whereby our Company informs the personal data subjects and ensures necessary transparency. Your personal data are processed and protected pursuant to this Policy, in full awareness of our responsibility within this scope.

Activities undertaken by our Company for the protection of the personal data pertaining to our employees are governed by Zer Merkezi Hizmetleri ve Ticaret Anonim Şirketi Policy on the Protection and Processing of Personal Data of the Employees, which is drawn up in parallel with the principles set forth hereunder.

**SCOPE**

This Policy concerns all personal data pertaining to the persons, other than the employees of our Company which are by automatic means or otherwise than by automatic means that form a part of the filing system. Detailed information on the said personal data subjects are provided in ANNEX 2 ("*ANNEX 2- Personal Data Subjects*") to this Policy.

**IMPLEMENTATION OF THE POLICY AND THE APPLICABLE LEGISLATION**

Regarding the processing and protection of personal data, the applicable legal regulations in force will be given precedence in application. Our Company accepts that in case of any discrepancy between the applicable legislation and the Policy, the applicable legislation will prevail. The Policy sets out the rules stipulated in the applicable legislation, by formalizing such within the scope of Company practices.

**ENFORCEMENT OF THE POLICY**

This Policy was prepared by our Company on April 24, 2019. In case of the renewal of the entirety of or specific provisions of the Policy, the enforcement date thereof will be updated. The Policy will be published on the website of our Company (<http://www.koczer.com/>) and will be made available to the personal data subjects upon their such request.

**SECTION 2 – MATTERS REGARDING THE PROTECTION OF PERSONAL DATA****2.1. MAINTENANCE OF THE SECURITY OF PERSONAL DATA**

Pursuant to Article 12 of the Law, our Company takes necessary measures in order to prevent the unlawful disclosure of, access to, transfer of personal data or any other kind of security deficiencies and according to the nature of the data to be safeguarded. Within this scope, our Company takes administrative measures which are intended to ensure the necessary security level in compliance with the guidelines which are published by the Personal Data Protection Board (the "**Board**"), and carries out or has carried out inspections therefor.

**2.2. PROTECTION OF SPECIAL CATEGORIES OF PERSONAL DATA**

Personal data of a sensitive nature are attached a particular importance under the Law due to posing a risk for aggrievement or discrimination of persons if illegally processed. These "special categories" of personal data are data relating to race, ethnic origin, political opinions, philosophical beliefs, religion, sect or other beliefs, clothing and attire, association, foundation or trade union memberships, health, sexual life, criminal convictions and security measures, and biometric and genetic data.

Within this scope, the technical and administrative measures adopted by our Company for the safeguarding of personal data are meticulously implemented in terms of special categories of personal data and the necessary internal inspections are conducted therefor.

Detailed information on the processing of special categories of personal data are provided in Section 3.3 of this Policy.

**2.3. RAISING THE AWARENESS OF THE BUSINESS UNITS REGARDING THE PROTECTION AND PROCESSING OF PERSONAL DATA AND ITS SUPERVISION**

Our Company procures the organization of the necessary training to be given to the business units in order to raise awareness regarding the prevention of the unlawful processing of and unlawful access to personal data and the maintenance of the protection of the data.

Our Company establishes the necessary systems in order to create awareness of the existing employees and recently recruited employees and works with consultants in this respect, if so required. Accordingly, our Company considers the participations to the relevant trainings, seminars and information sessions, and organizes new trainings in parallel with the updating of the applicable legislation.

**SECTION 3 – MATTERS REGARDING THE PROCESSING OF PERSONAL DATA****3.1. THE PROCESSING OF PERSONAL DATA IN ACCORDANCE WITH THE PRINCIPLES PRESCRIBED IN THE LEGISLATION****3.1.1. Data Processing** in accordance with the Law and Principle of Good Faith

Personal data are processed in compliance with the general trust and good faith, in a manner not to impair the fundamental rights and freedoms of persons. Within this framework, personal data are processed to the extent so necessitated by and limited to the business activities of our Company.

