



STARCOOL SOĞUTMA SAN. VE TİC. A.Ş.

**PERSONAL DATA PROTECTION
AND PROCESSING POLICY**

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PERSONAL DATA PROTECTION AND PROCESSING POLICY

1. PURPOSE

We, Starcool Sogutma San. ve Tic. A.S ('**Company**'), protect the personal data of all-natural persons that we have contacted in any way while performing our commercial activities since the Law No. 6698 on Protection of Personal Data ("**KVKK**" or "**Law**") came into force. In this context, we attach great importance to the fulfillment of the requirements in the Law.

This Personal Data Protection and Processing Policy ('**Policy**') has been prepared to inform you about the processes and principles of personal data collection, use, sharing, and storage by the Company.

In this Policy, the principles regarding the processing of personal data belonging to data owners are set out under the order of regulation set out in the Law, and these disclosures include Company employee candidates, employees, active and potential customers, shareholders, business partners, visitors, supplier's employees/officials and other natural persons in contact with the Company.

2. SCOPE

This policy applies to all processes of the company.

3. REFERENCES

Law No. 6698 On Protection Of Personal Data,
Regulation on the Deletion, Destruction, or Anonymity of Personal Data.

4. DEFINITIONS AND ABBREVIATIONS

Abbreviation	Definition
Explicit consent	The consent given on certain matter, based on knowledge and free will
Related User	They are those who process personal data within the organization of the data controller or under the authorization and instruction received from the data controller, except for the person or unit responsible for the technical storage, protection and backup of the data.
Destruction	Deletion, destruction, or anonymization of personal data.
Law/KVKK	Personal Data Protection Law number 6698
Recording Media	Any environment in which personal data are processed, which are wholly or partially automated or processed in non-automated ways, provided that they are part of any data recording system.
Personal Data	All information related to identified or identifiable real persons

Processing Of Personal Data	All processes on personal data, including obtaining, recording, storage, retaining, modification, rearrangement, disclosure, transmission, takeover, making available, classification, or prevention of use, fully or partially by automatic means or by manual means as part of any data recording system.
Anonymization Of Personal Data	Means rendering the personal data unavailable for association with identified or identifiable real person, even by matching with other data.
Deletion Of Personal Data	Deletion of personal data, making personal data inaccessible and unusable to Related Users in any way.
Destruction Of Personal Data	The process of making personal data in no way accessible, retrieved, and reusable by anyone.
Board	Personal Data Protection Board
Sensitive Personal Data	Data related to race, ethnic roots, political opinion, philosophical belief, religion, sect or other beliefs, clothing, association, foundation or union membership, health, sexual life, penal conviction and security measures of people, and biometric and genetic data.
Periodic Destruction	In the event that all the conditions of personal processing data contained in the Law disappear, the process of deleting, destroying, or anonymizing the personal data, which will be carried out ex officio by repetitive intervals specified in the policy of retention and destruction.
Data Owner/ Subject	The real person whose personal data is processed
Chief Data Officer	The real or legal person who sets the purpose and means of processing personal data, and who is responsible for establishing and management of data recording system.
Regulation	Regulation on the Deletion, Destruction or Anonymization of Personal Data published in the Official Gazette on 28 October 2017.

5. PROCEDURES AND PRINCIPLES FOR THE PROTECTION OF PERSONAL DATA

5.1. GENERAL PRINCIPLES ON PROCESSING OF PERSONAL DATA

Company processes personal data in accordance with the principles and procedures set forth in the KVKK and other relevant laws. Within this framework, during processing of personal data, Company fully complies with the following principles under KVKK.

•**Lawfulness and conformity with rules of bona fides:** According to this principle Company's data processing processes are conducted in accordance with all legislation, particularly the Constitution of the Republic of Turkey and the KVKK, and within the boundaries of integrity rules.

•**Accuracy and being up to date, where necessary:** Necessary measures are taken to ensure that the personal data processed by Company is accurate and up-to-date, and data subjects are given opportunity by informing them to ensure that the processed data

reflects the real situation. If the data subject is reached for the first time, authentication and illumination are performed just before the data processing.

•**Being processed for specific, explicit and legitimate purposes:** Company's processes personal data only for explicit and strictly legitimate purposes, and does not engage in data processing activities for any other purpose. In this context, Company processes personal data only in connection with and to the extent required for the relationship with the data subjects.

•**Being relevant with, limited to and proportionate to the purposes for which they are processed:** Company processes data, limited to and proportionate to the purposes to achieve the goals specified by data categories, in accordance with KVKK and other relevant legislation, and avoids processing any personal data which is not needed.