**3.1.2. Ensuring the Personal Data to be Accurate and if Necessary, Up- to-Date**

Our Company takes the necessary measures for the personal data to be accurate and up-to-date during the period in which they are processed, and periodically establishes the necessary mechanisms for ensuring the accuracy and up-to-dateness of the personal data.

**3.1.3. Data Processing** for Specified, Explicit and Legitimate Purposes

Our Company clearly establishes the purposes for which the personal data are processed, and processes such, again in accordance with its business activities, for the purposes connected therewith.

**3.1.4. Being Relevant, Limited and Proportionate to the Purposes for Processing**

Our Company collects personal data only in the nature and to the extent required for business activities, and processes them as limited to the specified purposes.

**3.1.5. Being Stored only for the Time as Prescribed in the Applicable Legislation or as Necessitated by the Purposes for which They are Processed**

Our Company keeps the personal data for the period that is required for the purpose for which they are processed and for the minimum period as stipulated in the applicable legislation. Within this scope, our Company initially determines whether any period is prescribed in the applicable legislation for the retention of personal data or not, and if any period is designated, adheres to such period. If any statutory period has not been prescribed, personal data are stored for the period that is required for the purpose for which they are processed. Personal data are destroyed at the end of the specified retention periods, as per the periodic destruction periods or according to the application of the data subject and with the specified methods of destruction (erasure and/or destruction and/or anonymization).

**3.2. CONDITIONS FOR THE PROCESSING OF PERSONAL DATA**

Other than with the explicit consent of the personal data subject, personal data may be processed solely based on one of the conditions below, and more than one condition may also form the ground for the same personal data processing activity. If the data processed are special categories of personal data, the conditions set forth in Section 3.3. (“Processing of the Special Categories of Personal Data”) of this Policy.

**(i) Existence of Explicit Consent of the Personal Data Subject**

One of the conditions for the processing of personal data is the explicit consent of the data subject. The explicit consent of the personal data subject should be specific, informed and freely given.

In the event of the existence of the following conditions for the processing of personal data, personal data may be processed without necessitating the explicit consent of the data subject.

**(ii) Expressly Permitted by any Law**

If the personal data of the data subject is expressly permitted by any law, i.e., in case of the existence of a clear provision on the processing of the personal data under the applicable law; this condition for data processing would be deemed to exist.

**(iii) Being Unable to Obtain the Explicit Consent of the Person Concerned due to De Facto Impossibility**

Personal data of the data subject can be processed in cases in which consent cannot be given due to de facto impossibility or it is necessary to process the personal data in order to protect the life or physical integrity of the data subject or another person where the data subject is incapable of giving consent.

**(iv) Being Directly Related to the Conclusion or Performance of the Contract**

If it is necessary to process personal data, provided that the processing is directly related to the conclusion or performance of the contract, this condition could be considered to have been satisfied.

**(v) Data Processing Required for the Company's Compliance with a Legal Obligation**

Personal data pertaining to the data subject may be processed if it is necessary for the Company to comply with its legal obligations.

**(vi) Personal Data is Revealed to the Public by the Personal Data Subject**

In the event that the personal data is revealed to the public by the data subject, the personal data concerned may be processed, as limited to the purpose for publicity.

**(vii) Data Processing is Required for the Establishment or Protection of a Right**

Personal data pertaining to a data subject may be processed if it is necessary for the establishment, exercise or protection of a right.

**(viii) Data Processing is Required for the Legitimate Interests of our Company**

Personal data pertaining to a data subject may be processed if the processing of data is necessary for our Company's legitimate interests, provided not to impair the fundamental rights and freedoms of the personal data subject.

**3.3. PROCESSING OF SPECIAL CATEGORIES OF PERSONAL DATA**

Special categories of personal data are processed by our Company in accordance with the principles which are prescribed in this Policy and by taking all necessary administrative and technical measures, including the methods which will be determined by the Board and in case of the existence of any condition below:

**(i) Special categories of personal data other than those relating to health and sexual life** may be processed without the explicit consent of the data subject, if expressly permitted by law, i.e. if there is a clear provision on the processing of personal data in the applicable law. Otherwise, the explicit consent of the data subject will be obtained.

**(ii) Special categories of personal data relating to health and sexual life** may be processed by persons under the obligation of secrecy or authorized institutions and organizations, without seeking explicit consent, for the purposes of the protection of public health, the operation of preventive medicine, medical diagnosis, treatment and care services, the planning and management of healthcare services. Otherwise, the explicit consent of the data subject will be obtained.

### **3.4. OBLIGATION TO INFORM THE PERSONAL DATA SUBJECT**

Pursuant to Article 10 of the Law and secondary legislation, our Company informs the personal data subjects as to the identity of the data controller, the purposes for which personal data are processed, the persons to whom they are shared, the methods of and legal grounds for collection thereof and the rights of the data subjects regarding the processing of personal data.

### **3.5. TRANSFER OF PERSONAL DATA**

Our Company may transfer the personal data and special categories of personal data pertaining to the personal data subjects to third persons (third party companies, group companies, third party natural persons) by taking the necessary security measures in accordance with the purposes for the lawful processing of personal data. In this respect, our Company abides by the regulations which are stipulated in Article 8 of the Law. Detailed information is provided in ANNEX 4 (“ANNEX 4 – *Third Persons to whom Personal Data are Transferred by Our Company and the Purposes for Transfer*”) to this Policy.

#### **3.5.1. Transfer of Personal Data**

Our Company may transfer personal data to third persons by paying due care and by taking all necessary security measures including those which are stipulated by the Board, in the event of the existence of one or more of the following conditions, despite the non-attainment of the explicit consent of the personal data subject:

- The activities regarding the transfer of personal data are expressly permitted by any law;
- The transfer of personal data by the Company is directly related to and necessary for the conclusion or performance of a contract;
- The transfer of personal data is necessary for compliance by our Company with a legal obligation;
- The transfer of personal data, as limited to the purpose for publicity, provided that they are revealed to the public by the data subject;
- The transfer of personal data by the Company is necessary for the establishment, exercise or protection of the rights of the Company or the data subject or another person;
- The transfer of personal data is required for the legitimate interests of the Company, provided that the fundamental rights and freedoms of the data subject are not impaired;

- The transfer of personal data is necessary to protect the life or physical integrity of the data subject or another person where the data subject is incapable of giving consent due to de facto impossibility or the data subject's consent is not legally valid.

In addition to the foregoing, personal data may be transferred to any foreign country which is declared by the Board to ensure an adequate level of protection ("**Foreign Country with an Adequate Level of Protection**") in case of the existence of any condition above. In case an adequate level of protection is not ensured, personal data may be transferred in accordance with the data transfer conditions which are prescribed in the legislation to foreign countries ("**Foreign Country where a Data Controller Commits an Adequate Level of Protection**"), if the data controllers in Turkey and the foreign country concerned so commit in writing to provide an adequate level of protection and if permission is given by the Board.

### **3.5.2. Transfer of Special Categories of Personal Data**

Special categories of personal data may be transferred by our Company in accordance with the principles which are prescribed in this Policy and **by taking all necessary administrative and technical measures, including** the methods which will be determined by the Board **and in case of the existence of any condition below:**

**(i) Special categories of personal data other than those relating to health and sexual life** may be processed without the explicit consent of the data subject, if expressly permitted by law, i.e. if there is a clear provision on the processing of personal data in the applicable law. Otherwise, the explicit

i consent of the data subject will be obtained.

ii **(ii) Special categories of personal data relating to health and sexual life** may be processed by persons under the obligation of secrecy or authorized institutions and organizations, without seeking explicit consent, for the purposes of the protection of public health, the operation of preventive medicine, medical diagnosis, treatment and care services, the planning and management of healthcare services. Otherwise, the explicit consent of the data subject will be obtained.