•**Being retained for the period of time stipulated by relevant legislation or the purpose for which they are processed:** The personal data processed by Company is retained only for the period stipulated under the relevant legislation or required for the processing purpose. In this context, Company complies with any data retention period stipulated in the relevant legislation; and otherwise retains the data only for the period required for the processing purpose. The company does not store data based on the possibility of future use.

5.2. CONDITIONS FOR PROCESSING PERSONAL DATA

The processing conditions of personal data have been regulated with KVKK and the Company processes the personal data under the mentioned conditions below.

Save for the exceptions under the KVKK, Company processes personal data only upon obtaining **explicit consent** of data subjects. Personal data may be processed **without seeking the explicit consent** of the data subject only in cases where one of the following conditions as listed in KVKK are met:

- It is clearly provided for by the laws.
- It is mandatory for the protection of life or physical integrity of the person or of any other person who is bodily incapable of giving his consent or whose consent is not deemed legally valid.
- Processing of personal data belonging to the parties of a contract is necessary, provided that it is directly related to the conclusion or fulfillment of that contract.
- It is mandatory for the controller to be able to perform his legal obligations.
- The data concerned is made available to the public by the data subject himself.
- Data processing is mandatory for the establishment, exercise, or protection of any right.
- It is mandatory for the legitimate interests of the controller, provided that this processing shall not violate the fundamental rights and freedoms of the data subject
In processing of sensitive personal data of data subjects, which is believed to be more

critically important for protection, Company shows particular sensitivity. In this context, such data is not processed without data subjects' **explicit consent**, provided that sufficient measures specified by the Board are taken. However, private personal data other than health and sexual life data may be processed **without data subject's explicit consent** in the cases set forth in the laws. On the other hand, data related to health and sexual life may be processed by persons under the liability to keep secrets or by competent authorities and institutions, **without explicit consent of data** subject, for the purposes listed below, provided that sufficient measures are taken:

- Protection of public health,
- Preventive medicine,
- Medical diagnosis,
- Conduct of treatment and maintenance services,
- Planning and management of healthcare services and financing.

5.3. PURPOSES FOR PROCESSING PERSONAL DATA

Personal data obtained by Company may be processed within the scopes explained as primary purposes below:

- HR operations,
- Internal operations,
- Activities that culminate in legal, technical and administrative precautions
- Strategy, planning, and partners/supplier management,
- Planning and execution of corporate communication activities, events,
- Audit/investigation activities
- To fulfill the requirements of the authorized public institutions and organizations,

The categories mentioned above have been prepared in general. They are for informational purposes only, and other categories may be added by us for the Company to carry out its commercial and operational activities. In such cases, the Company will continue to update the specified categories in the relevant texts for you, to keep you informed as quickly as possible.

5.4. RETENTION OF PERSONAL DATA

Obtained personal data is kept securely in physical or electronic environment for appropriate time periods for the conduct of Company's business activities. Within the scope of these activities, Company acts in accordance with liabilities under the all legislation on protection of personal data, particularly KVKK. Save for cases where the relevant legislation allows

or requires the retention of personal data for a longer period, Company will delete, destroy or anonymize the data according to Personal Data Retention and Destruction Policy which is prepared in accordance with this Policy, or upon data subjects' request via the annexed Data Subject Application Form, after cessation of the personal data processing purposes. Upon destruction of personal data using various methods¹, such data shall be destroyed in a manner that they cannot be used or retrieved any more in any manner whatsoever.

However, in cases where the data controller has legitimate benefits, despite expiry of the periods stipulated in the relevant laws or the processing purposes, personal data may be retained until statutes of limitation under the Code of Obligations (ten years), provided that the data subjects' fundamental rights and liberties are not damaged. After expiry of the said statutes of limitation, personal data shall be deleted, destroyed or anonymized in accordance with the abovementioned procedure.

Company meticulously complies with the requirements of KVKK on sharing of personal data with third parties, save for the provisions of other laws. Within this framework, Company does not transmit personal data to third parties without obtaining data subject's explicit consent. However, personal data may be processed without seeking the explicit consent of the data subject only in cases where one of the following conditions as listed in KVKK are met:

- It is clearly provided for by the laws.
- It is mandatory for the protection of life or physical integrity of the person or of any other person who is bodily incapable of giving his consent or whose consent is not deemed legally valid.
- Processing of personal data belonging to the parties of a contract is necessary, provided that it is directly related to the conclusion or fulfillment of that contract.
- It is mandatory for the controller to be able to perform his legal obligations.
- The data concerned is made available to the public by the data subject himself.
- Data processing is mandatory for the establishment, exercise, or protection of any right.
- It is mandatory for the legitimate interests of the controller, provided that this processing shall not violate the fundamental rights and freedoms of the data subject.