In addition to the foregoing, personal data may be transferred to any **Foreign Country with an Adequate Level of Protection** in case of the existence of any condition above. In case an adequate level of protection is not ensured, personal data may be transferred in accordance with the data transfer conditions which are prescribed in the legislation to **Foreign Countries where a Data Controller Commits an Adequate Level of Protection.**

## **SECTION 4 – CATEGORIZATION OF THE PERSONAL DATA PROCESSED BY OUR COMPANY AND THE PURPOSES FOR THEIR PROCESSING**

In accordance with our purposes for the processing of personal data, Our Company processes personal data in compliance with the general principles which are prescribed under the Law, in particular the principles set forth in Article 4 of the Law regarding the processing of personal data, on the basis of and limited with at least one of the conditions for the processing of personal data as enumerated in Articles 5 and 6 of the Law, by informing the data subjects pursuant to Article 10 of the Law and secondary legislation. The list of categories of personal data which are processed within the framework of the purposes and conditions set forth in this Policy and detailed information



on the categories are provided in ANNEX 3 (“ANNEX 3 – *Categories of Personal Data*”) to this Policy.

Detailed information on such purposes for the processing of personal data are provided in Annex 1 (“ANNEX 1 – *Purposes for the Processing of Personal Data*”) to this Policy.

## **SECTION 5 – RETENTION AND DESTRUCTION OF PERSONAL DATA**

Our Company keeps the personal data for the period that is required for the purpose for which they are processed and for the minimum period as stipulated in the applicable legislation. Within this scope, our Company initially determines whether any period is prescribed in the applicable legislation for the retention of personal data or not, and if any period is designated, adheres to such period. If any statutory period has not been prescribed, personal data are stored for the period that is required for the purpose for which they are processed. Personal data are destroyed at the end of the specified retention periods, as per the periodic destruction periods or according to the application of the data subject and with the specified methods of destruction (erasure and/or destruction and/or anonymization).

## **SECTION 6- RIGHTS OF PERSONAL DATA SUBJECTS AND THE EXERCISE OF SUCH RIGHTS**

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

Personal data subjects possess the following rights:

- (1) Being informed of whether his/her personal data are processed or not;
- (2) Requesting information thereon if his/her personal data have been processed;
- (3) Being informed of the purpose for the processing of his/her personal data and whether such data were used in conformity with such purpose or not;
- (4) Knowing the third parties in Turkey or abroad to whom/which personal data are transferred;
- (5) Requesting the rectification of incomplete or inaccurate personal data which were processed and the notification, of the operation carried out within this scope, to third parties to whom/which personal data were transferred;
- (6) Requesting the deletion or destruction of personal data despite the processing in accordance with the law and other applicable legal provisions, once the reasons necessitating the processing cease to exist, and the notification, of the operation carried out within this scope, to third parties to whom/which personal data were transferred;
- (7) Objecting to any outcomes to his/her detriment by means of the analysis of the processed data exclusively through automated means;
- (8) Claiming the compensation of his/her damages, in case (s)he incurs any damages due to the unlawful processing of personal data.

### **6.2. THE EXERCISE OF THE RIGHTS OF THE PERSONAL DATA SUBJECTS**

The personal data subjects may communicate their requests regarding their rights which are enumerated in Section 6.1. above (“*The Rights of the Personal Data Subjects*”) through the methods which are determined by the Board. In this respect, the personal data subjects may use the “Zer Merkezi Hizmetler ve Ticaret A.Ş. Data Subject

Application Form” which is accessible from  
[https://www.koczer.com/Content/assets/media/Data\\_Owner\\_Application\\_Form.pdf](https://www.koczer.com/Content/assets/media/Data_Owner_Application_Form.pdf)

### 6.3. REPLY BY OUR COMPANY TO THE APPLICATIONS

Our Company takes the necessary administrative and technical measures in order to conclude the applications to be filed by the personal data subjects, in accordance with the Law and the secondary legislation.