Provided that sufficient measures are taken; your personal data not related to health and sexual life may be transmitted according to provisions of the laws, and those related to health and sexual life may be transmitted without requirement for explicit consent, for purposes such as:

- Protection of public health,
- Preventive medicine,
- Medical diagnosis,

- Conduct of treatment and maintenance services,
- Planning and management of healthcare services and financing.

In transmission of private personal data, conditions for processing such data are being complied with.

5.6. TRANSMISSION OF PERSONAL DATA TO FOREIGN COUNTRIES

Regard transmission of your personal data to foreign countries, data subject's **explicit consent** is sought pursuant to Article 9 of KVKK. However, upon presence of conditions that allow the processing of personal data, including private personal data, without data subject's explicit consent, Company may transmit the personal data to foreign countries without data subject's explicit consent, provided that the foreign country where the personal data is to be sent offers sufficient protection. If the recipient country is not among those having sufficient protection, as determined by the Board, then Company and the data controller/ data processor in the relevant country shall undertake sufficient protection in writing.

Groups of people with whom your personal data is shared/may be shared can be seen on the List of groups of people with whom the personal data is shared, in annex 2 to this Policy. However, we would like to point out that; the lists prepared to inform you and will be updated by the company in the event of any changes.

5.7. COMPANY'S OBLIGATION TO INFORM

Within the scope of article 10 of related Law, data subjects must be informed before or at the latest during the obtaining of personal data. The information required to be provided to data subjects within the framework of such information liability are as follows:

- the identity of the controller and of his representative, if any,
- the purpose of data processing;
- to whom and for what purposes the processed data may be transferred,
- the method and legal reason of collection of personal data,
- Other rights written in Article 112 of KVKK.

In order to fulfill the clarification obligation, the company has prepared statements on the basis of the persons whose processes and data have been processed, to be presented to the data owners under the above-mentioned law. Following the submission of the declarations to the data subjects, explicit consent statements were also prepared for data processing activities and data categories that require the explicit consent of the data owner to carry out the Company's commercial activities. In the explicit consent statements prepared for the data subjects, in line with the European Union regulations that constitute the basis of the Law, the data owners were given the right to choose whether their personal data could be processed by the Company and were informed about the possible outcomes if the explicit consent could not be obtained.

On the other hand, under article 28(1) of KVKK, Company shall not be required to provide information in the cases below:

- Personal data are processed for official statistics and provided that they are being anonymized for the purposes for such as research, planning and statistics.

- Personal data are processed for official statistics and provided that they are being anonymized for the purposes for such as research, planning and statistics.

- Personal data are processed with artistic, historical, literary or scientific purposes, or within the scope of freedom of expression provided that national defense, national security, public security, public order, economic security, right to privacy or personal rights are not violated or the process doesn't constitute a crime.

- Personal data are processed within the scope of preventive, protective and intelligence activities carried out by public institutions and organizations duly authorized and assigned by law to maintain national defense, national security, public security, public order or economic security.

- Personal data are processed by judicial authorities or execution authorities with regard to investigation, prosecution, judicial or execution proceedings.

On the other hand, under article 28(2) of KVKK, Company shall not be required to provide information in the cases below:

- Personal data processing is required for the prevention of a crime or crime investigation.

- Personal data processing is carried out on the data which is made public by the data subject himself.

- Personal data processing is required for inspection or regulatory duties and disciplinary investigation and prosecution to be carried out by the public institutions and organizations and by professional associations having the status of public institution, assigned and authorized for such actions, in accordance with the power conferred on them by the law,

- Personal data processing is required for protection of State's economic and financial interests with regard to budgetary, tax-related and financial issues.

5.8. RIGHTS OF DATA SUBJECT

Regarding personal data processed by Company in accordance with the principles set forth in this Policy, necessary measures are taken for having the data subjects exercise their rights under article 11 of KVKK. Such rights are as follows:

a) To learn whether his personal data are processed or not,

b) To request information if his personal data are processed,

- c) To learn the purpose of his data processing and whether this data is used for intended purposes,
- d) To know the third parties to whom his personal data is transferred at home or abroad,
- e) To request the rectification of the incomplete or inaccurate data, if any,
- f) To request the erasure or destruction of his personal data under the conditions laid down in Article 7 of Law,
- g) To request reporting of the operations carried out pursuant to sub-paragraphs (e) and (f) to third parties to whom his/her personal data have been transferred,
- h) To object to the occurrence of a result against the person himself/herself by analyzing the data processed solely through automated systems,
- i) To claim compensation for the damage arising from the unlawful processing of his/her personal data.

Data subjects may exercise the abovementioned rights by conveying the Data Subject Application Form in annex 1 to this Policy, by other means mentioned in the said form. Detailed information on completing the form and sending to Company is given in the application form in annex 1. Company will send the response to the applications to the data subject physically or by electronic means.