If the personal data subjects duly communicate their applications regarding their rights under Section 6.1. (“*Rights of the Personal Data Subjects*”) to our Company, our Company will conclude such requests, free of charge and as soon as possible considering the nature of the request and within 30 (thirty) days at the latest. However, in case the operation requires an additional cost, the fee designated by the Board in the tariff may be charged.

### **ANNEX 1 – Purposes for the Processing of Personal Data**

#### **MAIN PURPOSES (PRIMARY)**

Planning and execution of human resources policies and processes of our Company

Carrying out of the necessary works by our relevant business units for the performance of the commercial activities conducted by the Company and the execution of the related business processes

Carrying out of the necessary works by our business units for the benefits by the data subjects from the products and services offered by the Company

#### **SUB-PURPOSES (SECONDARY)**

Execution of staff recruitment processes

Planning and execution of procurement chain management processes

Event management

Planning and execution of manufacturing and operation processes

Planning, auditing and execution of information security processes

Planning and execution of corporate governance activities

Planning and execution of corporate communication activities

Monitoring of finance and accounting works  
Planning and execution of information access authorizations of business partners and suppliers

Setting up and management of information technologies infrastructure

Planning and execution of processes of sales of products and services

Follow-up of customer requests and complaints

and the execution of the related business processes

Planning and execution of the commercial and business strategies of the Company

Customization of the products and services offered by the Company according to the tastes, habits of use and needs of the data subjects and planning and execution of the activities required for the offering and advertising thereof to the data subjects

Ensuring the legal, technical and commercial-business security of the Company and the data subjects in a business relationship with the company

Planning and execution of customer relations management processes

Management of relations with business partners and suppliers

Planning and execution of customer satisfaction activities

Planning and execution of market research for the sale and marketing of products and services

Follow-up of legal works

Planning and execution of operational activities necessitated to ensure compliance of Company activities with company procedures and applicable legislation

Ensuring the security of the Company's sites and facilities

Planning and execution of the audit activities of the Company

**ANNEX 2 – Personal Data Subjects**

<b>PERSONAL DATA SUBJECT</b>	<b>DESCRIPTION</b>
Customer/Potential Customer	Natural persons who use or have used or who are planned to use the products and services offered by our Company, regardless of whether there is a contractual relationship with our Company or not
Visitor	Natural persons who have entered the physical sites of our Company for various purposes or who have visited our websites
Third Person/Party	Third party natural persons who are associated with the aforementioned persons in order to ensure the security of the commercial transactions between our Company and such persons or to protect the rights thereof or to derive benefits thereto (e.g. sureties, family members and relatives) or other natural persons who are not covered by this Policy or the Policy on the Protection and Processing of the Personal Data pertaining to the Employees of Zer Merkezi Hizmetler ve Ticaret Anonim Şirketi Employees
Prospective/Candidate Employee	Natural persons (including prospective/candidate interns) who have made a job application, through any means, or made their resumés or relevant information available for examination by our Company
Company Shareholder	Natural persons who are shareholders of our Company
Company Officer	Members of the board of directors or other authorized natural persons of our Company
Employees, Shareholders and Officers of the Organizations Collaborated with	Natural members who work at the organizations with which our Company maintains any business relationship (including but not limited to business partners, suppliers) including the shareholders and officers of such organizations
Group Employee	Natural persons who are employees of Koç Group Companies

**ANNEX 3 - Categories of Personal Data**

CATEGORIES OF	DESCRIPTION
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**PERSONAL DATA**

## Identification Details

Data including the identification details of the person: documents such as driving license, ID card and passport containing information such as name-surname, Turkish ID number, nationality, place and date of birth, sex, and tax number, SSI number, vehicle registration plate

## Contact Details

Phone number, address, e-mail address, facsimile number

## Location Data

Details about the location of the personal data subjects during the use of our products and services or our employees or the employees of the organizations with which we collaborate, whilst using our Company cars

## Details of Family Members and Relatives

Details about the family members and relatives of the personal data subject in order to protect the legal and other benefits of our Company and the data subject or in relation to the products and services offered by our party and in accordance with the operations of our Company