Company will conclude the request as soon as possible according to nature of the request, and within maximum thirty (30) days, and free of charge. However, if the process involves an additional cost, Company shall charge the data subject with the fee stated in the tariff set by the Board. In addition, during conclusion of data subjects' request, Company may require additional information or document from the applicants.

On the other hand, under article 28(1) of KVKK, Data Owners cannot use aforesaid rights, mentioned in Article 11 of KVKK, in the following situations:

- Personal data are 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.

- Personal data are processed for official statistics and provided that they are being anonymized for the purposes for such as research, planning and statistics.

- Personal data are processed with artistic, historical, literary or scientific purposes, or within the scope of freedom of expression provided that national defense, national security, public security, public order, economic security, right to privacy or personal rights are not violated or the process doesn't constitute a crime.

- Personal data are processed within the scope of preventive, protective and intelligence activities carried out by public institutions and organizations duly authorized and assigned by law to maintain national defense, national security, public security, public

order or economic security.

- Personal data are processed by judicial authorities or execution authorities with regard to investigation, prosecution, judicial or execution proceedings.

On the other hand, pursuant to article 28(2) of KVKK, the rights under article 11 of KVKK may not be exercised in the cases below, notwithstanding the right to claim damages:

- Personal data processing is necessary for the prevention of committing a crime or for crime investigation.

- Personal data is carried out on the data which are made public by the data subject himself/herself.

- Personal data processing is necessary for performance of supervision or regulatory duties and disciplinary investigation and prosecution to be carried out by the assigned and authorized public institutions and organizations and by public professional organizations, in accordance with the power conferred on them by the

- Personal data processing is necessary for protection economic and financial interests of State related to budget, tax and financial matters.

5.9. MEASURES TAKEN FOR DATA SECURITY PURPOSES

The company takes all the necessary technical and administrative measures to ensure the appropriate level of data safety required for the protection of personal data. The measures provided for in Article 12(1) of the KVKK are:

- Preventing unlawful processing of personal data,
- Preventing unlawful access to personal data,
- Ensuring protection of personal data.

Measures taken by Company in this context are listed below:

5.9.1. Administrative Measures

- Company ensures the application of law provisions within the legal entity, performs and procures necessary audits.

- Company takes necessary measures to prevent intruders from illegally obtaining the processed personal data, and upon acquisition of relevant personal data, this is reported to the data subject and the Board as soon as possible.

- Regarding sharing of personal data, signs personal data protection and data security framework agreement with the people to whom the personal data is disclosed, or provisions are added to existing agreement to ensure data security.

- Regarding processing of personal data, gives necessary trainings to personnel on

the personal data protection legislation and data security matters.

5.9.2. Technical Measures

- Hires knowledgeable and experienced people to ensure data security and gives its staff the necessary KVKK training.

- Makes necessary internal controls within the scope of established systems.

- Carries out the processes of risk analysis, data classification, IT risk assessment, and business impact analysis within the scope of established systems.

- Provides the technical infrastructure to prevent and/or monitor the leakage of personal data outside the organization and the creation of relevant matrices.

- Ensures that employees in IT departments have control over their access to personal data.

6. OTHER MATTERS

In case of inconsistency between the provisions of KVKK and other relevant legislation, and this Policy, provisions of KVKK and other relevant legislation shall prevail.

In the event of a change in the policy, the effective date of the policy and the relevant articles will be updated accordingly. The update table is located in the “Document Masthead”.

7. SPECIAL SITUATION AND EXCEPTIONS

None.

8. REVISIONS AND ABOLITION

This Policy is reviewed and updated once a year by the Company.

9. ENFORCEMENT

This Policy prepared by the company came into force on 01.06.2020.

10. IMPLEMENTATION

The responsibility of implementation of the document, Starcool Elektro Mekanik Sogutma San. ve Tic. A.S.

11. DISTRIBUTION

İThis Policy is published on the Company’s official website and intranet and announced to third parties and Company employees

12. ANNEXES

ANNEX-1: Data Subject Application Form

ANNEX-2: List of Groups of People with Whom the Personal Data is Shared

13. DOCUMENT MASTHEAD

PUBLICATION, CHANGES AND DISTRIBUTION PAGE

Date/Revision Number	Changes	Changed by
01.06.2020 / 00	New publication	--

ANNEXES

ANNEX - 1 You can download the Data Owner Application Form via www.starcool.net to your computer.

ANNEX - 2

2 LIST OF GROUPS OF PEOPLE WITH WHOM THE PERSONAL DATA IS SHARED

Private Legal Entities (lawyers)

Shareholders

Business Partners (customers, affiliates)

Suppliers (insurance and brokerage services Companies, educational institutions, audit institutions, financial consultancy, occupational health and safety, organizations receiving information processing services, fair organization organizations, agencies, consultancy organizations)

Authorized Public Institutions and Organizations