## Physical Location Security Details

Personal data regarding records and documents kept at the entry to the physical location, inside the physical location, camera records, fingerprint records and records taken at the security point etc., which are included in the filing system and which clearly pertain to an identified or identifiable natural person

## Processing Security Details

Your personal data which are processed in order to ensure our technical, administrative, legal and commercial security while conducting our commercial activities (such as log records)

## Financial Details

Personal data processed for any information, document and record that show all financial results created as a result of legal relationship between our Company and personal data subject and data such as bank account number, IBAN, credit card details, financial profile, asset data, income details; which clearly pertain to an identified or identifiable natural person and which are processed wholly or partly by automatic means or otherwise than by automatic means as a part of the filing system

Personal Details	All kinds of personal data which are processed for the attainment of the information forming the basis for the creation of the personal rights of the natural persons who are in an employment relationship with our Company
Details of Prospective/Candidate Employees	Personal data which are processed with respect to the individuals who have made an application for becoming an employee of our Company or who have been considered as a prospective/candidate employee in accordance with the human resources requirements of our Company pursuant to commercial customs and principles of good faith or who are in an employment relationship with our Company
Special Categories of Personal Data	Data relating to race, ethnic origin, political opinions, philosophical beliefs, religion, sect or other beliefs, clothing and attire, association, foundation or trade union memberships, health, sexual life, criminal convictions and security measures, and biometric and genetic data of persons
Marketing Details	Personal data which are processed by means of the customization of our products and services according to the habits of use, tastes and needs of the personal data subjects and the marketing thereof, and the reports and evaluations generated in consequence of the results of such processing
Visual and Audio Data	Photographs and camera records (excl. the records within the scope of the Physical Location Security Details), audio records and data included in the copies of the documents containing personal data, which clearly pertain to an identified or identifiable natural person

#### **ANNEX 4 - Third Persons to whom Personal Data are Transferred by Our Company and the Purposes for Transfer**

Our Company may transfer the personal data pertaining to its customers to the following categories of persons, pursuant to Articles 8 and 9 of the Law:

- i (i) Business Partners
- ii (ii) Suppliers
- iii (iii) Legally Authorized Private Law Persons
- iv (iv) Legally Authorized Public Institutions and Organizations
- v (v) Koç Group Companies

vi (vi) Customers

The scope of persons enumerated above, to whom/which the data are transferred, and the purposes for the transfer of data are indicated below:

<b>Persons to whom/which Data may be Transferred</b>	<b>Definition</b>	<b>Purpose for Transfer of Data</b>
<b>Business Partner</b>	Survey/questionnaire companies if customer satisfaction surveys are undertaken. Setur Servis Turistik A.Ş. for travel organizations. Business partner banks in banking transactions such as collection and payment.	Limited with the purpose for the fulfillment of the objectives of the establishment of a business partnership
<b>Supplier</b>	Parties which provide services to our Company in accordance with the data processing purposes and instructions of our Company within the scope of the conducting of the commercial activities of our Company	Limited with the purpose for the procurement of the rendering of services which are required for the performance of the commercial activities of our Company and which are outsourced by our Company from the suppliers
<b>Legally Authorized Public Institutions and Organizations</b>	Public institutions and organizations which are authorized to receive information and documents from our Company as per the applicable legal provisions. For instance, the CMB, EMRA, Competition Board etc.	Limited with the purpose of request by the relevant public institutions and organizations within the scope of their legal authority
<b>Legally Authorized Private Law Persons</b>	The institutions and organizations which are incorporated according to the legally determined conditions, pursuant to the applicable legal provisions and which operate again within the scope so determined under the law (e.g. independent auditors).	Personal data, limited with the subjects within the scope of the activities conducted by the relevant private institutions and organizations, are disclosed.
<b>Koç Group Companies</b>	<i>(The list of Koç Group Companies is available from <a href="http://www.koc.com.tr">www.koc.com.tr</a> .)</i>	Limited with the purpose for audit